



# South Coast Air Quality Management District

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

## REVISED\* A G E N D A

MEETING, JANUARY 7, 2022

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

Pursuant to Assembly Bill 361, a meeting of the South Coast Air Quality Management District Board will only be conducted via videoconferencing and telephone. Please follow the instructions below to join the meeting remotely.

\*Please note the agenda has been revised to reflect that the January 7, 2022 meeting will move from a hybrid format to a remote-only format due to current health and safety concerns.

Please refer to South Coast AQMD’s website for information regarding the format of the meeting and details on how to participate:

<http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

### 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 for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at [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
- Swearing in of Chair and Vice Chair for Terms January 2022 – January 2024
- Swearing in of Reappointed Board Members Rex Richardson **Benoit** and Veronica Padilla-Campos
- Opening Comments: Ben J. Benoit, Chair  
Other Board Members  
Wayne Nastri, Executive Officer
- Recognize Employees with 20, 25, 30, 35 and 40 Years of Service **Benoit**

**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 20)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 21.

1. Approve Minutes of December 3, 2021 Board Meeting **Thomas/3268**

### **Items 2 through 6 -- Budget/Fiscal Impact**

2. Implement Carl Moyer, SOON, State Reserve, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs **Miyasato/3249**

In June 2021, Program Announcements for the Carl Moyer and Surplus Off-Road Op-In for NOx (SOON) Programs closed. This year, funding from the State Reserve and Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Programs will also be available to fund eligible projects submitted through these solicitations. These actions are to: 1) adopt Resolutions to recognize up to \$94 million in FY 2021-22 funds from CARB for Carl Moyer and FARMER Programs; 2) execute contracts for Carl Moyer, SOON, State Reserve, Community Air Protection and FARMER Programs in the amount of \$140,722,484; 3) authorize the Executive Officer to redistribute the source of funds for the various incentive program grants to ensure program liquidation targets are met; and 4) reimburse administrative costs for the FY 2021-22 FARMER Program. (Reviewed: Technology Committee, December 17, 2021; Recommended for Approval)

*Please note, at the November 5, 2021 Board Meeting, a public hearing was set for the December 3, 2021 Board Meeting to Determine That Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Is Exempt from CEQA; and Amend Rule 1134. At the December 3, 2021 Board Meeting, the public hearing was moved to February 4, 2022.*

3. **Execute Contracts for Legislative Representation in Washington, D.C.** **Alatorre/3122**

In September 2021, the Board approved the release of an RFP to solicit proposals for legislative representation in Washington, D.C. The Administrative Committee interviewed firms and made recommendations to the Board regarding a contract(s) for the agency's legislative representation. This action is to authorize the Chairman to execute contracts with Carmen Group for \$222,090; Cassidy & Associates for \$216,000; and Kadesh & Associates for \$226,392 for legislative consulting services in Washington, D.C. for one year beginning on January 15, 2022, with an option for up to two one-year renewals, upon satisfactory performance, at the Board's discretion. (Reviewed: Administrative Committee, November 12, and December 10, 2021; Recommended for Approval)

4. **Authorize Purchase for Cisco Unified Communication Telephony System Upgrade** **Moskowitz/3329**

On September 3, 2021, the Board approved the release of RFQ 2022-02 to solicit proposals from qualified vendors to provide hardware and software upgrades to the existing Cisco Unified Communications Telephony System. Three vendors responded to the RFQ. Among the responses, Insight Public Sector, Inc. is the recommended vendor to provide the system based on achieving the most points on the RFQ evaluation criteria. This action is to issue a purchase order with Insight Public Sector, Inc. to purchase Cisco telephony system upgrade. Funds (\$100,000) for this purchase are included in the District General FY 2021-22 Budget. (Reviewed: Administrative Committee, December 10, 2021: Recommended for Approval)

5. **Authorize Purchase of Telecommunication Services** **Moskowitz/3329**

On September 3, 2021, South Coast AQMD released an RFP to select a vendor(s) capable of providing telecommunication services to the South Coast AQMD in the most cost-effective manner and, if possible, to consolidate all telephone company-related services to a single telecommunications provider. These telecommunication services included local, long distance, and toll-free; private internet protocol (PIP)/frame relay network; dedicated T1 lines; MPLS two bundled IP T1s; Ethernet Private Line (ELINE) service; Ethernet Virtual Private Line (EVPL) service; internet access (with a redundant connection); phone system maintenance; and wireless voice and data. This action is to obtain approval to purchase telecommunication services from the selected vendor(s) for a period of three years. Funds for this purchase are included in the FY 2021-22 Budget (\$825,000) and will be included in subsequent fiscal year budget requests. (Reviewed: Administrative Committee, December 10, 2021; Recommended for Approval)

6. Approve Appropriation of Funds to Re-Open Contract and Bifurcation of Award as Approved by MSRC **McCallon**

A contract under the Transportation Control Measure Partnership Program was closed prematurely prior to payment of the final invoice. The MSRC authorized an appropriation to re-open the contract as part of the FYs 2014-16 Work Program. Additionally, the MSRC approved the bifurcation of a previous award under the Zero and Near-Zero Emission Cargo Handling Equipment in Riverside and San Bernardino Counties Program as part of their FYs 2018-21 Work Program. At this time, the MSRC seeks Board approval of the modification and bifurcation as part of the FYs 2014-16 and 2018-21 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, December 16, 2021; Recommended for Approval)

**Item 7 – Action Item /No Fiscal Impact**

7. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely **Gilchrist/3459**

This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code Section 54953(e)(3). (No Committee Review)

**Items 8 through 14 – Information Only/Receive and File**

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

This report highlights the November 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)

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

This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2021. (No Committee Review)

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

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from November 1 through November 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (No Committee Review)

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

This report provides a listing of CEQA documents received by South Coast AQMD between November 1, 2021 and November 30, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee review)

12. Rule and Control Measure Forecast **Rees/2856**

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2022, and provides a summary of implementation of the 2016 AQMP in 2021. (No Committee Review)

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

This report summarizes the RFQs/RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of January. (Reviewed: Administrative Committee, December 10, 2021)

14. Status Report on Major Ongoing and Upcoming Projects for Information Management **Moskowitz/3329**

Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, December 10, 2021)

**Item 15 -- Staff Presentation/Board Discussion/Receive and File**

15. 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, December 10, 2021)

**Items 16 through 20 -- Reports for Committees and CARB**

*Note: The December meeting of the Legislative Committee was canceled. The next regular meeting of the Legislative Committee is January 14, 2022. The Mobile Source and Stationary Source Committees did not meet in December. The next regular meetings of the Mobile Source and Stationary Source Committees are January 21, 2022.*

16. Administrative Committee (Receive & File) **Chair: Benoit Nastri/3131**
17. Technology Committee (Receive & File) **Chair: Buscaino Miyasato/3249**
18. Marine Port Committee (Receive & File) **Co-Chairs: Buscaino & Richardson MacMillan/3244**

19. Mobile Source Air Pollution Reduction Review Committee (Receive & File) Board Liaison: Benoit Katzenstein/2219
20. California Air Resources Board Monthly Report (Receive & File) Board Rep: Kracov Thomas/2500
21. Items Deferred from Consent and Board Calendars

**PUBLIC HEARINGS**

22. Determine That Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, Are Exempt from CEQA; and Amend Rule 1135 and Adopt Rule 429.2 Nakamura/3105

Rule 1135 reduces NOx emissions from combustion equipment at electricity generating facilities. Proposed Amended Rule 1135 will remove ammonia limits which will be addressed during permitting, revise requirements for diesel internal combustion engines on Santa Catalina Island, update provisions for Continuous Emission Monitoring Systems, and reference Proposed Rule 429.2 for startup and shutdown requirements. Proposed Rule 429.2 will provide an exemption from Rule 1135 NOx concentration limits during startup and shutdown events for specified durations with provisions for best management practices and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Adopting Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities. (Reviewed: Stationary Source Committee, November 19, 2021)

23. Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; Adopt Rule 461.1 and Amend Rules 461 and 219 **Nakamura/3105**

Proposed Rule 461.1 applies to retail and non-retail mobile fuelers that are transferring or dispensing gasoline. Proposed Rule 461.1 will reduce VOC and toxic air contaminant emissions by requiring use of CARB certified equipment for mobile fuelers and specifies other operational, testing, maintenance, recordkeeping, and reporting requirements. Proposed Amended Rule 461 will remove mobile fueling requirements and outdated definitions and provisions. Proposed Amended Rule 219 will require previously exempt gasoline mobile fuelers to be permitted. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; and 2) Adopting Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, and Amending Rule 461 – Gasoline Transfer and Dispensing, and Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II. (Reviewed: Stationary Source Committee, November 19, 2021)

### **OTHER BUSINESS**

24. Approve Two-Year Labor Agreement with Teamsters Local 911, Approve Comparable Terms for Non-Represented Employees, Executive Officer and General Counsel, and Approve Unit Modification for Three Classifications **Olvera/2309**

South Coast AQMD management and representatives of Teamsters Local 911, representing the Technical & Enforcement and Office Clerical & Maintenance bargaining units, have reached agreement on a new 2-year MOU. This action is to present the proposed agreement to the Board for approval. This action also requests Board approval to adopt comparable terms for non-represented employees through amendments to the South Coast AQMD Administrative Code and Salary Resolution, and for the Executive Officer and the General Counsel through amendments to Executive Management Agreements. This action also requests Board approval of a unit modification to transfer three classifications from the Confidential Unit to Teamsters Bargaining Units. (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);
- 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;
- 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 sections 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; and

Center for Community Action and Environmental Justice, et al. v. Federal Aviation Administration, et al. 9<sup>th</sup> Cir. No. 20-70272, consolidated with 70-464, consideration of filing amicus brief.

### **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**

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| 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 ≤ 10 microns                             |
| CEQA = California Environmental Quality Act                                      | PM2.5 = Particulate Matter ≤ 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: JANUARY 7, 2022

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the December 3, 2021 Board Meeting.

RECOMMENDED ACTION:

Approve Minutes of the December 3, 2021 Board Meeting.

Faye Thomas  
Clerk of the Boards

FT:cmw

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**FRIDAY, DECEMBER 3, 2021**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted in person and 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

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

Supervisor Sheila Kuehl  
County of Los Angeles

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

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

Mayor Pro Tem Carlos Rodriguez  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

Member absent:

Supervisor Lisa A. Bartlett  
County of Orange

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

- Pledge of Allegiance: Led by Mayor Pro Tem McCallon
- Roll Call

Vice Mayor Richardson was absent for roll call, he joined the meeting at approximately 9:05 a.m.

- Opening Comments

Wayne Nastri, Executive Officer, reported that Notices of Violations for public nuisance were issued to four companies and the County of Los Angeles for their role in the Dominguez Channel odor event. He also reported on the December 1, 2021 proposed draft MOU language prepared by the Port of Long Beach where they commit to funding \$100M from future Clean Truck Fund Rate revenues to accelerate truck replacement, as well as a number of other measures; and the letter that the Port of Los Angeles submitted on December 2, 2021 on a potential MOU that includes an offer of \$3M for early deployment of zero-emission trucks and other actions they commit to present to their Board of Harbor Commissioners. Staff will provide a detailed analysis of both proposals at the next Marine Port Committee meeting. Mr. Nastri added that as directed by the Board, staff will begin internal research on concepts for an Indirect Source Rule (ISR).

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

Joe Silva, Former Quemetco employee  
Andrea Gordon, Clean Air Coalition of North Whittier & Avocado Heights (Clean Air Coalition) and Hacienda Heights resident  
Marilyn Kamimura, Clean Air Coalition of North Whittier & Avocado Heights  
Sharzad Shishegar, San Gabriel Progressives  
Luis Ceballos, member of the public  
Rebecca Overmyer-Velazquez, Clean Air Coalition

Expressed opposition to Quemetco's pending permit application to increase its throughput and hours of operation. Expressed concerns about the toxic emissions from Quemetco that pollute and harm their health and lives, and that communities surrounding Quemetco suffer the burden of pollution from Quemetco, as well as other polluting sources. Commented on Quemetco's record of violations and non-compliance with regulatory requirements. Urged the South Coast AQMD to deny the pending permit application and close/relocate the facility. Requested a public meeting in a format that allows community members to participate in person.

Laura Santos, Mt. San Antonio College Board member, Clean Air Coalition, San Gabriel Progressives and Bassett resident, stated that testing of the soil at her house

a few miles away from Quemetco found arsenic and lead contamination. She expressed frustration with Quemetco's continued disregard for regulations and community concerns. She requested that South Coast AQMD not allow Quemetco's permit application request and shut down the facility.

Emily Spokes, North East Los Angeles (NELA) Climate Collective, and some of her students from the Youth Environmental Leadership Club shared their concerns about air pollution and how it impacts their life.

Jessica Craven, Los Angeles County Democratic Party elected member/California Democratic Party Environmental Caucus, NELA Climate Collective, LA Forward and Los Angeles resident, asked the Board to not allow further delays to the ISR process. Harmful emissions from the ports have increased as the Ports continue to see record breaking volumes of cargo. The only solution to curb harmful emissions is to electrify the ports.

Harvey Eder, Public Solar Power Coalition, suggested that discussions regarding Quemetco be open to the public and commented on his pending court filings.

Fernando Gaytan, Earthjustice, expressed frustration that the Ports have been given ample opportunity (almost five years) for an MOU agreement to come up with voluntary measures that address emissions from the ports. He commented on the increase in NOx emissions from the surge in activity at the Ports, and its detrimental impacts to the air quality in the entire region, especially disadvantaged communities. He emphasized the need for staff to shift to a regulatory approach and create an ISR that will focus on protecting public health.

Chris Chavez, Coalition for Clean Air, commented on the health impacts of air pollution from the ports on nearby communities, as well as the indirect ramifications for the entire region due to the trucks and locomotives taking cargo to the Inland Empire and other areas in the South Coast Air Basin. He noted that congestion at the Ports has resulted in an increase in smog-forming pollutants and diesel particulate matter. Due to the disproportionate impacts to communities near the ports, the AB 617 Community Steering Committee supports an ISR over voluntary measures. He also commented on recent actions by the Ports that indicate they are not negotiating an MOU in good faith.

Robina Suwol, California Safe Schools, expressed support for concerns by community members and the Clean Air Coalition about Quemetco. She also requested that staff conduct rulemaking for Rule 219 in the first quarter of 2022 to add language that would protect human health and assist businesses that are seeking to convert to environmentally friendly processes.

Duncan McKee, Avocado Heights resident, stated that his brother David McKee has special needs and was not given the opportunity to provide public testimony at previous meetings. He read a written statement on behalf of his brother, as well as provided his own comments.

David McKee's statement commented on how living near Quemetco has adversely impacted the health and life of several family members, farm animals and pets, and contaminated the food residents grow and consume. He expressed concerns with the public comment process for people with special needs; that Quemetco is recycling more batteries since the Exide battery plant closure; and alleged conflict of interest issues related to Wayne Nastri. He added that South Coast AQMD and DTSC should shut down the facility and take action to clean up the site, similar to what was done for communities around Exide. (Written Comments Submitted; Read by Duncan McKee)

Duncan McKee questioned the accuracy of the emissions data for Quemetco provided on South Coast AQMD's website. He emphasized the need to get another battery recycling facility and decrease Quemetco's operations.

Yassi Kavezade, Sierra Club, commented on the increase in freight activities at the ports that is creating a public health crisis in the region. She urged the Board to support staff in developing an ISR because impacted communities cannot afford further delays or an MOU.

Ranji George, a member of the public, expressed concerns about the disposal of lithium-ion batteries as the demand for EVs increases. He emphasized the need to move to safer, less environmentally polluting lithium iron phosphate batteries. He thanked CARB staff for addressing the cost-effectiveness criteria for incentive funds, noting that some of the funds can now go towards battery technologies.

Faraz Rizvi, Center for Community Action and Environmental Justice, noted that communities in the Inland Empire are also affected by the harmful impacts from the increase in freight and goods movement activities. He emphasized the need for a strong ISR to reduce the burden on frontline communities.

Board Member Padilla-Campos expressed regret to Mr. McKee for the issues he and his brother experienced with the public comment period, but acknowledged that public engagement can be tricky in a virtual format.

In response to statements made about his involvement in Quemetco, Mr. Nastri emphasized that during his tenure as the Executive Officer he has recused himself from matters related to former clients, including Quemetco. Even though he is not legally obligated to do so, he has not been involved in matters for Quemetco. He added that Jill Whynot, Chief Operating Officer, has been the lead staff on issues related to Quemetco and can respond to statements made by commenters.

Ms. Whynot provided an update on the actions and timeline related to the public comments on the Quemetco Capacity Upgrade Project Draft Environmental Impact Report (EIR). The comment period on the Draft EIR was extended to February 15, 2022, and a virtual public meeting was held on November 10, 2021 to solicit comments from the public. There was some unfortunate miscommunication during the public comment period at the November 10th public meeting as there was a hand raised to speak from the same

phone number that Duncan McKee had used for his testimony; however, there is no mechanism in the Zoom platform for staff to know when a different person is using the same phone number as a previous commenter.

She added that staff is closely monitoring what happens at Quemetco through regular facility inspections, surveillance, emissions testing and monitoring data. South Coast AQMD staff is obligated to go through the permitting process and issue the permit if the requested modifications are in compliance with air quality rules and regulations.

Chair Benoit asked whether the staff recommendation would be brought before the Governing Board or Hearing Board after review of the permit application is completed.

Ms. Whynot stated that staff issues permits, but noted that because the Executive Officer has recused himself from all matters in this case either the Chief Operating Officer or General Counsel would sign the CEQA document and permits. The permit, if issued, can be appealed to the Hearing Board. There is a process to request that the Board consider and issue a permit; however, historically the Board has not taken a role in permitting.

Vice Chair Delgado asked if a public meeting will be scheduled in February 2022 to receive public comments, and suggested the meeting be held in a hybrid format that includes a physical location near the impacted community to allow for in-person participation.

Staff stated that the public meeting that was held on November 10, 2021 was an opportunity for the public to provide comments on the pending permit action; however, staff will consider whether it is appropriate to hold an additional meeting.

Mayor Pro Tem Cacciotti asked whether the issuance of the permit is a ministerial decision.

Barbara Baird, Chief Deputy Counsel, explained that it would not be considered as a ministerial process per CEQA's definition, but noted that staff will be required to issue the permit, if they conclude that the facility will comply with all applicable local, state, and federal air quality requirements.

Written Comments Re: Quemetco Submitted by:

David McKee

Written Comments Re: PM2.5 Redesignation Request/Maintenance Plan Submitted by:

- One (1) letter signed by the following organizations: California Environmental Voters, Coalition For Safe Environment, Coalition for Clean Air, East Yard Communities for Environmental Justice, Earthjustice, Pacific Environment, San Pedro & Peninsula Homeowners Coalition, Sierra Club, USC Professors, West Long Beach Association

## **CONSENT AND BOARD CALENDAR**

1. Approve Minutes of November 5, 2021 Board Meeting
2. Set Public Hearing January 7, 2022 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
  - A. Determine That Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, Are Exempt from CEQA, and Amend Rule 1135 and Adopt Rule 429.2
  - B. Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and Adopt Rule 461.1 and Amend Rules 461, 219, and 222

### **Items 3 through 10 -- Budget/Fiscal Impact**

3. Approve Awards for Lower-Emission School Bus Program and Transfer Funds for Development of Lower Emission School Bus Grant Management System
4. Recognize 2021 U.S. EPA Targeted Airshed Grant Program Awards for Zero-Emission Vehicles and Equipment, Issue RFPs, Transfer Funds, Execute Contracts to Demonstrate Zero-Emission Vehicles and Equipment, and Reimburse General Fund
5. Recognize Revenue, Transfer and Appropriate Funds, Amend Contract, Issue Solicitations and Purchase Orders for Air Monitoring Equipment and One Vehicle
6. Transfer and Appropriate Funds from Two Special Revenue Funds to General Fund for Information Management and Compliance and Enforcement Projects and Purchases to Support South Coast AQMD Operations and Close Two Special Revenue Funds
7. Revise Procurement Policy and Procedure

- 8A. Consider Protest of Award of Request for Proposals for Legislative Representation in Washington D.C. P 2022-01
- 8B. Execute Contracts for Legislative Representation in Washington, D.C.
- 9. Amend FY 2021-22 Budget to Address Operational Needs by Adding Partially Funded Position for Succession Planning Purposes
- 10. Approve Modification of Program and Approve Award as Approved by MSRC

**Item 11 -- Action Item/No Fiscal Impact**

- 11. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely

**Items 12 through 19 – Information Only/Receive and File**

- 12. Legislative, Public Affairs and Media Report
- 13. Hearing Board Report
- 14. Civil Filings and Civil Penalties Report
- 15. Lead Agency Projects and Environmental Documents Received
- 16. Rule and Control Measure Forecast
- 17. Annual Audited Financial Statements for FY Ended June 30, 2021
- 18. Receive and File Annual Report on 457 Deferred Compensation Plan
- 19. Status Report on Major Ongoing and Upcoming Projects for Information Management

**Item 20 -- Staff Presentation/Board Discussion/Receive and File**

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

NO ACTION REQUIRED

**Items 21 through 29 -- Reports for Committees and CARB**

21. Administrative Committee
22. Investment Oversight Committee
23. Legislative Committee
24. Marine Port Committee
25. Mobile Source Committee
26. Stationary Source Committee
27. Technology Committee
28. Mobile Source Air Pollution Reduction Review Committee
29. California Air Resources Board Monthly Report
30. Items Deferred from Consent and Board Calendar

Agenda Item Nos. 2B, 3, 8A and 8B were pulled for comment and discussion.

**Disclosures:**

Council Member Buscaino recused himself from Agenda Item No. 4 because of a campaign contribution from BNSF, which is involved in this Item.

Bayron Gilchrist, General Counsel, reported that Board Member Kracov recused himself from Agenda Item No. 2B because of a financial interest in Disney, which is involved in this item, and that he has no financial interests in Agenda Item No. 10 but is required to identify for the record that he is a Board Member of CARB, which is involved in this item.

Mayor Pro Tem Rodriguez reported that he has no financial interest in Agenda Item No. 3 but is required to identify for the record that he is a committee member of the Placentia-Yorba Linda Unified School District, which is involved in this item.

Bayron Gilchrist reported that Supervisor Kuehl recused herself from Agenda Item No. 2B because of a financial interest in Disney, which is involved in this item.

Written Comments Re: Item No. 4 Submitted by:  
Los Angeles County Electric Truck and Bus Coalition

Written Comments Re: Item Nos. 16 and 24 Submitted by:

- One (1) letter signed by the following organizations: Earthjustice, California Kids IAQ, Coalition For a Safe Environment, Community Dreams, East Yard Communities for Environmental Justice, EMeRGE, Los Angeles County Electric Truck and Bus Coalition, NAACP – San Pedro-Wilmington Branch #1069, Pacific Environment, People’s Collective for Environmental Justice, Sierra Club and West Long Beach Association

MOVED BY CACCIOTTI, SECONDED BY DELGADO, AGENDA ITEMS 1, 2A, 4 THROUGH 7 AND 9 THROUGH 29, APPROVED AS RECOMMENDED, TO ADOPT RESOLUTION NO. 21-26, RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF DECEMBER 3, 2021 THROUGH JANUARY 2, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT; RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE’S RECOMMENDATIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Benoit, Buscaino (Recused from Item No. 4), Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSTAIN: Buscaino (Item No. 4)

ABSENT: Bartlett

**LEGISLATIVE COMMITTEE'S RECOMMENDATIONS**

| <b>Agenda Item</b>                     | <b>Recommendation</b> |
|--|-----------------------|
| State Legislative Guiding Principles   | Approve as Amended    |
| Federal Legislative Guiding Principles | Approve               |

**Items Deferred from Consent and Board Calendar/Pulled for Discussion**

- 2B. Set Public Hearing January 7, 2022 to Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II, and Proposed Amended Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II; and Adopt Rule 461.1 and Amend Rules 461, 219, and 222

Supervisor Rutherford expressed concern that adequate time had not been given to address issues raised regarding permit requirements under Rule 219 for UV/EB systems. She recommended separating the UV/EB component from the proposals for mobile fueling operations to address in a subsequent rulemaking, and emphasized that there are no emissions from UV materials.

Susan Nakamura, Asst. Deputy Executive Officer/Planning, Rule Development & Area Sources, suggested moving forward with the current rulemaking because the proposed amendments to Rule 219 are to specifically address permitting requirements for mobile fuelers that were previously exempt and to harmonize requirements with Proposed Rule 461.1 and Proposed Amended Rule 461. The 75-day public notice for this rulemaking did not solicit comments on UV/EB, but a separate rulemaking will be initiated in the first quarter of 2022 to evaluate Rule 219 for additional amendments and issues raised regarding UV/EB technology can be addressed at that time.

Rita Loof, RadTech, commented on a company that partially converted to UV by adding UV lights to its existing permitted solvent system and had to pay additional permit fees because it was considered a modification to the existing solvent system, even though the UV lights generate zero emissions. This puts the industry at a competitive disadvantage, therefore, she emphasized the need to amend Rule 219 to exempt partial conversions to UV/EB and remove barriers to implementation of the technology. She added that sufficient time was not given to address concerns regarding UV/EB permitting requirements under Rule 219, and requested that it be separated from PR 461.1 and PAR 461 and for staff to include language in the Resolution that commits to revisit Rule 219 by the first quarter of 2022. Mr. Nastri added that Fender Guitar is the company that Ms. Loof referenced.

Jason Aspell, Deputy Executive Officer/Engineering & Permitting, explained that Fender Guitar has an existing facility with a facility VOC limit and sought to change part of their process to add a photoinitiator that would allow their products to dry faster. The permit modification was required because of the change to the method of operation to that process, which is regulated under Regulation XIII - New Source Review. Mr. Aspell added that the facility-wide VOC emissions did not increase but the equipment was evaluated for VOC emissions from that process.

Mr. Nastri added that staff is committed to initiating the rulemaking on Rule 219 to address the concerns raised, but stressed that it cannot be done in the first quarter of 2022 given other issues that staff is working on. In response to Supervisor Rutherford's inquiry, he confirmed that staff will move forward with the rulemaking for mobile fueling operations without affecting the UV/EB coatings issue.

MOVED BY CACCIOTTI, SECONDED BY DELGADO, AGENDA ITEM 2B APPROVED AS RECOMMENDED TO SET THE HEARING TO CERTIFY THE FINAL EA FOR PROPOSED RULE 461.1, PROPOSED AMENDED RULES 461.1, 219 AND 222; AND ADOPT RULE 461.1 AND AMEND RULES 461, 219, and 222 BY THE FOLLOWING VOTE:

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

NOES: None

ABSTAIN: Kracov and Kuehl

ABSENT: Bartlett

3. Approve Awards for the Lower-Emission School Bus Program and Transfer Funds for Development of Lower-Emission School Bus Grant Management System

Mayor Pro Tem Cacciotti expressed excitement that \$47 million is being awarded to convert diesel school buses to near-zero and zero-emission buses and infrastructure across the four counties. He inquired about the cost to purchase cleaner technology school buses without the incentive funding.

Matt Miyasato, Chief Technologist/Science & Technology Advancement, stated that the actual invoice cost of an electric school bus averages around \$370,000, but up to \$300,000 is funded through incentive programs. The natural

gas option is substantially less at \$205,000 and the incentive funding is almost 100 percent of the total cost.

Chair Benoit commented on the bus ride he took on a double-decker electric school bus to the opening dedication ceremony of CARB's Southern California Headquarters in Riverside.

Board Member Padilla-Campos remarked that it was great that school buses are being converted to a cleaner technology, but emphasized the need to focus on zero-emissions technologies.

Ranji George urged CARB and South Coast AQMD to negotiate lower prices for cleaner technology school buses. He emphasized the need to address EV battery recycling, including getting a firm commitment from car manufacturers on how they will dispose of batteries. Europe is getting tough on EV suppliers to make sure that batteries are disposed of in an environmentally friendly manner. He expressed support for moving to lithium iron phosphate batteries that are less damaging to the environment.

Harvey Eder agreed with the previous speaker and urged the use of solar technology for environmental justice and equity.

Mayor Pro Tem Rodriguez expressed enthusiasm about the \$47 million being awarded through this program. It is a significant investment that will benefit the entire South Coast Air Basin, making it healthier for children who ride school buses and better for the environment in our communities by reducing harmful emissions.

Written Comments Re: Item No. 3 Submitted by:  
Los Angeles County Electric Truck and Bus Coalition

MOVED BY RODRIGUEZ, SECONDED BY CACCIOTTI, AGENDA ITEM 3 TO APPROVE AWARDS FOR LOWER-EMISSION SCHOOL BUS PROGRAM AND TRANSFER FUNDS FOR DEVELOPMENT OF LOWER EMISSION SCHOOL BUS GRANT MANAGEMENT SYSTEM AS RECOMMENDED, BY THE FOLLOWING VOTE:

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

NOES: None

ABSENT: Bartlett

8A. Consider Protest of Award of Request for Proposals for Legislative Representation in Washington D.C. P 2022-01

Barbara Baird, Chief Deputy Counsel, gave the staff presentation and recommendation on Item No. 8A regarding the bid protest filed by Duncan, Weinberg, Genzer & Pembroke (DWGP) over the Administrative Committee's recommendations for contract awards for Washington D.C. legislative consultants.

Sean Neal, on behalf of DWGP, expressed disappointment with South Coast AQMD staff's ranking/scoring evaluation that assigned zero points to their cost proposal and that they were not given an opportunity to interview at the Administrative Committee meeting on November 12, 2021.

Harvey Eder requested that the Board direct all consultants to advocate for refundable solar tax credits for low and middle income individuals to reduce the cost of solar and increase equity for people that need it the most.

Supervisor Rutherford expressed disappointment with the process and suggested a more robust and open process going forward. She recommended a month-to-month contract term with the selected firms, and the opportunity to interview DWGP about what they might be able to do better or differently.

In response to Chair Benoit's inquiry about the timeline for executing the contracts, staff responded that the contracts are for one year beginning on January 15, 2022, and that an interview with DWGP could be scheduled for the December 10, 2021 Administrative Committee meeting.

Chair Benoit tabled Items No. 8A and 8B until the January 7, 2022 Board meeting with direction to interview DWGP at the December 10, 2021 Administrative Committee meeting.

8B. Execute Contracts for Legislative Representation in Washington, D.C.

**(This item was tabled, as noted above.)**

**PUBLIC HEARINGS**

31. Determine That Proposed Amendments to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Are Exempt from CEQA; and Amend Rule 1134 *(Staff is recommending that the public hearing on this item be moved to the February 4, 2022 Board Meeting.)*

Mr. Nastri noted that this item was pulled by staff due to noticing concerns and will be moved to the February 4, 2022 meeting.

3. Receive and File 2020 Annual Report on AB 2588 Program

Ian MacMillan, Assistant DEO/Planning, Rule Development and Area Sources, gave the staff presentation on Item No. 32.

Mayor Pro Tem Cacciotti asked for clarification on which facilities were designated as high risk.

Mr. MacMillan responded that the three facilities in Paramount (Anaplex Corp, Aerocraft Inc. and Lubeco Inc.) had been designated as Potentially High Risk Level facilities in previous years. An additional facility in Gardena (High Performance Coatings) was given that designation in 2020 due to its hexavalent chromium emissions, but work has been done to reduce those risks.

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

Ranji George expressed concerns about battery recycling due to the increase demand for EVs, and that more recycling facilities will most likely be built in AB 617 communities. He emphasized the need to address concerns about nickel and cobalt in EV batteries and pursue safer alternatives such as lithium iron phosphate.

Harvey Eder commented on premature deaths due to pollution from toxics and the significant associated social costs. He emphasized the need to transition to clean fuels.

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

RECEIVE AND FILE; NO ACTION NECESSARY

**CLOSED SESSION**

The Board recessed to closed session at 11:05 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 action is:

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.

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 11:25 a.m.

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

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

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

\_\_\_\_\_  
Ben J. Benoit, Chair

**ACRONYMS**

AQMP = Air Quality Management Plan  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
EA = Environmental Assessment  
EV = Electric Vehicle  
FY = Fiscal Year  
MSRC = Mobile Source (Air Pollution Reduction) Review Committee  
NOx = Oxides of Nitrogen  
PM = Particulate Matter  
RFP = Request for Proposals  
U.S. EPA = United States Environmental Protection Agency  
UV/EB = Ultraviolet/Electron Beam  
VOC = Volatile Organic Compound

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 2

**PROPOSAL:** Implement Carl Moyer, SOON, State Reserve, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs

**SYNOPSIS:** In June 2021, Program Announcements for the Carl Moyer and Surplus Off-Road Op-In for NOx (SOON) Programs closed. This year, funding from the State Reserve and Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Programs will also be available to fund eligible projects submitted through these solicitations. These actions are to: 1) adopt Resolutions to recognize up to \$94 million in FY 2021-22 funds from CARB for Carl Moyer and FARMER Programs; 2) execute contracts for Carl Moyer, SOON, State Reserve, Community Air Protection and FARMER Programs in the amount of \$140,722,484; 3) authorize the Executive Officer to redistribute the source of funds for the various incentive program grants to ensure program liquidation targets are met; and 4) reimburse administrative costs for the FY 2021-22 FARMER Program.

**COMMITTEE:** Technology, December 17, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Adopt the attached Resolution recognizing, upon receipt, up to \$91 million in FY 2021-22 Carl Moyer Program (Year 24) funds into the Carl Moyer Program SB 1107 Fund (32);
2. Adopt the attached Resolution recognizing, upon receipt, up to \$3 million in FY 2021-22 FARMER Program (Year 4) funds into the Carl Moyer Program Fund (32);
3. Authorize the Chairman to:
  - a) Execute contracts for the Carl Moyer and SOON Provision Programs as listed in Tables 2A and 2B, respectively, in an amount not to exceed \$132,515,779, comprised of \$116,583,135 from the Carl Moyer Program SB 1107 Fund (32), \$15,855,306 from the Carl Moyer AB 923 Match Fund (80), \$5,119 from interest accrued in the Carl Moyer Program SB 1107 Fund (32), \$17,445 from

- interest accrued in the Carl Moyer Program Multi-District Fund (32), \$28,916 from interest accrued in the Carl Moyer Program State Reserve Fund (32), and \$25,858 in returned funds;
- b) Execute contracts for zero-emission infrastructure projects listed in Table 3, in an amount not to exceed \$3,518,728 comprised of Year 23 State Reserve Program Fund (32);
  - c) Execute off-road agricultural contracts for the FARMER Program as listed in Table 4, in an amount not to exceed \$1,902,977, comprised of \$1,878,750 from the FY 2021-22 Carl Moyer Program Fund (32) – FARMER grant, and \$24,227 in FARMER interest accrued;
  - d) Execute contracts for mobile source projects consistent with the air quality priorities established by the AB 617 Community Steering Committees as listed in Table 5 in an amount not to exceed \$2,785,000 from the AB 134 Community Air Protection Program (Fund 77);
  - e) Execute contracts from the backup projects as listed in Table 6 and 7, should any returned funds become available from any of the funding sources approved for projects in this Board letter, or should any additional funds become available under the Carl Moyer, SOON, State Reserve, or FARMER Programs;
4. Authorize the Executive Officer to redistribute the funding source from unencumbered funds and executed contracts with no payments within and/or between the Carl Moyer Program Fund (32), including SB 1107, SOON, State Reserve, FARMER and associated interest funds, Carl Moyer AB 923 Fund (80) match funds, Proposition 1B – Goods Movement Program Fund (81), Voucher Incentive Program Fund (59), Rule 2202 Air Quality Investment Program Fund (27), and the Community Air Protection AB 134 Fund (77), including reassigning Carl Moyer Program projects between funding years, as needed, in order to expeditiously meet program liquidation requirements to the extent that such actions are not in conflict with any applicable guidance, requirement or direction from CARB; and
  5. Reimburse the General Fund from the Carl Moyer Program Fund (32) for administrative costs related to the FARMER Program in an amount not to exceed \$125,250.

Wayne Nastri  
Executive Officer

MMM:AK:WS

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### **Background**

In April 2021, South Coast AQMD received a CARB grant for FY 2020-21 Carl Moyer Program (Year 23) in the amount of \$34,080,250, including 6.25 percent in administrative funds. South Coast AQMD also applied for FY 2021-22 Carl Moyer

Program funds (Year 24), which includes a tentative allocation of \$90,275,094. The Carl Moyer Program funds available for Year 24 are much higher than previous fiscal years. This is due to a technical adjustment that was approved as part of the FY 2021-22 budget which made available additional revenues for the Carl Moyer Program largely as a result of AB 1274 which expanded the existing smog check exemption to vehicles from six to eight model years old starting January 1, 2019.

Given the high number of eligible applications this year, staff plans to combine the Carl Moyer Program funding from two fiscal years (Moyer Years 23 & 24) to fund eligible projects through the 2021 Carl Moyer Program. The required match from South Coast AQMD to participate in the Carl Moyer Program is \$4,345,232 for Year 23 and \$11,510,074 for Year 24, of which 15 percent of these funds will be used for the in-kind contribution as allowed by the Carl Moyer Program. This year, other sources of funds are available that can be used to fund eligible projects under the Carl Moyer Program. These include State Reserve, FARMER, AB 617 Community Air Protection Program (CAPP) incentives, and associated interest funds.

In January 2021, the Board approved mobile source projects that will deploy and support near-zero emission technologies and achieve near-term NOx emission reductions in disadvantaged and low-income communities for the AB 617 CAPP (Year 3) in an amount not to exceed \$37,762,509. The remaining amount of \$36,704,622 in CAPP incentives funds were available for eligible projects, including but not limited to: actions identified in approved Community Emissions Reduction Plans, zero emission projects, clean truck projects meeting the criteria of the Proposition 1B-Goods Movement Program, and/or projects or programs identified in the Community Air Protection Incentives 2019 Guidelines (including recent amendments in October 2020). In June 2021, the additional \$36,704,622 in AB 617 CAPP funds were received by South Coast AQMD. Consistent with air quality priorities established in Community Emission Reduction Plans by AB 617 Community Steering Committee members in the communities designated for inclusion in the program in 2018 and 2019, staff identified marine engine repower projects located in the Wilmington/West Long Beach/Carson AB 617 Community that met the community priorities.

The Year 23 State Reserve Program is for eligible zero-emission infrastructure projects, including battery charging and hydrogen fueling stations, that meet Chapter 10 Infrastructure requirements of the Carl Moyer Program Guidelines. Staff utilized a competitive selection process to identify 12 charging stations eligible for State Reserve Program funding.

In March 2021, South Coast AQMD released Program Announcements (PAs) to solicit projects for the Carl Moyer and SOON Provision Programs. The PAs were heavily oversubscribed with funding requests from applicants far exceeding the amount of available funds. Since projects eligible under the Carl Moyer Program may be

considered for funding through the State Reserve, FARMER and CAPP Incentives Programs, the projects submitted in response to the Carl Moyer PA were also evaluated with respect to the terms and conditions of these other funding sources.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the PA and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the PA was 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>).

In addition to the traditional outreach conducted for the Carl Moyer Program in the four counties, staff pivoted to an online webinar format as a result of COVID-19 and provided targeted outreach to AB 617 communities, including but not limited to: 1) dissemination of program brochures and staff support at AB 617 Community Steering Committee meetings; 2) coordination with the Ports of Los Angeles and Long Beach to disseminate Carl Moyer Program funding information to all drayage truck owners/operators listed in the Drayage Truck Registry, as well as the terminal operators of cargo handling equipment and truck dealers; 3) emails to over 16,000 subscribers to the Carl Moyer Program listserv; 4) emails to warehouse facilities located throughout the South Coast Air Basin; 5) coordinating social media outreach through partnerships with utilities including Southern California Edison and Southern California Gas Company; and 6) increasing social media presence through online announcements via South Coast AQMD's social media accounts.

### **Proposal**

For the Carl Moyer, SOON Provision, FARMER Programs, staff is recommending projects based on cost-effectiveness in accordance with the Carl Moyer Program Guidelines, with priority given to the most cost-effective projects and projects that will achieve near-term NOx reductions in support of the goals in the 2016 AQMP. Projects that provide emission benefits to current standards were selected with a cost-effectiveness up to \$30,000 per weighted ton of NOx, PM and ROG emissions reduced. Projects providing emissions reduced beyond those achieved by current standards were selected with a cost-effectiveness up to \$100,000 per weighted ton of NOx, PM and ROG. The remaining projects were placed on a back-up list for future consideration in the event any returned or additional funds become available.

Also, consistent with the air quality priorities and funding allocations established in the Community Emission Reduction Plans by the AB 617 Community Steering Committees, staff are recommending awards for two eligible projects for the AB 617 Community Air Protection Program. This action is to execute two marine engine repower projects for the AB 617 CAPP (Year 3) as listed in Table 5 in an amount not to exceed \$2,785,000.

For the Year 23 State Reserve Program, staff are recommending awards for battery electric charging stations that meet the requirements of the Carl Moyer Program Guidelines as listed in Table 3 in an amount not to exceed \$3,518,728. The awarded projects were selected on a competitive basis with considerations for project location, accessibility, throughput relative to cost, and other factors as outlined in the program announcement.

In order to effectively meet the liquidation deadlines specified in the grants, this action is to also authorize the Executive Officer to redistribute the source of funds within and/or between the Carl Moyer Program Fund (32), including SB 1107, SOON, State Reserve, FARMER and associated interest funds, Carl Moyer AB 923 Fund (80) match funds, Proposition 1B – Goods Movement Program Fund (81), Voucher Incentive Program Fund (59), Rule 2202 Air Quality Investment Program Fund (27) and the Community Air Protection AB 134 Fund (77), as needed, to the extent the redistribution would not be in conflict with any applicable guidance, requirement or direction from CARB. In addition, staff recommends that the Board authorize the Chairman to execute contracts from the backup list of projects in Tables 6 and 7, in the event projects are not implemented, there are returned funds from any of the funding sources identified in this Board letter, or to meet program liquidation deadlines specified in the grants.

Lastly, this action is to reimburse the General Fund for administrative costs related to the FARMER Program in an amount not to exceed \$125,250.

### **Disadvantaged and Low-Income Communities**

Consistent with the requirements of AB 1390, staff will ensure that not less than 50 percent of the funds appropriated for purposes of the following programs are expended in a manner that directly reduces air contaminants and/or associated public health risks in disadvantaged and low-income communities: Carl Moyer Program, Lower-Emission School Bus Program and other diesel mitigation programs. The qualification of the projects is determined by using CalEnviroScreen version 3.0 and the requirements of SB 535 for disadvantaged communities, and AB 1550 for low-income communities and those within half a mile of disadvantaged communities.

Based on the recommended awards, over 80 percent of the projects under the Carl Moyer/SOON, FARMER and CAPP, as well as all the recommended projects listed as

backup, are expected to provide benefits to disadvantaged and low-income communities, greatly surpassing program requirements.

**Funding Distribution**

During the review process, all qualified applications were considered and over 80 percent of the proposed projects will benefit disadvantaged and low-income communities. The funding distribution is based on the priorities specified in the grant agreements for the various funding sources identified in this Board letter. In addition to selecting projects based on cost-effectiveness, benefits to disproportionately impacted communities and AB 617 communities are also considered, whenever feasible.

For the Carl Moyer Program, staff considered the priorities in the “Carl Moyer Program Guideline under SB 1107 & AB 923” adopted by the Board on July 8, 2005. These priorities are:

- Goods movement (no less than 40 percent);
- Disadvantaged and low-income communities (no less than 50 percent);
- Cost-effectiveness;
- Low-emission engine/vehicle preference;
- Early commercialization of advanced technologies/fuels;
- Fleet rules; and
- School buses.

**Benefits to South Coast AQMD**

The successful implementation of the projects selected for funding through the Carl Moyer Program (including SOON Provision), FARMER and CAPP will reduce emissions of NOx, PM and ROG. The recommended projects will exceed the targets for benefits to disadvantaged and low-income communities that are identified in the Carl Moyer and CAPP incentives grants. Below are the estimated emissions reduction benefits from implementing the recommended awards:

| Program                           | Estimated Emission Reductions<br>(tons/year) |      |
|-----------------------------------|--|------|
|                                   | NOx  | PM   |
| Carl Moyer/SOON Provision         | 397.4  | 8.2  |
| FARMER                            | 17.9   | 1.3  |
| State Reserve – ZE Infrastructure | N/A  | N/A  |
| CAPP Incentives                   | 18.9   | 1.0  |
| <b>Total</b>                      | 434.2  | 10.5 |

The Carl Moyer Program is an important and successful program that provides incentive funding to owners of heavy-duty vehicles and equipment to reduce emissions beyond regulatory requirements by replacing, repowering or retrofitting their older engines. The

projects identified in this Board letter will result in emission reductions that are surplus to existing regulations and will occur throughout the life of the projects, resulting in long-term emission reduction and public health benefits.

**Resource Impacts**

Total funding for projects under the Years 23 and 24 Carl Moyer Program, SOON Provision, FARMER and FY 2019-20 CAPP will not exceed \$140,722,484, comprised of the following funding sources:

| <b>Program</b>                                    | <b>Total Funds Awarded</b> |
|---|----------------------------|
| Carl Moyer SB 1107 (Fund 32)                      | \$116,608,993              |
| Carl Moyer/State Reserve Interest Funds (Fund 32) | \$51,480                   |
| Carl Moyer AB 923 Match Funds (Fund 80)           | \$15,855,306               |
| FARMER (Fund 32)                                  | \$1,902,977                |
| State Reserve                                     | \$3,518,728                |
| CAPP Incentives (Fund 77)                         | \$2,785,000                |
| <b>Total</b>                                      | \$140,722,484              |

**Attachments**

- Resolution for FY 2021-22 Carl Moyer Program Funds
- Resolution for FY 2021-22 FARMER Funds
- Table 1: Total Amount of Available Funds
- Table 2A: Carl Moyer Program Awards
- Table 2B: SOON Provision Awards
- Table 3: State Reserve (Zero-Emission Infrastructure Projects)
- Table 4: FARMER Program Awards
- Table 5: CAPP Incentive Award in the Wilmington/West Long Beach/Carson AB617Community
- Table 6: Backup List
- Table 7: Infrastructure Backup List

**RESOLUTION NO. 22-**

**A Resolution of the South Coast Air Quality Management District Governing Board Recognizing FY 2021-22 Carl Moyer Program Funds**

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

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

WHEREAS, the Governing Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, including infrastructure from the Carl Moyer Program, the Proposition 1B-Goods Movement Program, and projects included in approved Community Emissions Reduction Programs; and

WHEREAS, the Governing Board directs staff to prioritize funding of zero emission vehicles and equipment whenever feasible, including charging/fueling infrastructure for medium- and heavy-duty vehicles, in disadvantaged and low-income communities; and

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

THEREFORE, BE IT RESOLVED that the Governing Board of the South Coast AQMD, State of California, in regular session assembled on January 7, 2022, does hereby recognize up to \$91 million in FY 2021-22 Carl Moyer Program funds from CARB.

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

\_\_\_\_\_  
Date

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

**RESOLUTION NO. 22-**

**A Resolution of the South Coast Air Quality Management District Governing Board Recognizing FY 2021-22 FARMER Funds**

WHEREAS, in September 2021, Governor Newsom signed into law Senate Bill (SB) 170, which appropriates \$212 million from the State Budget for FY 2021-22 to the California Air Resources Board (CARB) for reducing criteria, toxic and greenhouse gas (GHG) emissions from the agricultural sector;

WHEREAS, CARB developed the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Guidelines to meet the Legislature's objectives and help meet the State's criteria, toxic and GHG reduction goals;

WHEREAS, the funding for the FARMER Program comes from the Air Pollution Control Fund and the Greenhouse Gas Reduction Fund (GGRF);

WHEREAS, CARB has proposed an allocation of \$2,004,000 for the South Coast Air Quality Management District (South Coast AQMD) to implement projects pursuant to the FARMER Program Guidelines;

WHEREAS, there are specific legislative requirements (e.g., expenditure records, quantification methodology, annual reporting, and disadvantaged/low income community investments) of the cap and trade proceeds that the South Coast AQMD will need to adhere to;

WHEREAS, the South Coast AQMD may have need to transfer funds to other air districts, or may be invited to accept FARMER funds through inter-district transfer;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on January 7, 2022, does hereby approve South Coast AQMD participation in the FY 2021-22 FARMER Program and recognize up to \$2,004,000 from CARB in FARMER Program funds.

BE IT FURTHER RESOLVED that South Coast AQMD will comply with FARMER Program requirements as specified in the grant award, applicable FARMER Program Guidelines and the South Coast AQMD's FARMER Policies and Procedures Manual.

BE IT FURTHER RESOLVED that the South Coast AQMD Governing Board authorizes the Executive Officer to enter into contracts or grants with other California air quality districts to transfer funds to other districts or accept FARMER funds through inter-district transfer as necessary.

BE IT FURTHER RESOLVED that the Executive Officer is hereby authorized and empowered to execute on behalf of South Coast AQMD grant agreements

with CARB and all other necessary documents to implement and carry out the purposes of this Resolution.

\_\_\_\_\_  
Date

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

| <b>Table 1: Total Amount of Available Funds</b> |  |                     |  |
|---|--|---------------------|--|
| <b>Funding Source</b>                           | <b>Available Project Funds</b>                   | <b>Grant Number</b> | <b>Comment</b>   |
| Carl Moyer Program                              | \$31,950,234 (Year 23)<br>\$84,632,901 (Year 24) | G20-MO-30<br>TBD    | FY 2020-21 total grant award: \$34,080,250 (6.25% admin)<br>FY 2021-22 total grant award: \$90,275,094 (6.25% admin)                             |
| Carl Moyer Program – Returned Funds             | \$25,858   | N/A                 | Returned funds from Carl Moyer Program   |
| Carl Moyer/State Reserve Interest Funds*        | \$51,480   | N/A                 | Total unobligated interest funds in Fund 32 as of 6/1/2020 through 5/31/2021 including interest from both Carl Moyer and State Reserve Programs. |
| AB 923 Match Funds                              | \$4,345,232 (Year 23)<br>\$11,510,074 (Year 24)  | N/A                 | Required match for Carl Moyer Program Years 23 & 24, less 15% as South Coast AQMD's in-kind contribution allowed by the Carl Moyer Program.      |
| State Reserve (ZE Infrastructure)               | \$3,518,728                                      | G20-MSR-20          | Year 23: \$3,753,310 (6.25% admin)   |
| FARMER (Year 4) and FARMER Interest             | \$1,902,977                                      | TBD                 | FY 2021-22 total grant award: \$2,004,000 (6.25% admin), including \$24,227 in FARMER interest   |
| Community Air Protection Program Incentives     | \$2,785,000**                                    | G19-MCAP-03-01      | CAPP Year 3 Grant: \$36.7 million in project funds remaining for air quality priorities established by AB 617 communities.                       |
| <b>Total</b>                                    | \$140,722,484                                    |                     |  |

\*These interest funds are comprised of \$5,119 from SB 1107, \$17,445 in Multi-District, and \$28,916 State Reserve interest funds.

\*\*Of the \$36.7 million remaining in CAPP Year 3 project funds, this amount represents one eligible zero-emission marine repower project consistent with the air quality priorities and funding allocations established by the AB 617 Community Steering Committees.

| <b>Table 2A: Carl Moyer Program Awards</b>            |                        |                                     |                          |
|---|------------------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                                      | <b>Category</b>        | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| AAA Farm, Inc.  | Off Road - Agriculture | 4                                   | \$420,326                |
| Agriscap, Inc.  | Off Road - Agriculture | 1                                   | \$141,921                |
| Alberto Rodriguez Cruz                                | Off Road - Agriculture | 1                                   | \$77,154                 |
| Alejandro Galindo, dba Osuna Farm                     | Off Road - Agriculture | 2                                   | \$118,330                |
| Alvaro Espinosa dba Espinosa Trucking                 | On Road                | 1                                   | \$149,080                |
| American Marine Corporation                           | Marine                 | 1                                   | \$30,215                 |
| Anthony Vineyards, Inc.                               | Off Road - Agriculture | 5                                   | \$365,225                |
| Antonio Ramirez dba Coachella Valley Land Preparation | Off Road - Agriculture | 2                                   | \$304,140                |
| Audencio Martinez Espinoza                            | Off Road - Agriculture | 1                                   | \$198,365                |
| BiCoastal Trucking Inc.*                              | On Road                | 1                                   | \$149,080                |
| BNSF Railway Company                                  | Off Road-SOON          | 1                                   | \$81,104                 |
| Bosch Dairy #2  | Off Road - Agriculture | 1                                   | \$209,747                |
| Brito Ranches LP                                      | Off Road - Agriculture | 1                                   | \$71,700                 |
| Burnt Valley Land & Cattle, LLC                       | Off Road - Agriculture | 3                                   | \$297,836                |
| C&C Scrap Services, Inc. DBA D&M Metals, LLC          | Off Road               | 2                                   | \$275,446                |
| Cal-Coast Construction Specialists, Inc.              | Off Road               | 1                                   | \$127,339                |
| California Paving and Grading Co., Inc                | Off Road               | 1                                   | \$113,073                |
| California Science Center Foundation                  | Marine                 | 2                                   | \$163,922                |
| California Steel Industries, Inc.                     | Locomotive             | 4                                   | \$8,075,000              |
| California Waste Services LLC                         | Off Road-SOON          | 3                                   | \$139,064                |
| Christopher C. Castro                                 | Marine                 | 2                                   | \$207,200                |
| Citrus Pro Inc., dba Serrato Farm Labor Contractors   | Off Road - Agriculture | 1                                   | \$66,672                 |
| City of Hawaiian Gardens                              | Off Road               | 1                                   | \$15,807                 |
| Commercial Coating Co., Inc.                          | Off Road-SOON          | 10                                  | \$232,491                |
| D. L. Wiest Enterprises Inc.                          | Off Road               | 1                                   | \$690,130                |
| DDR Transport, Inc                                    | On Road                | 1                                   | \$93,175                 |
| Dependable Highway Express, Inc.*                     | Off Road               | 27                                  | \$1,090,064              |
| Desert Custom Farming, Inc.                           | Off Road - Agriculture | 1                                   | \$80,561                 |
| Desert Empire Mobile Homes                            | Off Road - Agriculture | 1                                   | \$122,409                |

| <b>Table 2A: Carl Moyer Program Awards</b>     |                                     |                                     |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                               | <b>Category</b>                     | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| Domenigoni Bros Ranch, LP                      | Off Road - Agriculture              | 1                                   | \$97,601                 |
| Dorsey Family Groves, LLC                      | Off Road - Agriculture              | 2                                   | \$155,170                |
| Duffield Marine Inc.                           | Off Road                            | 1                                   | \$26,652                 |
| Eagle Rock Aggregates, Inc.*                   | Off Road - Cargo Handling Equipment | 2                                   | \$97,957                 |
| EPC Landscaping LLC                            | Off Road - Agriculture              | 10                                  | \$1,046,016              |
| Everport Terminal Services Inc.*               | Off Road - Cargo Handling Equipment | 1                                   | \$729,352                |
| F E Zimmer Inc.                                | Off Road-SOON                       | 1                                   | \$95,093                 |
| F Mendez Trucking Inc.*                        | On Road                             | 2                                   | \$298,160                |
| FasTrack Rentals, Inc.                         | Off Road                            | 1                                   | \$245,547                |
| Fischer Inc.                                   | Off Road                            | 2                                   | \$214,775                |
| Fury Sea Adventures Inc.                       | Marine                              | 2                                   | \$201,600                |
| Gless Ranch, Inc.                              | Off Road - Agriculture              | 19                                  | \$1,015,432              |
| Green Horse Polo Park Owners Association, Inc. | Off Road - Agriculture              | 1                                   | \$101,721                |
| Greg Anderson                                  | Off Road - Agriculture              | 1                                   | \$97,489                 |
| Gregory L. Watson                              | Marine                              | 1                                   | \$118,400                |
| Groundtackle Holdings LLC                      | Marine                              | 6                                   | \$383,514 <sup>a</sup>   |
| Guillermo Gonzales                             | Off Road - Agriculture              | 1                                   | \$148,269                |
| Hanson Fisheries Corp.                         | Marine                              | 2                                   | \$389,600                |
| Harbor Dockside, Inc.                          | Marine                              | 4                                   | \$590,800                |
| Harry Prouty dba DaVinci Charters              | Marine                              | 2                                   | \$1,072,000              |
| Hondo Framing, Inc.                            | Off Road                            | 1                                   | \$113,411                |
| Irvine Ranch Water District                    | Off Road                            | 3                                   | \$21,763                 |
| J & T Sportfishing Inc.                        | Marine                              | 1                                   | \$145,600                |
| J&M Marine Investment LLC                      | Marine                              | 2                                   | \$238,400                |
| James Cvitanovich                              | Marine                              | 2                                   | \$134,311                |
| James McMinn Inc.                              | Off Road-SOON                       | 2                                   | \$1,645,020              |
| Jim Bootsma Jr.                                | Off Road - Agriculture              | 2                                   | \$308,692                |
| Jose Cesena                                    | Marine                              | 1                                   | \$86,400                 |
| Jose Luis Torres Medina                        | Off Road - Agriculture              | 1                                   | \$134,863                |
| Juan Antonio Rios Luna                         | Off Road - Agriculture              | 1                                   | \$111,797                |
| Junior Enterprises, LLC                        | Off Road - Agriculture              | 2                                   | \$368,821                |
| Kargo Transportation, Inc.                     | On Road                             | 3                                   | \$268,946                |
| Kathleen A. Weber Inc. DBA Sudoka Ranch        | Off Road - Agriculture              | 1                                   | \$58,621                 |
| Kip Construction Services Inc                  | Off Road-SOON                       | 2                                   | \$291,350                |

| <b>Table 2A: Carl Moyer Program Awards</b>    |                                     |                                     |                          |
|---|-------------------------------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                              | <b>Category</b>                     | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| Kissel Boat Designs LLC                       | Marine                              | 2                                   | \$224,800                |
| Kramar's Iron & Metal, Inc                    | Off Road-SOON                       | 3                                   | \$226,067                |
| La Quinta Country Club                        | Off Road                            | 1                                   | \$70,985                 |
| La Quinta Date Growers, L.P.                  | Off Road - Agriculture              | 1                                   | \$64,435                 |
| Long Beach Container Terminal*                | Off Road - Cargo Handling Equipment | 1                                   | \$20,000                 |
| Luna Logistics Inc.                           | On Road                             | 1                                   | \$99,353                 |
| Mambo Marine, LLC                             | Marine                              | 2                                   | \$307,200                |
| Martin Mora                                   | Off Road - Agriculture              | 6                                   | \$491,381                |
| Matteo Candela dba Lady Mercedes Sportfishing | Marine                              | 1                                   | \$91,128                 |
| McMinn Equipment Rental and Leasing, Inc.     | Off Road-SOON                       | 23                                  | \$6,555,310              |
| M.K.P. Construction, Inc.                     | Off Road                            | 2                                   | \$176,278                |
| National Distribution Centers LLC*            | Off Road - Cargo Handling Equipment | 14                                  | \$628,432                |
| Native Sun Sportfishing, Inc.                 | Marine                              | 2                                   | \$323,600                |
| Noe Espinoza                                  | Off Road - Agriculture              | 1                                   | \$51,720                 |
| Oak Glen Winery, LLC                          | Off Road - Agriculture              | 1                                   | \$75,779                 |
| Olivas Foundation Drilling Inc                | Off Road                            | 4                                   | \$275,108                |
| Peed Equipment Company                        | Off Road-SOON                       | 13                                  | \$2,532,314              |
| Pomona Scrap Metal Inc.                       | Off Road                            | 2                                   | \$758,011                |
| Post Bros Construction Company                | Off Road                            | 1                                   | \$156,230                |
| Pro-Organic Farms, LLC                        | Off Road - Agriculture              | 1                                   | \$233,171                |
| Quality Turf, Inc.                            | Off Road - Agriculture              | 1                                   | \$68,102                 |
| Raymond Thomas Durr dba TD Tradition LLC      | Marine                              | 2                                   | \$168,800                |
| Redondo Special LLC                           | Marine                              | 1                                   | \$110,400                |
| Rentrac, Inc.                                 | Off Road-SOON                       | 4                                   | \$1,980,186              |
| RF Dickson*                                   | On Road                             | 2                                   | \$249,080                |
| RJ's Demolition and Disposal                  | Off Road - Agriculture              | 3                                   | \$332,175 <sup>b</sup>   |
| Robert K. Johnson                             | Off Road                            | 1                                   | \$80,832                 |
| Rockview Dairies Inc dba Rockview Farms*      | Off Road                            | 2                                   | \$517,402                |
| Rolling Camel Ranches, Inc.                   | Off Road - Agriculture              | 2                                   | \$680,528                |
| RRM Properties, LTD.                          | On Road                             | 2                                   | \$299,176                |
| SA Recycling LLC                              | Off Road - Cargo Handling Equipment | 8                                   | \$545,902                |
|   | Off Road-SOON                       | 7                                   | \$28,808                 |

| <b>Table 2A: Carl Moyer Program Awards</b>    |                                     |                                     |                           |
|---|-------------------------------------|-------------------------------------|---------------------------|
| <b>Applicant</b>                              | <b>Category</b>                     | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b>  |
| Salvador Mora                                 | Off Road - Agriculture              | 2                                   | \$209,907                 |
| Salvador Pina                                 | Off Road - Agriculture              | 1                                   | \$55,896                  |
| Southern California Regional Rail Authority   | Locomotive                          | 16                                  | \$51,696,093 <sup>c</sup> |
| Southern California Regional Rail Authority*  | Off Road                            | 1                                   | \$318,142                 |
| Steve Zimmer General Engineering Contractor   | Off Road-SOON                       | 3                                   | \$270,824                 |
| Stice Company Inc.                            | Off Road-SOON                       | 3                                   | \$352,522                 |
| Sunrise Marsh, LLC                            | Off Road - Agriculture              | 2                                   | \$205,502                 |
| TGI Equipment Corporation                     | Off Road-SOON                       | 63                                  | \$10,424,532              |
| Total Terminals International, LLC            | Off Road - Cargo Handling Equipment | 4                                   | \$639,391                 |
| ToursX, LLC                                   | Marine                              | 3                                   | \$115,801                 |
| Trans Caba Inc.                               | On Road                             | 1                                   | \$144,867                 |
| Transito Castellanos                          | Off Road - Agriculture              | 3                                   | \$320,162                 |
| Triple B Farms Inc.                           | Off Road - Agriculture              | 4                                   | \$922,232                 |
| TST, Inc.                                     | On Road                             | 2                                   | \$121,992                 |
| UCLA Transportation                           | On Road                             | 5                                   | \$121,189                 |
| Union Pacific Railroad Company                | Locomotive                          | 3                                   | \$7,157,737               |
| Universal City Studios LLC                    | Off Road                            | 12                                  | \$7,548,060               |
| USA Waste of California, Inc.                 | On Road                             | 4                                   | \$79,592                  |
| Ventura Transfer Company                      | Off Road                            | 1                                   | \$339,589                 |
| Ventura Transfer Company                      | Off Road-SOON                       | 1                                   | \$162,604                 |
| Washburn Grove Management Inc.                | Off Road - Agriculture              | 2                                   | \$345,548                 |
| Waste Management Collection & Recycling, Inc. | On Road                             | 4                                   | \$65,725                  |
| WattEV, Inc.                                  | Infrastructure                      | See Table 3<br>9 fast chargers      | \$1,288,949 <sup>d</sup>  |
| West Coast Turf                               | Off Road - Agriculture              | 2                                   | \$144,682                 |
| Weyerhaeuser Company*                         | Off Road - Cargo Handling Equipment | 3                                   | \$322,995                 |
| Whittier Fertilizer Company                   | Off Road                            | 2                                   | \$52,875                  |
| Williams Heavy Equipment Rentals Inc          | Off Road                            | 1                                   | \$81,278 <sup>e</sup>     |
| Williams Recycling Co., Inc.                  | Off Road                            | 1                                   | \$75,919                  |
| Yes Cargo, Inc.                               | On Road                             | 1                                   | \$149,080                 |
| Yusen Terminals LLC*                          | Off Road - Cargo Handling Equipment | 7                                   | \$82,800                  |

| <b>Table 2A: Carl Moyer Program Awards</b> |                 |                                     |                          |
|--|-----------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                           | <b>Category</b> | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| <b>Total</b>                               |                 | <b>443</b>                          | <b>\$127,398,897</b>     |

\*This project is pending CARB case-by-case approval and/or South Coast AQMD qualification check

<sup>a</sup> This project is split funded using \$440,700 in CAPP Year 3 and \$383,514 in Moyer SB1107 with a total not to exceed \$824,214

<sup>b</sup> This project is split funded with \$25,719 in FARMER and \$332,175 in Moyer SB1107 for total not to exceed \$357,894

<sup>c</sup> The remaining balance of this project in the amount of \$3,247,251 was placed on the backup list and a portion of this project was awarded under Carl Moyer in the amount of \$51,696,093. In addition, this project is split funded with \$15,855,306 in AB923 Match funds and \$35,840,787 in Moyer SB1107 for a total of \$51,696,093

<sup>d</sup> This project is split funded with \$389,130 in State Reserve and \$1,288,949 in Moyer SB1107 for a total not to exceed \$1,678,079

<sup>e</sup> This project will be funded with \$5,119 from SB1107 Carl Moyer Interest, \$17,445 in Multi-District Interest, \$28,916 State Reserve interest, and \$29,798 in Moyer SB1107 funds for a total not to exceed \$81,278

| <b>Table 2B: SOON Provision Awards</b> |                 |                                     |                          |
|--|-----------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                       | <b>Category</b> | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| Peed Equipment Company                 | Off-Road - SOON | 13                                  | \$3,133,846              |
| Rentrac, Inc.                          | Off-Road - SOON | 4                                   | \$1,983,036              |
| <b>Total</b>                           |                 | <b>17</b>                           | <b>\$5,116,882</b>       |

| <b>Table 3: State Reserve (Zero-Emission Infrastructure Projects)</b> |                                      |   |                          |
|---|--------------------------------------|---|--------------------------|
| <b>Applicant</b>  | <b>Station Type</b>                  | <b>Description</b>                          | <b>Recommended Award</b> |
| City of Glendale - Transit  | New Private Battery Charging Station | 6 fast chargers                             | \$225,000                |
| City of Glendora  | New Private Battery Charging Station | 4 fast chargers                             | \$107,776                |
| County Sanitation Districts No. 2 of Los Angeles County               | New Private Battery Charging Station | 2 fast chargers                             | \$132,031                |
|   | New Private Battery Charging Station | 2 fast chargers<br>4 chargers<br>1 forklift | \$149,087                |
| Dependable Highway Express, Inc.                                      | New Private Battery Charging Station | 18 forklift chargers                        | \$72,345                 |
|   | New Private Battery Charging Station | 5 forklift chargers                         | \$18,928                 |
|   | New Private Battery Charging Station | 1 forklift charger                          | \$4,962                  |
| National Distribution Centers LLC.                                    | New Private Battery Charging Station | 14 forklift chargers                        | \$45,890                 |
| RRM Properties, LTD.  | New Private Battery Charging Station | 4 fast chargers                             | \$325,000                |
| UCLA Transportation   | New Private Battery Charging Station | 5 fast chargers                             | \$370,500                |

| <b>Table 3: State Reserve (Zero-Emission Infrastructure Projects)</b> |                                     |                    |                          |
|---|-------------------------------------|--------------------|--------------------------|
| <b>Applicant</b>  | <b>Station Type</b>                 | <b>Description</b> | <b>Recommended Award</b> |
| WattEV, Inc.  | New Public Battery Charging Station | 9 fast chargers    | \$1,678,079              |
|   | New Public Battery Charging Station | See Table 2A       | \$389,130 <sup>a</sup>   |
| <b>Total</b>  |                                     | <b>12 Stations</b> | <b>\$3,518,728</b>       |

\* This project is pending CARB case-by-case approval and/or South Coast AQMD qualification check

<sup>a</sup> This project is split funded with \$389,130 in State Reserve and \$1,288,949 in Moyer SB1107 for a total not to exceed \$1,678,079

| <b>Table 4: FARMER Program Awards</b> |                 |                                     |                          |
|---------------------------------------|-----------------|-------------------------------------|--------------------------|
| <b>Applicant</b>                      | <b>Category</b> | <b>Number of Engines / Vehicles</b> | <b>Recommended Award</b> |
| AAA Farm, Inc.                        | Off Road - AG   | 2                                   | \$104,815                |
| Boersma Dairy*                        | Off Road - AG   | 4                                   | \$396,723                |
| Domenigoni Bros Ranch, LP             | Off Road - AG   | 1                                   | \$164,717                |
| Donald J. Arias                       | Off Road - AG   | 1                                   | \$57,117                 |
| Gless Ranch, Inc.                     | Off Road - AG   | 1                                   | \$86,179                 |
| Junior Enterprises, LLC               | Off Road - AG   | 1                                   | \$381,419                |
| Nature's Best Farms                   | Off Road - AG   | 1                                   | \$151,371                |
| Nick Nuciforo                         | Off Road - AG   | 1                                   | \$141,530                |
| Ramona Dairy                          | Off Road - AG   | 2                                   | \$295,364                |
| Redwood Products Inc.                 | Off Road - AG   | 1                                   | \$98,023 <sup>a</sup>    |
| RJ's Demolition and Disposal          | Off Road - AG   | See Table 2A                        | \$25,719 <sup>b</sup>    |
| <b>Total</b>                          |                 | <b>15</b>                           | <b>\$1,902,977</b>       |

\*This unit is pending CARB case-by-case approval and/or South Coast AQMD qualification check

<sup>a</sup> This project is split funded with \$24,277 in FARMER Interest and \$73,746 in FARMER funds for a total not to exceed \$98,023

<sup>b</sup> This project is split funded with \$25,719 in FARMER and \$332,175 in Moyer SB1107 for total not to exceed \$357,894

| <b>Table 5: CAPP Incentive Awards in the Wilmington/West Long Beach/Carson AB617 Community</b> |                 |                          |                          |
|--|-----------------|--------------------------|--------------------------|
| <b>Applicant</b>   | <b>Category</b> | <b>Number of Engines</b> | <b>Recommended Award</b> |
| Catalina Channel Express Inc.  | Marine          | 4                        | \$2,344,300              |
| Groundtackle Holdings LLC  | Marine          | See Table 2A             | \$440,700 <sup>a</sup>   |
| <b>Total</b>   |                 | <b>4</b>                 | <b>\$2,785,000</b>       |

<sup>a</sup> This Project is split funded using \$440,700 in CAPP Year 3 and \$383,514 in Moyer SB1107 with a total not to exceed \$824,214

| <b>Table 6: Backup List</b>                 |                 |  |                          |
|---|-----------------|--|--------------------------|
| <b>Applicant</b>                            | <b>Category</b> | <b>Number of Engines / Vehicles / Stations</b> | <b>Recommended Award</b> |
| Southern California Regional Rail Authority | Locomotive      | See Table 2A                                   | \$3,247,251 <sup>a</sup> |
|   | Locomotive      | 2  | \$6,867,918              |
| Crowley Marine Services, Inc.*              | Marine          | 4  | \$21,029,000             |
| <b>Total</b>                                |                 | <b>16</b>                                      | <b>\$65,483,759</b>      |

\*This project is pending CARB case-by-case approval and/or South Coast AQMD qualification check

<sup>a</sup> The remaining balance of this project was placed on the backup list and a portion of this project was awarded under Carl Moyer in the amount of \$51,696,093.

| <b>Table 7: Backup Infrastructure List</b> |   |                                  |                          |
|--|---|----------------------------------|--------------------------|
| <b>Applicant</b>                           | <b>Station Type</b>                             | <b>Description</b>               | <b>Recommended Award</b> |
| American Natural Gas Los Angeles, LLC      | New Public Renewable Natural Gas Station        | 3 fast-fill dual-hose dispensers | \$2,426,973              |
| City of Banning                            | Private Renewable Natural Gas Station Expansion | Add 11 time-fill dual-hose posts | \$430,125                |
|  | New Public Renewable Natural Gas Station        | 1 fast-fill dual-hose dispenser  | \$377,550                |
| Clean Energy                               | New Public Hydrogen Fueling Station             | 1 fast-fill dual-hose dispenser  | \$3,659,143              |
|  | New Private Renewable Natural Gas Station       | 90 time-fill hoses               | \$1,032,708              |
|  | New Public Renewable Natural Gas Station        | 2 fast-fill dual-hose dispensers | \$219,622                |

| <b>Table 7: Backup Infrastructure List</b>              |   |   |                          |
|---|---|---|--------------------------|
| <b>Applicant</b>  | <b>Station Type</b>                             | <b>Description</b>                                | <b>Recommended Award</b> |
|   | New Private Renewable Natural Gas Station       | 129 time-fill hoses                               | \$1,105,347              |
|   | New Public Renewable Natural Gas Station        | 2 fast fill dual-hose dispensers                  | \$2,674,662              |
| County Sanitation Districts No. 2 of Los Angeles County | New Public Renewable Natural Gas Station        | 5 fast-fill single-hose dispensers                | \$2,185,438              |
| Crowley Marine Services                                 | New Private Battery Charging Station with Solar | 3 ZE tugboat charging station with energy storage | \$4,192,500              |
| Equilon Enterprises LLC dba Shell Oil Products US       | New Public Renewable Natural Gas Station        | Add 2 fast-fill dual-hose dispensers              | \$1,000,000              |
|   | New Public Renewable Natural Gas Station        | 2 fast-fill dual-hose dispensers                  | \$1,000,000              |
| Fontana Unified School District                         | New Private Battery Charging Station            | 10 fast chargers                                  | \$3,400,000              |
| Harbor Truck Stop                                       | New Public Renewable Natural Gas Station        | 5 fast-fill dual-hose dispensers                  | \$1,764,490              |
| MEB Service and Repair Inc.                             | New Private Renewable Natural Gas Station       | 4 time-fill and 1 fast-fill hoses                 | \$300,587                |
| Nikola Corporation                                      | New Public Hydrogen Fueling Station             | 2 fast-fill dual-hose dispensers                  | \$4,434,735              |
| Rialto Unified School District                          | New Private Battery Charging Station            | 8 fast chargers                                   | \$685,000                |
| Synergy Companies                                       | New Private Renewable Natural Gas Station       | 1 fast-fill dual-hose dispenser                   | \$335,600                |
| The City of Santa Ana                                   | Private Renewable Natural Gas Station Expansion | Add 20 time-fill dual-hose posts                  | \$1,100,000              |
| TruStar Energy, LLC                                     | New Private Renewable Natural Gas Station       | 22 time-fill single-hose dispensers               | \$721,100                |
|   | New Private Renewable Natural Gas Station       | 25 time-fill hoses and 2 fast-fill hoses          | \$1,129,946              |
|   |   | <b>Total</b>                                      | <b>\$34,175,526</b>      |

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 3

**PROPOSAL:** Execute Contracts for Legislative Representation in Washington, D.C.

**SYNOPSIS:** In September 2021, the Board approved the release of an RFP to solicit proposals for legislative representation in Washington, D.C. The Administrative Committee interviewed firms and made recommendations to the Board regarding a contract(s) for the agency's legislative representation. This action is to authorize the Chairman to execute contracts with Carmen Group for \$222,090; Cassidy & Associates for \$216,000; and Kadesh & Associates for \$226,392 for legislative consulting services in Washington, D.C. for one year beginning on January 15, 2022, with an option for up to two one-year renewals, upon satisfactory performance, at the Board's discretion.

**COMMITTEE:** Administrative, November 12 and December 10, 2021;  
Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chairman to execute contracts with Carmen Group for \$222,090; Cassidy & Associates for \$216,000; and Kadesh & Associates for \$226,392 for legislative consulting services in Washington, D.C. for one year beginning on January 15, 2022, with an option for up to two one-year renewals, upon satisfactory performance, at the Board's discretion.

Wayne Natri  
Executive Officer

DJA:LTO:RAR:AR

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**Background**

The current contracts for legislative representation in Washington, D.C. expire on January 15, 2022. Following Board approval on September 3, 2021, staff released RFP

#P2022-01 to solicit proposals for legislative representation in Washington, D.C.

As one of the largest air quality regulatory agencies in the United States and a leader in air quality innovations, South Coast AQMD is an important contributor to national policymaking discussions relevant to air quality related issues. Representation in Washington, D.C. ensures that the agency's input and policy priorities are conveyed in a timely and effective manner during the federal legislative and policy-setting process.

It is critical that South Coast AQMD be involved in policy development relating to federal air quality legislation, federal Clean Air Act implementation, subvention funding, special grants, and that all these issues and any other related matters are closely monitored. Therefore, staff recommends continued direct representation and advocacy of South Coast AQMD's policy positions on environmental issues in Washington, D.C.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, the Riverside County Press Enterprise, and The Hill newspapers to leverage the most cost-effective method of outreach to qualified firms providing federal legislative representation services.

Additionally, to notify as many potential bidders as possible, approximately 20 RFP notification letters were emailed to lobbying and public affairs firms in the Washington, D.C. area. Notice of the RFP was also emailed to 13 state and federal legislative caucuses and diverse 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."

### **Bid Evaluation**

Five proposals were received in response to the RFP. The proposals were evaluated and scored by a three-member evaluation panel (see Panel Composition section). All five proposals were considered technically qualified and forwarded to the Administrative Committee for consideration. The attached matrix presents the scores and total proposal costs for the firms interviewed by the Administrative Committee.

On November 12, 2021, the Administrative Committee made a decision to not interview Duncan, Weinberg, Genzer & Pembroke (DWGP) as the cost was twice as much as any of the other proposals. DWGP filed a bid protest on November 18, 2021. On December 3, 2021, DWGP provided comment to the Board which led to a decision to interview DWGP at the next Administrative Committee. DWGP has since withdrawn its bid protest.

**Panel Composition**

The evaluation panel consisted of one South Coast AQMD Assistant Deputy Executive Officer, one South Coast AQMD Public Affairs Manager, and the Director of Legislative and Public Affairs from San Bernardino County Transportation Authority. Of the three panelists, one is Asian American, one is Hispanic, and one is African American; one is female and two are male.

**Committee Recommendations**

After interviewing the five firms, and reviewing written materials submitted as part of the proposals, the Administrative Committee recommends to the Board the selection of the following firms: Carmen Group for \$222,090; Cassidy & Associates for \$216,000; and Kadesh & Associates for \$226,392.

**Resource Impacts**

The funding for the first year is available in the Legislative & Public Affairs FY 2021-22 Budget. Funding for the two optional one-year extensions is contingent upon Board approval for the respective fiscal years.

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 4

**PROPOSAL:** Authorize Purchase for Cisco Unified Communication Telephony System Upgrade

**SYNOPSIS:** On September 3, 2021, the Board approved the release of RFQ 2022-02 to solicit proposals from qualified vendors to provide hardware and software upgrades to the existing Cisco Unified Communications Telephony System. Three vendors responded to the RFQ. Among the responses, Insight Public Sector, Inc. is the recommended vendor to provide the system based on achieving the most points on the RFQ evaluation criteria. This action is to issue a purchase order with Insight Public Sector, Inc. to purchase Cisco telephony system upgrade. Funds (\$100,000) for this purchase are included in the District General FY 2021-22 Budget.

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

**RECOMMENDED ACTION:**

Authorize the Executive Officer to issue purchase order to Insight Public Sector, Inc. to upgrade the South Coast AQMD Cisco telephony system in an amount not to exceed \$100,000.

Wayne Nastri  
Executive Officer

RMM:MAH:XC:dc

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**Background**

South Coast AQMD has an existing Cisco phone system which has hardware and software components that are aging and no longer supported by the manufacturer due to advances in technology. The current phone system components need to be upgraded in order to maintain the reliability of the system.

On September 3, 2021, the Board released RFQ #Q2022-02 for Cisco Unified Communication Telephony System Upgrade using budgeted funds (\$100,000) within

Information Management FY 2021-22 Budget, Capital Outlay Major Object. The goal was to find a qualified vendor that could supply quality Cisco telephony components at the best cost.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQ and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFQ was emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associates and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

### **Bid Evaluation**

Sixty copies of the RFQ were mailed out on September 3, 2021 and three bids were received in response to the RFQ when final bidding closed at 1:00 p.m. on October 6, 2021. One bid was from a Low Emission Vehicle Business; two bids were local business enterprises; one bid was an Off Peak Hours Delivery Business and two bids offered most favored customer pricing status. The Attachment reflects the evaluation of the bids, the respective ratings and costs. Of the qualified bids, the highest preference points adjusted bid was from Insight Public Sector, Inc. Staff recommends that the Board authorize the purchase of Cisco Unified Communication Telephony system upgrade from Insight Public Sector, Inc.

### **Panel Composition**

The evaluation panel consisted of five staff from Information Management: two IT Supervisors, a Program and Systems Supervisor, and two Senior IT Specialists. Of the five panelists, three are Asian-Pacific Islander, one is Caucasian, and one is Hispanic; all are male.

### **Resource Impacts**

Sufficient funds were included in the FY 2021-22 District General Capital Outlays budget.

### **Attachment**

Summary of Evaluation for RFQ #Q2022-02

**Attachment 1**

**Evaluation of Bid for CISCO UNIFIED COMMUNICATIONS TELEPHONY SYSTEM REFRESH UPGRADE**

**Q2022-02**

| <b>Vendor</b>                                    | <b>Insight</b> | <b>World Wide Technology</b> | <b>Logicalis</b> |
|--|----------------|------------------------------|------------------|
| <b>Total Bid Amount with tax</b>                 | \$97,351.36    | \$119,519.98                 | \$125,523.36     |
| <b>Minority Owned Business</b>                   | No             | No                           | No               |
| <b>Woman Owned Business</b>                      | No             | No                           | No               |
| <b>Small Business (5%)</b>                       | No             | No                           | No               |
| <b>*DVBE or DBVBE Joint Venture (5%)</b>         | No             | No                           | No               |
| <b>Low Emission Vehicle Business (5%)</b>        | Yes            | No                           | No               |
| <b>Local Business (5%)</b>                       | Yes            | No                           | Yes              |
| <b>Off Peak Hours Delivery Business (2%)</b>     | Yes            | No                           | No               |
| <b>Most Favored Customer Pricing Status (2%)</b> | Yes            | No                           | Yes              |
| <b>Total Preference (%15 Maximum)</b>            | 14%            | 0%                           | 7%               |
| <b>Total Bid Amount with Preference</b>          | \$83,722.17    | \$119,519.98                 | \$116,736.73     |

\* DVBE - disabled veteran-owned business enterprise.

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 5

PROPOSAL: Authorize Purchase of Telecommunication Services

SYNOPSIS: On September 3, 2021, South Coast AQMD released an RFP to select a vendor(s) capable of providing telecommunication services to the South Coast AQMD in the most cost-effective manner and, if possible, to consolidate all telephone company-related services to a single telecommunications provider. These telecommunication services included local, long distance, and toll-free; private internet protocol (PIP)/frame relay network; dedicated T1 lines; MPLS two bundled IP T1s; Ethernet Private Line (ELINE) service; Ethernet Virtual Private Line (EVPL) service; internet access (with a redundant connection); phone system maintenance; and wireless voice and data. This action is to obtain approval to purchase telecommunication services from the selected vendor(s) for a period of three years. Funds for this purchase are included in the FY 2021-22 Budget (\$825,000) and will be included in subsequent fiscal year budget requests.

COMMITTEE: Administrative, December 10, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

Authorize the Executive Officer to execute contracts to purchase telecommunication services required by the South Coast AQMD from the following vendors for a three-year period:

1. Lumen, for local, long distance, and toll-free services in an estimated amount of \$136,905, depending on usage.
2. Verizon Enterprise Solutions, for air monitoring private internet protocol (PIP) network in an estimated amount of \$459,405 depending on usage.
3. Lumen, for dedicated point to point Diamond Bar-Long Beach MPLS bundled T1's, 100M and 1G EVPL in an estimated amount of \$149,615 depending on usage.
4. Lumen, for 2G internet services with redundancy in an estimated amount of \$404,050 depending on usage.
5. Insight, for phone system maintenance services in an estimated amount of \$777,944 depending on usage; and

6. T-Mobile USA, Inc., for wireless voice and data services in an estimated amount of \$569,586 depending on usage.

Wayne Natri  
Executive Officer

HJ: MH: AT:hlp

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### **Background**

On September 3, 2021 the South Coast AQMD released RFP #P2022-02 for Telecommunication Services. The purpose of this RFP was to solicit and identify vendors capable of providing high quality and reliable telecommunication services to the South Coast AQMD in the most cost-effective manner, and if possible, to consolidate all telephone company related services to a single telecommunications provider. The overall goal is to reduce current expenses for voice and data communication services, optimize the use of the South Coast AQMD's current voice communication network, and provide the South Coast AQMD with the necessary flexibility to take full advantage of new telecommunications technologies as they evolve. Telecommunication services solicited under this RFP will include local, long distance, and toll-free; air monitoring PIP network; dedicated MPLS bundled T1's and EVPL; internet access; phone system maintenance; and wireless voice and data.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP was e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

### **Bid Evaluation**

Sixty copies of the RFP were mailed out and fifteen vendors attended the mandatory bidders conference held on September 23, 2021. Seven bids were received in response to the RFP when final bidding closed at 1:00 p.m. on October 5, 2021.

Attachment 1 reflects the evaluation of the proposals and the respective ratings for contract bids. The evaluation committee rated Lumen the highest for local, long distance, toll-free; Verizon Enterprise Solutions the highest for air-monitoring telemetry PIP network; Lumen the highest for dedicated point to point Diamond Bar-Long Beach MPLS bundled T1's and EVPL; Lumen the highest for 2G internet services with redundancy and diversity; Insight the highest for phone system maintenance services and T-Mobile USA, Inc. the highest for wireless voice and data services. Therefore, staff recommends these vendors for the purchase of the identified telecommunication services.

### **Panel Composition**

The panel consisted five staff from Information Management: two IT Supervisors, a Program and Systems Supervisor, and two Senior IT Specialists. Of the five panelists, three are Asian-Pacific Islander, one is Caucasian, and one is Hispanic; all are male.

### **Resource Impacts**

Sufficient funding is included in the FY 2021-22 Budget and funding for subsequent years will be budgeted appropriately.

### **Attachment(s)**

Attachment 1 - Summary of Evaluation of Respondents to RFP # P2022-02

1-A: Category 1 – Local, Long Distance, and Toll Free

1-B: Category 2 – Air Monitoring Telemetry PIP network

1-C: Category 3 – Dedicated Diamond Bar-Long Beach MPLS bundled T1's & EVPL

1-D: Category 4 – Internet Access

1-E: Category 5 – Cisco Phone System Maintenance

1-F: Category 6 – Wireless Connectivity

**ATTACHMENT 1**  
**Summary of Evaluation of Respondents to RFP #P2022-02**

**1-A: Category 1 – Local, Long Distance, and Toll Free**

Two proposals meeting the stated criteria were received in response to Category 1 (Local, Long Distance and Toll-Free Services) of this RFP. They were from Lumen and Insight.

**Standard Services Criteria (50 points maximum)**

|               | Proposer |         |
|---------------|----------|---------|
|               | Lumen    | Insight |
| Panel Average | 50       | 32      |

**Cost (50 points maximum)**

|                           | Proposer    |             |
|---------------------------|-------------|-------------|
|                           | Lumen       | Insight     |
| Actual \$ Amount per Year | \$45,635.00 | \$45,635.00 |
| Panel Average             | 50          | 50          |

**Additional Points (17 points maximum)**

| Criteria  | Proposer   |           |
|---|------------|-----------|
|   | Lumen      | Insight   |
| Small Business or Small Business Joint Ventures Points (Maximum = 10) |            |           |
| DVBE or DVBE Joint Ventures Points (Maximum = 10)                     |            |           |
| Use of DVBE or Small Business Subcontractors Points (Maximum = 7)     |            |           |
| Low-Emission Vehicle Business Points (Maximum = 5)                    |            | 5         |
| Local Business (Non-EPA Funded Projects Only) Points (Maximum = 5)    |            | 5         |
| Off-Peak Hours Delivery Business Points (Maximum = 2)                 |            | 2         |
| Most Favored Customer (Maximum = 2)                                   |            | 2         |
| Panel Average   |            | 14        |
| <b>Total</b>  | <b>100</b> | <b>96</b> |

**1-B: Category 2 – Air Monitoring Telemetry Private IP/Frame-Relay Circuits**

One proposal meeting the stated criteria was received in response to Category 2 (Air Monitoring Telemetry PIP Network) of this RFP. It was from Verizon.

Standard Services Criteria (50 points maximum)

|               |          |
|---------------|----------|
|               | Proposer |
|               | Verizon  |
| Panel Average | 50       |

Cost (50 points maximum)

|                            |              |
|----------------------------|--------------|
|                            | Proposer     |
|                            | Verizon      |
| (Actual \$ Amount per Year | \$153,135.00 |
| Panel Average              | 50           |

Additional Points (17 points maximum)

|  |          |
|--|----------|
| Criteria   | Proposer |
|  | Verizon  |
| Small Business or SB Joint Ventures<br>(Max = 10)          |          |
| DVBE or DVBE Joint Ventures<br>(Max = 10)                  |          |
| Use of DVBE or Small Business Subcontractor<br>(Max = 7)   |          |
| Low-Emission Vehicle Business<br>(Max = 5)                 |          |
| Local Business (Non-EPA Funded Projects Only)<br>(Max = 5) |          |
| Off-Peak Hours Delivery Business Points<br>(Maximum = 2)   |          |
| Most Favored Customer<br>(Maximum = 2)                     |          |
| Panel Average  |          |

|       |     |
|-------|-----|
| Total | 100 |
|-------|-----|

**1-C: Category 3 – Dedicated Point to Point Diamond Bar-Long Beach T1 and EVPL**

Three proposals meeting the stated criteria were received in response to Category 3 (Dedicated Long Beach T1) of this RFP. They were from: Lumen, Insight and Verizon.

Standard Services Criteria (50 points maximum)

|               | Proposer |         |         |
|---------------|----------|---------|---------|
|               | Lumen    | Insight | Verizon |
| Panel Average | 50       | 32      | 50      |

Cost (50 points maximum)

|                           | Proposer    |             |             |
|---------------------------|-------------|-------------|-------------|
|                           | Lumen       | Insight     | Verizon     |
| Actual \$ Amount per Year | \$49,871.67 | \$49,871.67 | \$67,587.72 |
| Panel Average             | 50          | 50          | 37          |

Additional Points (17 points maximum)

| Criteria  | Proposer |         |         |
|---|----------|---------|---------|
|   | Lumen    | Insight | Verizon |
| Small Business or Small Business Joint Ventures Points (Maximum = 10) |          |         |         |
| DVBE or DVBE Joint Ventures Points (Maximum = 10)                     |          |         |         |
| Use of DVBE or Small Business Subcontractors Points (Maximum = 7)     |          |         |         |
| Low-Emission Vehicle Business Points (Maximum = 5)                    |          | 5       |         |
| Local Business (Non-EPA Funded Projects Only) Points (Maximum = 5)    |          | 5       |         |
| Off-Peak Hours Delivery Business Points (Maximum = 2)                 |          | 2       |         |
| Most Favored Customer (Maximum = 2)                                   |          | 2       |         |
| Panel Average   |          | 14      |         |

|       |     |    |    |
|-------|-----|----|----|
| Total | 100 | 96 | 87 |
|-------|-----|----|----|

**1-D: Category 4 – Internet Access**

Three proposals meeting the stated criteria were received in response to Category 4 (Internet Access) of this RFP. They were from: Lumen, Insight and Verizon.

Note: The District used least cost analysis for internet access options with redundant (diverse) connection (2G for primary circuit and 2G for the secondary circuit) for all proposals.

**Standard Services Criteria (50 points maximum)**

|               | Proposer |         |         |
|---------------|----------|---------|---------|
|               | Lumen    | Insight | Verizon |
| Panel Average | 50       | 32      | 50      |

**Cost (50 points maximum)**

|                           | Proposer     |              |              |
|---------------------------|--------------|--------------|--------------|
|                           | Lumen        | Insight      | Verizon      |
| Actual \$ Amount per Year | \$134,683.20 | \$134,683.20 | \$170,305.72 |
| Panel Average             | 50           | 50           | 40           |

**Additional Points (17 points maximum)**

| Criteria  | Proposer |         |         |
|---|----------|---------|---------|
|   | Lumen    | Insight | Verizon |
| Small Business or Small Business Joint Ventures Points (Maximum = 10) |          |         |         |
| DVBE or DVBE Joint Ventures Points (Maximum = 10)                     |          |         |         |
| Use of DVBE or Small Business Subcontractors Points (Maximum = 7)     |          |         |         |
| Low-Emission Vehicle Business Points (Maximum = 5)                    |          | 5       |         |
| Local Business (Non-EPA Funded Projects Only) Points (Maximum = 5)    |          | 5       |         |
| Off-Peak Hours Delivery Business Points (Maximum = 2)                 |          | 2       |         |
| Most Favored Customer (Maximum = 2)                                   |          | 2       |         |
| Panel Average   |          | 14      |         |

|              |            |           |           |
|--------------|------------|-----------|-----------|
| <b>Total</b> | <b>100</b> | <b>96</b> | <b>90</b> |
|--------------|------------|-----------|-----------|

**1-E: Category 5 – Phone System Maintenance**

Two proposals meeting the stated criteria were received in response to Category 5 (Phone System Maintenance) of this RFP. They were from: Insight and Logicalis.

Standard Services Criteria (50 points maximum)

|               | Proposer |           |
|---------------|----------|-----------|
|               | Insight  | Logicalis |
| Panel Average | 50       | 50        |

Cost (50 points maximum)

|                           | Proposer     |               |
|---------------------------|--------------|---------------|
|                           | Insight      | Logicalis     |
| Actual \$ Amount per Year | \$259,314.43 | \$ 384,715.40 |
| Panel Average             | 50           | 34            |

Additional Points (17 points maximum)

| Criteria  | Proposer   |           |
|---|------------|-----------|
|   | Insight    | Logicalis |
| Small Business or Small Business Joint Ventures Points (Maximum = 10) |            |           |
| DVBE or DVBE Joint Ventures Points (Maximum = 10)                     |            |           |
| Use of DVBE or Small Business Subcontractors Points (Maximum = 7)     |            |           |
| Low-Emission Vehicle Business Points (Maximum = 5)                    | 5          |           |
| Local Business (Non-EPA Funded Projects Only) Points (Maximum = 5)    | 5          | 5         |
| Off-Peak Hours Delivery Business Points (Maximum = 2)                 | 2          |           |
| Most Favored Customer (Maximum = 2)                                   | 2          | 2         |
| Panel Average   | 14         | 7         |
| <b>Total</b>  | <b>114</b> | <b>91</b> |

**1-F: Category 6 – Wireless Connectivity**

Four proposals meeting the stated criteria were received in response to Category 6 (Wireless Connectivity) of this RFP. They were T-Mobile, Insight, AT&T and Verizon.

**Standard Services Criteria (50 points maximum)**

|               | Proposer |         |      |         |
|---------------|----------|---------|------|---------|
|               | T-Mobile | Insight | AT&T | Verizon |
| Panel Average | 50       | 32      | 50   | 50      |

**Cost (50 points maximum)**

|                             | Proposer     |              |              |              |
|-----------------------------|--------------|--------------|--------------|--------------|
|                             | T-Mobile     | Insight      | AT&T         | Verizon      |
| (Actual \$ Amount per Year) | \$189,861.84 | \$189,861.84 | \$450,252.00 | \$499,215.24 |
| Panel Average               | 50           | 50           | 21           | 19           |

**Additional Points (17 points maximum)**

| Criteria  | Proposer |         |      |         |
|---|----------|---------|------|---------|
|   | T-Mobile | Insight | AT&T | Verizon |
| Small Business or Small Business Joint Ventures Points (Maximum = 10) |          |         |      |         |
| DVBE or DVBE Joint Ventures Points (Maximum = 10)                     |          |         |      |         |
| Use of DVBE or Small Business Subcontractors Points (Maximum = 7)     |          |         |      |         |
| Low-Emission Vehicle Business Points (Maximum = 5)                    |          | 5       |      |         |
| Local Business (Non-EPA Funded Projects Only) Points (Maximum = 5)    |          | 5       |      |         |
| Off-Peak Hours Delivery Business Points (Maximum = 2)                 |          | 2       |      |         |
| Most Favored Customer (Maximum = 2)                                   |          | 2       |      |         |
| Panel Average   |          | 14      |      |         |

|              |            |           |           |           |
|--------------|------------|-----------|-----------|-----------|
| <b>Total</b> | <b>100</b> | <b>96</b> | <b>71</b> | <b>69</b> |
|--------------|------------|-----------|-----------|-----------|

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 6

**PROPOSAL:** Approve Appropriation of Funds to Re-Open Contract and Bifurcation of Award as Approved by MSRC

**SYNOPSIS:** A contract under the Transportation Control Measure Partnership Program was closed prematurely prior to payment of the final invoice. The MSRC authorized an appropriation to re-open the contract as part of the FYs 2014-16 Work Program. Additionally, the MSRC approved the bifurcation of a previous award under the Zero and Near-Zero Emission Cargo Handling Equipment in Riverside and San Bernardino Counties Program as part of their FYs 2018-21 Work Program. At this time, the MSRC seeks Board approval of the modification and bifurcation as part of the FYs 2014-16 and 2018-21 Work Programs.

**COMMITTEE:** Mobile Source Air Pollution Reduction Review, December 16, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Appropriate \$115,023.09 to re-open Contract #MS16086 with San Bernardino County Transportation Authority (formerly San Bernardino County Associated Governments) to pay the final invoice on the contract as part of approval of the FYs 2014-16 Work Program, as described in this letter;
2. Approve bifurcation of original \$1,160,000 award under the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program to Penske Truck Leasing Co., LP to procure and deploy up to 5 zero-emission electric yard tractors and associated charging infrastructure into a \$1,000,000 award to Penske for the yard tractors and a \$160,000 award to Costco Wholesale Corporation for the charging infrastructure, as part of approval of the FYs 2018-21 Work Program, as described in this letter; and

3. Authorize the Board Chair to execute the modified contracts under the 2018-21 Work Program, as described above and in this letter.

Larry McCallon,  
Chair, MSRC

MMM:AK:CR

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### **Background**

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

### **Proposals**

At its December 16, 2021 meeting, the MSRC considered recommendations from the MSRC-Technical Advisory Committee (TAC) and approved the following:

#### **FYs 2014-16 Transportation Control Measure Partnership Program**

In March 2016, the MSRC approved an award to San Bernardino County Associated Governments (SANBAG, now San Bernardino County Transportation Authority or SBCTA as approved by Senate Bill 1305 in 2016) to implement special transit service to Dodger Stadium for 2018. Contract #MS16086 was executed to effectuate the award. While the \$115,023.09 final invoice was awaiting processing, due to an error the contract was closed prematurely. In order to pay the outstanding invoice, an appropriation of \$115,023.09 was recommended to re-open the contract. The MSRC considered and approved the recommended appropriation.

#### **FYs 2018-21 Inland Ports Zero and Near-Zero Emission Cargo Handling**

In March 2021, the MSRC approved several awards for on- and off-road goods movement projects associated with the “Inland Ports”—warehouse and distribution facilities located in Riverside and San Bernardino Counties. Among these was a \$1,160,000 award to Penske Truck Leasing to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure. Subsequent to the award, a determination has been made that the charging infrastructure would be owned and operated by property owner Costco Wholesale Corporation. To enhance accountability in administration of the project, it was recommended that the award be bifurcated into a \$1,000,000 award to Penske Truck Leasing Company and a \$160,000

award to Costco Wholesale Corporation. The MSRC considered and approved the bifurcation. No other aspects of the project would be changed.

At this time, the MSRC requests the Board approve the contract appropriation and bifurcation of award as part of approval of the FYs 2014-16 and 2018-21 AB 2766 Discretionary Fund Work Programs as outlined above. The MSRC also requests the Board approve the South Coast AQMD Board Chair to execute all agreements described in this letter.

**Resource Impacts**

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

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 7

**PROPOSAL:** Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely

**SYNOPSIS:** This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code Section 54953(e)(3).

**COMMITTEE:** No Committee Review

**Review RECOMMENDED ACTIONS:**

Adopt the attached Resolution finding that the Board:

1. Has reconsidered the circumstances of the state of emergency; and
2. State or local officials continue to impose or recommend measures to promote social distancing.

Wayne Nastri  
Executive Officer

BTG:lal

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**Background**

Governor Newsom previously issued Executive Orders (EOs) N-29-20 and N-35-2 in March 2020, as a response to the public health crisis brought about by the COVID-19 pandemic. These EOs authorized local legislative bodies subject to the Ralph M. Brown Act to conduct meetings entirely via telephonic or other electronic means in lieu of requiring the physical presence of Board members or members of the public. On June 11, 2021 the Governor issued EO N-08-21, which continued suspension of the Brown Act's teleconferencing requirements, without requiring that members of the public be given the right to access all teleconference locations, through September 30, 2021, in anticipation of the State's proposed re-opening.

Assembly Bill 361, signed into law by Governor Newsom on September 16, 2021, amends the Brown Act and will stay in effect from October 1, 2021 through January 1, 2024. In part, AB 361 amends subparagraph (e) of Section 54953 of the California Government Code to state that local agencies may continue to use teleconferencing without complying with the teleconferencing requirements of the Brown Act in any of the following circumstances:

- A. When the legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to propose social distancing;
- B. When the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- C. When the legislative body holds a meeting during a proclaimed state of emergency and has already determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In the event of an ongoing proclaimed state of emergency, or where state or local officials have imposed or recommended measures to promote social distancing, in order to continue to utilize the teleconferencing measures set forth above, a legislative body must, no later than 30 days after teleconferencing for the first time pursuant to Government Code Section 54953(e)(1), and every 30 days thereafter, make the following findings by majority vote:

- A. The legislative body has reconsidered the circumstances of the state of emergency.
- B. Any of the following circumstances exist:
  - i. The state of emergency continues to directly impact the ability of the members to meet safely in person; or
  - ii. State or local officials continue to impose or recommend measures to promote social distancing.

See Cal. Gov't Code Section 54953(e)(1). Governor Newsom first declared a statewide emergency resulting from the COVID-19 pandemic on March 4, 2020. Furthermore, although the State no longer requires physical distancing, both South Coast AQMD and the Los Angeles County Department of Public Health, have recommended proposed social distancing measures.

### **Proposal**

This action is to address the requirements of AB 361 to allow South Coast AQMD

Board and South AQMD Brown Act Committees to continue to meet remotely. The recommended action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code Section 54953(e)(3).

**Resource Impacts**

No fiscal impact.

**Attachment**

Resolution

**RESOLUTION 22 -**

1 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH COAST AIR**  
2 **QUALITY MANAGEMENT DISTRICT RECOGNIZING THE PROCLAMATION OF A STATE**  
3 **OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY**  
4 **OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL**  
5 **DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE**  
6 **MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY**  
7 **MANAGEMENT DISTRICT, AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
8 **COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF JANUARY 7, 2022**  
9 **THROUGH FEBRUARY 6, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT.**

10 **WHEREAS**, the Governing Board of the South Coast Air Quality Management District (South  
11 Coast AQMD) is committed to preserving and nurturing public access and participation in all meetings  
12 subject to the provisions of the Ralph M. Brown Act (Cal. Gov. Code §§54950-54963, hereafter Brown  
13 Act); and

14 **WHEREAS**, pursuant to the provisions of the Brown Act, all meetings of legislative bodies of the  
15 South Coast AQMD, which include the South Coast AQMD Governing Board, all Brown Act standing  
16 committees ultimately reporting to the South Coast AQMD Governing Board, and all advisory committees  
17 and groups subject to the Brown Act, (collectively, hereinafter, “legislative bodies”), are required to be  
18 open and public so that any member of the public may attend, participate, and watch the South Coast  
19 AQMD’s legislative bodies conduct their business; and

20 **WHEREAS**, the Brown Act, Government Code §54953(e), makes provisions for remote  
21 teleconferencing participation in meetings by members of a legislative body, without compliance with the  
22 requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

23 **WHEREAS**, a required condition is that a state of emergency has been declared by the Governor  
24 pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril  
25 to the safety of persons and property within the state caused by conditions as described in Government Code  
26 §8558; and

27 **WHEREAS**, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California  
28 as a result of the threat of the novel coronavirus (COVID-19); and

**RESOLUTION 22 - \_\_\_\_\_**

1           **WHEREAS**, the jurisdiction of the South Coast AQMD includes portions of the Counties of Los  
2 Angeles, Orange, Riverside, and San Bernardino areas in the Counties of Riverside and San Bernardino as  
3 set forth in Health & Safety Code §40410 and South Coast AQMD Rule 103; and

4           **WHEREAS**, the South Coast AQMD headquarters is located in the County of Los Angeles; and

5           **WHEREAS**, it is further required that state or local officials have imposed or recommended  
6 measures to promote social distancing, or, the legislative body meeting would present imminent risks to the  
7 health and safety of attendees; and

8           **WHEREAS**, local and California public authorities still recommend measures promoting social  
9 distancing and/or mask wearing indoors and in public gatherings as well as recommending compliance with  
10 the latest advice issued by the Center for Disease Control (CDC) regarding same; and

11           **WHEREAS**, on December 16, 2021, the County of Los Angeles Department of Public Health  
12 issued further guidance promoting such measures; and

13           **WHEREAS**, on June 23 and August 10, 2021, the South Coast AQMD issued further guidance  
14 promoting such measures; and

15           **WHEREAS**, the spread of the Omnicron and Delta Variants of COVID-19 poses a continued risk to  
16 the health and safety of members of the South Coast AQMD legislative bodies, South Coast AQMD staff,  
17 and members of the general public who attend such meetings in that unvaccinated or partially vaccinated  
18 persons are at high risk of contracting these variants and even fully vaccinated persons can contract  
19 and potentially unknowingly spread the variants; and

20           **WHEREAS**, the Governing Board of the South Coast AQMD does hereby find that the legislative  
21 bodies of the South Coast AQMD shall conduct their meetings without compliance with paragraph (3) of  
22 subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and  
23 that such legislative bodies shall comply with the requirements to provide the public with access to the  
24 meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

25           **WHEREAS**, the legislative bodies of the South Coast AQMD will continue to ensure access to  
26 their meetings by making them available telephonically and via virtual access for both members of the  
27 legislative bodies and the general public; and

28

**RESOLUTION 22 - \_\_\_\_\_**

1           **WHEREAS**, notice of meetings along with information regarding all methods which may be used  
2 for public participation in such meetings will continue to be published in the newspaper, posted at the South  
3 Coast AQMD’s headquarters, posted at any teleconference locations which are officially noticed on the  
4 agenda, posted on the South Coast AQMD’s website, provided to anyone who requests such information,  
5 and clearly printed on any agendas produced for such meetings.

6           **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the South Coast AQMD  
7 hereby finds that highly contagious nature of the Omnicron and Delta Variants of COVID-19 poses an  
8 imminent risk to large numbers of persons meeting indoors in a single location; and

9           **BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD hereby  
10 finds that the Governor of California issued a Proclamation of Emergency on March 4, 2020; and

11           **BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD hereby  
12 finds that local officials continue to impose or recommend measures to promote social distancing in the  
13 South Coast AQMD’s jurisdiction and where the South Coast AQMD’s headquarters is located; and

14           **BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD authorizes  
15 and directs staff to take all actions necessary to carry out the intent and purpose of this Resolution including,  
16 conducting open and public meetings in accordance with Government Code section 54953(e) and other  
17 applicable provisions of the Brown Act; and

18           **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption  
19 and remain in effect until February 6, 2022, or until such time as the South Coast AQMD Governing  
20 Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend  
21 the time during which legislative bodies of the South Coast AQMD may continue to teleconference without  
22 strict compliance with paragraph 3 of Government Code Section 54953(b).

23  
24  
25  
26 DATE: \_\_\_\_\_

\_\_\_\_\_

CLERK OF THE BOARDS

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 8

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the November 2021 outreach activities of the Legislative, Public Affairs and Media Office, which includes Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations, and Outreach to Community Groups and Federal, State and Local Governments.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

DJA:AL:bel:lam:ar

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## **BACKGROUND**

This report summarizes the activities of the Legislative, Public Affairs and Media Office for November. 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, and improving air quality and the economy.

No major events were hosted or sponsored.

## **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 to 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 November events and meetings:

### Gateway Cities Council of Governments

Staff participated in a virtual meeting on November 3. Staff presented updates on the Air Quality Sensor Performance Evaluation Center program and Volkswagen (VW) Environmental Mitigation Trust funds.

### Los Angeles County Department of Public Health Meeting

Staff participated in an agency and stakeholder virtual meeting regarding AllenCo Energy in University Park on November 3. Staff provided updates on monthly compliance activities including surveillance and air monitoring, which did not detect elevated levels. Staff also reported that no complaints had been received related to AllenCo Energy since the last meeting on October 6.

### San Bernardino County Transportation Authority (SBCTA)

On November 4, staff attended the SBCTA City Manager Technical Advisory Committee meeting and provided updates on Warehouse Actions and Investments to Reduce Emissions (WAIRE) workshops and VW Environmental Mitigation Trust funds.

### Torrance Refinery Action Committee

On November 10, staff attended a virtual meeting, which featured speaker Dr. Lyou, President of the Coalition for Clean Air and former South Coast AQMD Board Member. There were approximately 24 people in attendance including U.S. Congressman Maxine Waters, who discussed issues related to hydrofluoric acid.

South Pasadena Chamber of Commerce

Staff participated in the virtual Chamber meeting on November 18. Updates were shared on the Check Before You Burn (CBYB) program, Commercial Lawn and Garden Equipment Incentive Program, new application cycle for Replace Your Ride, and VW funding for combustion freight and marine projects.

San Gabriel Valley City Managers' Association

On November 17, staff participated in a meeting with approximately 65 participants. Staff provided updates on CBYB, the Commercial Lawn & Garden Equipment Incentive Program, Clean Air Awards, and WAIRE.

Dominguez Channel Virtual Town Hall

Staff participated the City of Carson's Town Hall meeting on November 18. Los Angeles County Public Works, Los Angeles County Public Health, and provided updates on the ongoing odor remediation efforts and related issues.

**ENVIRONMENTAL JUSTICE UPDATE**

The following are key environmental justice related (EJ) activities in which staff participated during November. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

Pacoima Community Initiative (PCI)

On November 5, staff participated in PCI's monthly stakeholder virtual meeting on November 5 to provide updates on the Clean Air Program for Elementary Students and the Clean Air Awards. Members discussed upcoming events, shared needs and collaboration ideas.

U.S. EPA Training

On November 16, staff attended part one of U.S. EPA's virtual training on the Proposed Rule to Reduce Methane and Other Harmful Pollutants from the Oil and Natural Gas Industry. The training included background information on the oil and gas production process, an overview of the proposed rules, and information on how to effectively engage in the regulatory process.

Los Angeles Environmental Justice Network

Staff participated in the Los Angeles Environmental Justice Network's series "Policy, Capacity Building and Environmental Justice Enforcement," webinar on November 17. Panel members discussed the need to think collaboratively to ensure environmental justice plans and polices include a process for implementation and enforcement.

**AB 617 Update**

The following are key AB 617 related activities in which staff participated during November. 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 (CERPs).

#### South Los Angeles Community Steering Committee Meeting

On November 16, approximately 60 people participated in the virtual meeting, including Board Member Kracov. Staff addressed the AB 617 program pause. A committee member provided an overview on oil and gas concerns and led discussions on potential actions to address air quality priorities. Another committee member presented case studies for metal facilities and auto body shops. Co-leads led discussions on no-idling signs, air filtration systems, outreach to independent owner operators, enforcement for mobile sources, mobile monitoring near oil drilling sites, more enforcement information regarding oil wells, accountability for oil and gas operators to inform the community of modifications to operations and chemicals used, and proximity of oil and gas sites to residential dwellings. Committee members requested collaboration with other responsible agencies such as CalGEM, City of Los Angeles, and the County of Los Angeles to address community concerns.

#### Wilmington/Carson/West Long Beach Community Steering Committee Meeting

Approximately 85 people participated in the virtual meeting on November 17. A committee member provided updates regarding their work and outreach events with STEM students in the community. Staff presented an overview of mobile measurements near oil wells in the community and monitoring efforts related to the Dominguez Channel odor event. Additionally, there was a staff overview of Rule 1109.1, highlighting the 8 tons per day NO<sub>x</sub> reduction, which achieves the target listed in the CERP. Committee members asked about implementation of the rule and stated the importance of reducing air toxics. CARB shared information regarding an air filtration project with Los Angeles Unified School District and a committee member expressed concern with increased emissions resulting from the back log at the ports.

#### San Bernardino/Muscoy Community Steering Committee Meeting

Approximately 40 people participated in a virtual meeting on November 17. A committee member presented on air quality and social issues in the community and ongoing efforts to address these concerns. Staff provided an update on Proposed Rule 2306 - Indirect Source Rule (ISR) for New Intermodal Facilities, and CARB provided an update on the draft In-Use Locomotive Regulation. Staff also presented information and sought feedback on how to improve the Aeroqual sensor network and data dashboard, including a video tutorial on how to use and access the data. Aclima presented on the mobile monitoring campaign results and interactive mapping. Committee members asked about the proposed Colton intermodal facility, the status of the proposed ISR rule, and the technology expected to be used on-site. Committee members also asked about sensors in the community, pollutants of concern and air quality standards.

East LA/Boyle Heights/West Commerce Community Steering Committee Meeting  
 Approximately 70 people participated in a virtual meeting on November 18. Staff presented information about home air filtration units, toxics rules for metal processing facilities, and provided an update on Proposed Rule 2306 - ISR for New Intermodal Facilities. CARB provided an update on the draft In-Use Locomotive Regulation, and Aclima presented results of their mobile monitoring campaign and associated interactive mapping tool. Committee members asked about Proposed Rule 2306 and how it would impact the community. Committee members also asked questions about home air filtration systems, such as the number of units to be distributed and restrictions on who would be able to apply for a filter.

**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 Speakers Bureau/Visitor Service requests in November.

**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 November:

|   |       |
|---|-------|
| Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG® | 2,351 |
| Calls to South Coast AQMD’s Spanish-language Line         | 76    |
| Total Calls   | 2,427 |

**PUBLIC INFORMATION CENTER STATISTICS**

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

|                           |        |
|---------------------------|--------|
| Calls Received by PIC     | 9      |
| Calls to Automated System | 323    |
| Total Calls               | 332    |
| Email Advisories Sent     | 46,559 |

## 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 November.

- Provided permit application assistance to 170 companies; and
- Processed 47 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 November reports are listed below:

|                          |     |
|--------------------------|-----|
| Major Media Interactions | 321 |
| Press Releases           | 41  |

### Major Media Topics:

- **Odors:** Staff participated in an interview with Associated Press on the challenge of reducing odors from industrial facilities and how Rule 445 has affected odors in Vernon.
- **Inland Empire Air Quality:** Staff participated in an interview with The Center for Health Reporting on MATES V and the Inland Empire air quality issues.
- **Auto Shops:** KCRW inquired about air quality near auto body facilities and the regulations facilities are required to meet. A written response was sent.
- **Port Terminal Project Suit:** Law 360 requested comment on the South Coast AQMD lawsuit on a terminal project at the Port of Los Angeles. Staff was unable to comment on ongoing litigation.
- **Gas-Powered Lawn Equipment:** Board Member Cacciotti and staff participated in an interview with CalMatters/Mercury News on the new regulations for gas-powered lawn equipment and the lawn and garden incentive program. Follow up questions were received and written responses were provided.

- **Air Quality Conditions:** Staff participated in an interview with LA Times on the forecast and hazy sky conditions and factors that contribute to poor visibility. Follow up questions were received and written responses were provided.
- **Flaring:** Red Canary Magazine requested an interview regarding flaring and monitoring techniques. Written responses were provided. Bloomberg News submitted questions regarding a flaring incident at the Phillips 66 refinery. Response is in progress.
- **Port Emissions:** Crosstown LA requested clarification on the increase in port emissions with 24/7 operations. Written responses were provided. NBC News Radio and LA Times requested interviews regarding gridlock at the ports and increased air pollution. Staff participated in an interview with LA Times.
- **South Coast AQMD Meetings:** Grist requested comment on the frequency of South Coast AQMD meetings with oil industry leaders. Written responses were provided.
- **WAIRE Rule Requirements:** Consumer Reports inquired about WAIRE rule requirements. A written response was provided.
- **AB 617:** CalMatters inquired regarding how to assess whether AB 617 has improved air quality. Response is in progress.
- **Smoke Conditions:** Staff participated in an interview with KESQ regarding smoky conditions and the impact on local air quality.
- **Replace your Ride:** Univision requested an interview with a Spanish speaker regarding the Replace Your Ride program. Recorded responses were provided.
- **The Future of Greentech:** An event representative requested a speaker/panelist to discuss air quality in Los Angeles as part of a clean cities topic. The Executive Officer will participate.
- **Clean Air Awards:** Pitches were sent to news outlets announcing the 32<sup>nd</sup> Annual Clean Air Awards.
- **Windblown Dust Advisory:** Pitches were sent to news outlets regarding two windblown dust advisories. This resulted in coverage from local tv, radio, and print outlets.

## Special Topics:

### Rule 1109.1

- Pitches were sent to news outlets with the November 5 press release on Rule 1109.1 resulting in large scale coverage on radio, television and online. Random Length News requested a copy of the presentation to the Board. A copy of the presentation was sent. Oil Price Information Service and Argus Media inquired about the Board's adoption of the rule.

### Carson Odors

- **Carson Odors:** Staff participated in interviews with LA Times and KCRW on odors from the Dominguez Channel. The Long Beach Post and LA Times requested updates on the Carson response. Written responses were provided.

A second reporter with the LA Times also requested updates. Written responses were provided.

**Check Before You Burn:**

- The 2021 Check Before You Burn Season began on November 1. There were 17 No-Burn Days in November. Pitches were sent to local media outlets for each No Burn Day, which resulted in extensive coverage from local television, radio and print outlets.
- Staff participated in interviews with KPCC and KNX on the launch of Check Before You Burn season. Staff participated in an interview with LA Newsletter on no-burn alerts and other types of South Coast AQMD alerts.

**News Releases:**

- **No-Burn Days – Mandatory Wood-Burning Ban in Effect for Residents of The South Coast Air Basin (English and Spanish):** In November, 17 No-Burn Days were declared. Press releases were issued on November 3-8, 14-15, 17-19, 22, and 26-30.
- **South Coast AQMD Governing Board Adopts Rules Establishing Emission Limits on Combustion Equipment at Petroleum Refineries (English and Spanish) – November 5, 2021:** Informed residents about the Board adoption of Rule 1109.1.
- **South Coast AQMD to Honor Clean Air Heroes – November 24, 2021 (English and Spanish):** Informed residents about the upcoming Clean Air Awards in December.
- **South Coast AQMD Issues Windblown Dust Advisory for the entire South Coast AQMD Jurisdiction – November 20, 24 2021 (English and Spanish):** Informed residents of windblown dust conditions on November 20 and 24.

**Social Media Notable posts:**

- **AQ Forecast (11/1):** 6,537 Twitter Impressions
- **Check Before You Burn (11/6):** 7,345 Twitter Impressions
- **Check Before You Burn Advisory (11/15):** 7,345 Twitter Impressions
- **Windblown Dust Advisory (11/20):** 21,476 Twitter Impressions
- **Windblown Dust Advisory (11/24):** 21,039 Twitter Impressions

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

Outreach was conducted in-person and virtually in November utilizing web-based and other technologies to communicate with elected officials or staff from the following cities:

|                    |                      |                        |
|--------------------|----------------------|------------------------|
| Agoura Hills       | Fountain Valley      | Long Beach             |
| Alhambra           | Fullerton            | Los Alamitos           |
| Aliso Viejo        | Garden Grove         | Los Angeles            |
| Anaheim            | Gardena              | Lynwood                |
| Arcadia            | Glendale             | Manhattan Beach        |
| Avalon             | Glendora             | Maywood                |
| Azusa              | Hawaiian Gardens     | Menifee                |
| Baldwin Park       | Hawthorne            | Mission Viejo          |
| Banning            | Hemet                | Monrovia               |
| Beaumont           | Hermosa Beach        | Montebello             |
| Beverly Hills      | Hidden Hills         | Monterey Park          |
| Bradbury           | Huntington Beach     | Moreno Valley          |
| Brea               | Huntington Park      | Murrieta               |
| Buena Park         | Indian Wells         | Newport Beach          |
| Burbank            | Indio                | Norco                  |
| Calabasas          | Industry             | Norwalk                |
| Calimesa           | Inglewood            | Orange                 |
| Canyon Lake        | Irvine               | Palm Desert            |
| Carson             | Irwindale            | Palm Springs           |
| Cathedral City     | Jurupa Valley        | Palos Verdes Estates   |
| Chino              | La Cañada Flintridge | Paramount              |
| Claremont          | La Habra             | Pasadena               |
| Coachella          | La Habra Heights     | Perris                 |
| Corona             | La Mirada            | Pico Rivera            |
| Costa Mesa         | La Palma             | Placentia              |
| Covina             | La Puente            | Pomona                 |
| Culver City        | La Quinta            | Rancho Mirage          |
| Cypress            | La Verne             | Rancho Palos Verdes    |
| Dana Point         | Laguna Beach         | Rancho Santa Margarita |
| Desert Hot Springs | Laguna Hills         | San Clemente           |
| Diamond Bar        | Laguna Niguel        | Redondo Beach          |
| Downey             | Laguna Woods         | Riverside              |
| Duarte             | Lake Elsinore        | Rolling Hills          |
| Eastvale           | Lake Forest          | Rolling Hills Estates  |
| El Monte           | Lakewood             | Rosemead               |
| El Segundo         | Lawndale             | San Dimas              |
| Fontana            | Lomita               | San Fernando           |

|                     |                |                  |
|---------------------|----------------|------------------|
| San Gabriel         | Signal Hill    | Villa Park       |
| San Jacinto         | South El Monte | Walnut           |
| San Juan Capistrano | South Gate     | West Covina      |
| San Marino          | South Pasadena | West Hollywood   |
| Santa Ana           | Stanton        | Westlake Village |
| Santa Clarita       | Temecula       | Westminster      |
| Santa Fe Springs    | Temple City    | Whittier         |
| Santa Monica        | Torrance       | Wildomar         |
| Seal Beach          | Tustin         | Yorba Linda      |
| Sierra Madre        | Vernon         |                  |

Communication conducted in November with elected officials and/or staff from the following state and federal offices:

- U.S. Senator Dianne Feinstein
- U.S. Senator Alex Padilla
- Representative Nanette Barragán
- Representative Karen Bass
- Representative Judy Chu
- Representative Grace Napolitano
- Representative Katie Porter
- Representative Raul Ruiz
- Representative Maxine Waters
- Senator Bob Archuleta
- Senator Steven Bradford
- Senator Anthony Portantino
- Senator Susan Rubio
- Assembly Member Lisa Calderon
- Assembly Member Cristina Garcia
- Assembly Member Mike Gipson
- Assembly Member Chris Holden

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

Beach Cities Health District  
 Big Bear Chamber of Commerce  
 Black Chamber of Orange County  
 California High Speed Rail Authority  
 CARB  
 Coachella Valley Association of Governments  
 Desert Valley Builders Association  
 Foothill Gold Line Construction Authority  
 Foothill Transit  
 Gateway Cities Council of Governments  
 Greater Coachella Valley Chamber of Commerce  
 Healthy Chino  
 Hollywood Burbank Airport  
 Industry Business Council

Irwindale Chamber of Commerce  
Las Virgenes-Malibu Council of Governments  
League of California Cities, Los Angeles, Orange County and Riverside Divisions  
Los Angeles Area Chamber of Commerce  
Los Angeles County Board of Supervisors  
Los Angeles County Department of Planning  
Los Angeles Metro  
Mountain Transit  
Omnitrans  
Orange County Business Council  
Orange County Council of Governments  
Riverside County Transportation Commission  
Riverside Transit Agency  
Riverside University Health System-Public Health  
San Bernardino County Board of Supervisors  
San Bernardino County Transportation Authority  
San Fernando Valley Council of Governments  
San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy  
San Gabriel Valley City Managers Association  
San Gabriel Valley Regional Chamber of Commerce  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
San Gabriel Valley Mosquito & Vector Control District  
San Manuel Band of Mission Indians  
South Bay Cities Council of Governments  
South Orange County Economic Coalition  
Southern California Association of Governments  
SunLine Transit Agency  
Twenty-nine Palms Band of Mission Indians  
U.S. EPA  
Valley Industry and Commerce Association  
Western Pallet Association  
Western Riverside Council of Governments

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

Bassett Unified School District  
California Fire Safe Council  
California School Boards Association  
Center for Sustainable Energy  
Clean Air Coalition of North Whittier and Avocado Heights  
Clean Healthy Air, Clean Healthy Altadena  
Clinicas de Salud del Pueblo, Inc.  
Coachella Valley Unified School District  
Coachella Valley Waterkeeper  
Growing Coachella Valley  
Hacienda La Puente School District  
Leadership Council for Justice and Accountability  
League of Women Voters, East San Gabriel Valley  
Lideres Campesinas  
OneFuture Coachella Valley  
Pasadena City College  
Taking Responsibility and Control, La Puente

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 9

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Cynthia Verdugo-Peralta  
Hearing Board Chair

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The following summaries are attached: **November 2021 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2021**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of November 1 to November 30, 2021.

## Report of November 2021 Hearing Board Cases

| Case Name and Case No.<br>(South Coast AQMD Attorney)  | Rules  | Reason for<br>Petition/Hearing   | South Coast AQMD<br>Position/Hearing<br>Board Action | Type and Length of<br>Variance or Order  | Excess Emissions   |
|--|--|--|--|--|--|
| 1. Kevin Lien, M.D., Kim Konte, and Lesley Tan, Petitioners vs. South Coast AQMD, Respondent, and All American Asphalt, Real Party in Interest<br>Case No. 2147-10<br>(N. Sanchez & E. Chavez) | N/A  | Respondent filed Motion to Dismiss petitioner's third-party appeal, citing that the Board lacks authority over CEQA matters.   | Opposed/Granted                                      | The Board granted Respondent's Motion to Dismiss the third-party appeal challenging South Coast AQMD's NOE from CEQA filed for the Real Party in Interest for a Portable Crumb/Rubber Asphalt Blending System. | N/A  |
| 2. South Coast AQMD vs. 365 Disposal & Recycling, Inc.<br>Case No. 6213-1<br>(K. Roberts & M. Reichert)  | 203<br>403(d)(1)(A)<br>403(d)(2)<br>403(d)(4)<br>1133.1(d)(3)<br>1133.1(d)(4)<br>1133.1(e) | Two NOVs were issued to the Respondent for violating Rule 403, which required they appear before the Board for a status hearing.   | Stipulated/Issued                                    | Mod. O/A issued commencing 11/2/21; the Hearing Board shall continue to retain jurisdiction over this matter until 7/1/22.   | N/A  |
| 3. South Coast AQMD vs. Chiquita Canyon Landfill, LLC<br>Case No. 6177-1<br>(K. Roberts & M. Reichert)   | 402<br>H&S Code §41700   | Respondent provided a status report on the implementation of the modified stipulated O/A. The parties also provided modifications that were accepted by the Hearing Board. | Stipulated/Issued                                    | Mod. O/A issued commencing 11/18/21; the Hearing Board shall continue to retain jurisdiction over this matter until 11/15/22.  | N/A  |
| 4. Ultramar Inc. dba Valero Wilmington Refinery<br>Case No. 3845-104<br>(Consent Calendar; No Appearance)  | 203(b)<br>401(b)<br>407(a)<br>2004(f)(1)<br>3002(c)(1)<br>H&S Code §41701                  | Petitioner conducted scheduled maintenance during a major refinery turnaround.   | Not Opposed/Granted                                  | SV & AOC shall commence upon notification in accordance with Condition No. 1 and shall be for 80 consecutive days between 1/12/22 and 4/9/22.  | CO: TBD by 4/30/22<br>SOx: TBD by 4/30/22<br>Opacity: TBD by 4/30/22 |

|   |                              |   |                     |   |                    |
|---|------------------------------|---|---------------------|---|--------------------|
| 5. US Govt, Veterans Affairs<br>Medical Center - Long Beach<br>Case No. 4280-4A<br>(Daphne Hsu) | 203(b)<br>1146<br>3002(c)(1) | Petitioner sought<br>modification of<br>variance condition to<br>conduct tune up of<br>equipment. | Not Opposed/Granted | EX Parte EV granted<br>commencing 10/27/21 and<br>continuing through<br>11/25/21, or until final<br>compliance is achieved,<br>whichever comes first. | NOx: 19.78 lbs/day |
|---|------------------------------|---|---------------------|---|--------------------|

**Acronyms**

AOC: Alternative Operating Condition  
CEQA: California Environmental Quality Act  
CO: Carbon Monoxide  
Ex Parte EV: Emergency Variance

H&S Code: Health and Safety Code  
Mod. O/A: Modification Order for Abatement  
N/A: Not Applicable  
NOE: Notice of Exemption  
NOV: Notice of Violation

NOx: Oxides of Nitrogen  
SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined

**Rules from which Variances and Orders for Abatement were Requested in 2021**

| Rules                | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Actions |
|----------------------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|---------------|
| 109(c)(1)            |     |     |     |       |     |      |      |     |      | 1   |     |     | 1             |
| 202(c)               |     |     |     |       |     | 1    |      |     |      | 1   |     |     | 2             |
| 203                  |     |     |     |       |     |      |      |     | 1    |     | 1   |     | 2             |
| 203(a)               |     |     |     |       |     |      | 1    |     |      | 1   |     |     | 2             |
| 203(b)               | 2   | 3   | 2   | 5     | 2   | 3    | 5    | 4   | 1    | 4   | 2   |     | 33            |
| 401(b)               |     |     |     |       |     |      |      |     |      |     | 1   |     | 1             |
| 401(b)(1)            |     |     |     |       |     |      |      | 1   |      |     |     |     | 1             |
| 402                  |     |     |     |       |     |      |      | 1   |      | 1   | 1   |     | 3             |
| 403(d)(1)(A)         |     |     |     |       |     |      | 1    |     | 1    |     | 1   |     | 3             |
| 403(d)(2)            |     |     |     |       |     |      | 1    |     | 1    |     | 1   |     | 3             |
| 403(d)(4)            |     |     |     |       |     |      | 1    |     | 1    |     | 1   |     | 3             |
| 407(a)               |     |     |     |       |     |      |      |     |      |     | 1   |     | 1             |
| 415(d)(1)(C)(ii)     |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 415(e)(1)            |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 415(e)(5)            |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 415(e)(6)            |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 431.1(c)(4)          |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 431.1(d)(1)          |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 431.1(d)(2)          |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 431.1(d)(3)          |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 431.1(g)(8)          |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 462(d)(1)            |     |     |     | 1     |     |      |      |     |      |     |     |     | 1             |
| 462(e)(1)(E)(i)(II)  |     |     |     | 1     |     |      |      |     |      |     |     |     | 1             |
| 463(c)               |     |     |     |       |     |      |      |     |      | 1   |     |     | 1             |
| 1100(e)(1)(B)        |     |     | 2   |       |     | 1    |      |     |      |     |     |     | 3             |
| 1110.2(d)(1)(B)(ii)  |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 1110.2(f)(1)(C)(ii)  |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 1110.2(f)(1)(D)(iii) |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 1110.2(f)(1)(H)(i)   |     |     |     |       |     | 1    |      |     |      |     |     |     | 1             |
| 1111(c)(5)           |     |     |     |       |     |      |      |     | 1    |     |     |     | 1             |
| 1133(d)(2)           |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1133.1(d)(3)         |     |     |     |       |     |      | 1    |     | 1    |     | 1   |     | 3             |

**Rules from which Variances and Orders for Abatement were Requested in 2021**

| Rules          | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Actions |
|----------------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|---------------|
| 1133.1(d)(4)   |     |     |     |       |     |      | 1    |     | 1    |     | 1   |     | 3             |
| 1133.1(e)      |     |     |     |       |     |      |      |     |      |     | 1   |     | 1             |
| 1133.1(e)(1)   |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1146           |     |     |     |       |     |      |      |     |      | 1   | 1   |     | 2             |
| 1146(c)(1)(I)  |     |     | 1   |       |     |      |      |     |      |     |     |     | 1             |
| 1146(c)(4)     |     |     | 1   |       |     |      |      |     |      |     |     |     | 1             |
| 1146(d)(3)     |     |     |     |       |     |      |      | 1   |      |     |     |     | 1             |
| 1146(e)(4)     |     |     | 1   |       |     |      |      |     |      |     |     |     | 1             |
| 1147           |     |     |     |       |     | 1    |      |     |      | 1   |     |     | 2             |
| 1148.1(d)(8)   |     |     |     |       |     |      |      |     |      | 1   |     |     | 1             |
| 1150.1(e)(1)   |     | 1   |     |       |     |      |      |     |      |     |     |     | 1             |
| 1151           |     |     |     |       |     |      |      | 1   |      |     |     |     | 1             |
| 1151(e)(3)     |     |     |     |       |     |      |      | 1   |      |     |     |     | 1             |
| 1151(g)(2)     |     |     |     |       |     |      |      | 1   |      |     |     |     | 1             |
| 1153.1         |     |     |     |       |     | 1    |      |     |      | 1   |     |     | 2             |
| 1173(d)(1)(B)  |     |     |     |       |     |      |      |     |      | 1   |     |     | 1             |
| 1196(d)(2)(1)  |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1196(f)(8)(a)  |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1196(f)(10)    |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1403(b)(9)     |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1403(b)(10)    |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1403(b)(20)    |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1403(h)(2)     |     |     |     |       |     |      | 1    |     |      |     |     |     | 1             |
| 1420(h)(5)     |     |     |     |       | 1   |      | 1    |     |      |     |     |     | 2             |
| 1421           | 9   | 6   |     |       |     |      |      |     |      |     |     |     | 15            |
| 1469           | 1   |     |     |       |     |      |      |     |      |     |     |     | 1             |
| 1469.1(d)      |     |     |     |       | 1   |      | 1    |     | 1    |     |     |     | 3             |
| 2004(f)(1)     |     | 3   | 2   | 2     | 2   |      | 4    | 2   | 1    | 3   | 1   |     | 20            |
| 3002(c)(1)     | 1   | 3   | 1   | 3     | 2   |      | 3    | 2   | 1    | 3   | 2   |     | 21            |
| H&S Code 41700 |     |     |     |       |     |      |      |     |      | 1   | 1   |     | 2             |
| H&S Code 41701 |     |     |     |       |     |      |      |     |      |     | 1   |     | 1             |

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
FOR 2021 HEARING BOARD CASES AS OF NOVEMBER 30, 2021**

**REGULATION II – PERMITS**

- Rule 202 Temporary Permit Operate
- Rule 203 Permit to Operate

**REGULATION IV – PROHIBITIONS**

- Rule 401 Visible Emissions
- Rule 402 Nuisance
- Rule 403 Fugitive Dust
- Rule 407 Liquid & Gaseous Air Contaminants
- Rule 415 Odors from Rendering Facilities
- Rule 431.1 Sulfur Content of Gaseous Fuels
- Rule 462 Organic Liquid Loading
- Rule 463 Organic Liquid Storage

**REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

- Rule 1100 Implementation of NOx Facilities
- Rule 1110.2 Emissions from Gaseous - and Liquid-Fueled Engines
- Rule 1111 Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
- Rule 1133 Composting and Related Operations
- Rule 1133.1 Chipping and Grinding Activities
- Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1148.1 Oil and Gas Production Wells
- Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills
- Rule 1151 Motor Vehicle Coating Operations
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
- Rule 1173 Control of VOC Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
- Rule 1196 Clean On-Road Heavy-Duty Public Fleet Vehicles

**REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

- Rule 1403 Asbestos Emissions from Demolition Renovation Activities
- Rule 1420 Emissions Standards for Lead
- Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Systems
- Rule 1469 Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations
- Rule 1469.1 Spraying Operations Using Coatings Containing Chromium

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

- Rule 2004 Requirements

**REGULATION XXX – TITLE V PERMITS**

- Rule 3002 Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

- §41700 Prohibited Discharges
- §41701 Restricted Discharges

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 10

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from November 1 through November 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:ew

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There are no Civil Filings for November 2021.

**Attachments**

November 2021 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

**Settlement Penalty Report (11/01/2021 - 11/30/2021)**

**Total Penalties**

Civil Settlement: \$582,100.00

MSPAP Settlement: \$22,724.00

**Total Cash Settlements: \$604,824.00**

**Fiscal Year through 11/30/2021 Cash Total: \$1,604,212.99**

| <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>                                 |  |   |                     |             |   |                         |
| 188565                                       | ALAN V. RUZICKA                              | 1403  | 11/16/2021          | BT          | P66443  | \$3,500.00              |
| 800030                                       | CHEVRON PRODUCTS CO.                         | 401, 461, 463, 1118, 1158, 1173,<br>1176, 1178, 3002, 40 CFR<br>60.102, H&S 41701 | 11/03/2021          | BT          | P66716, P67825, P67826,<br>P67828, P67829, P67831,<br>P67833, P67835, P67841,<br>P68972 | \$229,600.00            |
| 2526   | CHEVRON USA INC                              | 3002(C)(1)  | 11/16/2021          | BT          | P74351  | \$4,500.00              |
| 112684                                       | COASTLINE HIGH PERFORMANCE COATINGS,<br>LTD. | 201, 203, 222, 1402, 1469.1   | 11/09/2021          | WW          | P68775, P68776  | \$25,000.00             |
| 86587  | CONTROLLED ENVIRONMENTAL SOLUTIONS           | 222, 1403   | 11/16/2021          | BT          | P65418, P69405, P69406,<br>P69426, P70535   | \$14,700.00             |
| 189158                                       | FULLMER CONSTRUCTION                         | 403   | 11/16/2021          | SH          | P59284, P59696, P64769,<br>P69386, P74136   | \$13,500.00             |
| 189868                                       | GW SUPERMARKET                               | 1415  | 11/03/2021          | JL          | P66970  | \$10,000.00             |
| 187972                                       | KYA SERVICES, LLC                            | 1403, 40 CFR 61.145   | 11/03/2021          | DH          | P63315  | \$4,000.00              |
| 189742                                       | NUPLA CORPORATION LLC                        | 3002(c)(1)  | 11/03/2021          | JL          | P68641  | \$9,000.00              |
| 185942                                       | ORTRONICS, INC                               | 1147  | 11/10/2021          | WW          | P69752, P69783  | \$250,000.00            |
| 188206                                       | PROGRESSIVE SURFACE SOLUTIONS, LLC           | 1403, 40 CFR 61.145   | 11/03/2021          | DH          | P63314  | \$4,000.00              |
| 180410                                       | REICHHOLD LLC 2                              | 2004  | 11/17/2021          | BT          | P66857  | \$1,300.00              |
| 2846   | VISTA PAINT CORP                             | 201, 203(b)   | 11/16/2021          | DH          | P69756  | \$13,000.00             |
| <b>Total Civil Settlements: \$582,100.00</b> |  |   |                     |             |   |                         |

| Fac ID                                      | Company Name                             | Rule Number                  | Settled Date | Init | Notice Nbrs    | Total Settlement |
|---|--|------------------------------|--------------|------|----------------|------------------|
| <b>MSPAP</b>                                |  |                              |              |      |                |                  |
| 176263                                      | A & L CORONA AUTO BODY & PAINT           | 109, 203                     | 11/09/2021   | GC   | P67709         | \$1,600.00       |
| 178896                                      | AC COLLISION CENTER                      | 109, 1171(c)(1)              | 11/09/2021   | GC   | P66820         | \$800.00         |
| 190445                                      | ANDEAVOR LOGISTICS, LP                   | 203(a)                       | 11/09/2021   | GC   | P63472         | \$1,806.00       |
| 143403                                      | BOLEAB INC/CERTIFIED COLLISION CRAFT     | 1151(e)(1)                   | 11/09/2021   | GC   | P66824         | \$800.00         |
| 45096                                       | CHEVRON DLR, MILAD FARAH #9 8633         | 203, 461                     | 11/09/2021   | GC   | P70051         | \$400.00         |
| 189468                                      | CPT 6TH & UTICA, LLC                     | 203(a)                       | 11/16/2021   | GC   | P63973         | \$1,360.00       |
| 188707                                      | G&M OIL CO., #56                         | 461(e)(1)                    | 11/17/2021   | GC   | P67688         | \$850.00         |
| 162539                                      | HANS ONESTOP ENTERPRISES INC             | 201                          | 11/17/2021   | GC   | P67242         | \$488.00         |
| 185397                                      | HORIZON UNDERGROUND                      | 13 CCR 2460                  | 11/17/2021   | GC   | P68523         | \$400.00         |
| 173044                                      | IRONMAN CONCRETE PUMPING                 | 203                          | 11/03/2021   | GC   | P66975         | \$280.00         |
| 166004                                      | IRVINE COMPANY                           | 203(a)                       | 11/17/2021   | GC   | P68907         | \$1,000.00       |
| 171333                                      | IRVINE COMPANY                           | 203(a)                       | 11/17/2021   | GC   | P68908         | \$500.00         |
| 138087                                      | JOSE AUTO BODY SHOP                      | 1151(e)(1), 1171(c)(1)(A)(i) | 11/03/2021   | GC   | P65270         | \$1,040.00       |
| 168523                                      | JSL FOODS INTERNATIONAL                  | 1146                         | 11/03/2021   | GC   | P63926         | \$1,980.00       |
| 159777                                      | KEVORK BODY SHOP QUALITY PLUS AUTO CTR.  | 1151(e)(1)                   | 11/03/2021   | GC   | P65069         | \$720.00         |
| 144154                                      | MCBRIDE SERVICE & SUPPLY                 | 1151                         | 11/03/2021   | TCF  | P65391         | \$800.00         |
| 161831                                      | MORENO VALLEY ARCO                       | 461                          | 11/17/2021   | GC   | P70151         | \$300.00         |
| 190130                                      | SAN FERNANDO VALLEY PALLET CO.           | 203(a)                       | 11/17/2021   | TCF  | P68618         | \$1,600.00       |
| 25513                                       | SIX FLAGS THEMES PKS INC,SIX FLAGS MAGIC | 461                          | 11/03/2021   | TCF  | P68621         | \$800.00         |
| 181111                                      | SWISSPORT FUELING, LLC                   | 203(b)                       | 11/03/2021   | TCF  | P69555         | \$2,400.00       |
| 190513                                      | WATT COMMUNITIES - HADLEY TRAILS         | 403                          | 11/03/2021   | TCF  | P65890, P65894 | \$1,800.00       |
| 114427                                      | WILLIAM O'NEAL & CO INC                  | 203(b), 1415, 1472           | 11/03/2021   | TCF  | P65081         | \$1,000.00       |
| <b>Total MSPAP Settlements: \$22,724.00</b> |  |                              |              |      |                |                  |

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

**REGULATION I - GENERAL PROVISIONS**

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II - PERMITS**

Rule 201 Permit to Construct

Rule 203 Permit to Operate

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

**REGULATION IV - PROHIBITIONS**

Rule 401 Visible Emissions

Rule 403 Fugitive Dust

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 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1147 NOx Reductions from Miscellaneous Sources

Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations

Rule 1158 Storage, Handling and Transport of Petroleum Coke

Rule 1171 Solvent Cleaning Operations

Rule 1173 Fugitive Emissions of Volatile Organic Compounds

Rule 1176 Sumps and Wastewater Separators

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

**REGULATION XIV - TOXICS**

Rule 1402 Control of Toxic Air Contaminants from Existing Sources

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

Rule 1469.1 Spraying Operations Using Coatings Containing Chromium

Rule 1472 Requirements for Facilities with Multiple Stationary Emergency Standby Diesel Fueled Internal Combustion Engines

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

Rule 2004 Requirements

**REGULATION XXX - TITLE V PERMITS**

Rule 3002 Requirements for Title V Permits

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2460 Portable Equipment Testing Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

41701 Restricted Discharges

**CODE OF FEDERAL REGULATIONS**

40 CFR 60.102 Standard for Particulate Matter

40 CFR 61.145 Standard for Demolition and Renovation

 [Back to Agenda](#)

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 11

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by South Coast AQMD between November 1, 2021 and November 30, 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 Natri  
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 November 1, 2021 to November 30, 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 August, September, and October reporting periods is included as Attachment B. A total of 78 CEQA documents were received during this reporting period and 25 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 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 November 1, 2021 to November 30, 2021, South Coast AQMD received 78 CEQA documents. Of the 94 documents listed in Attachments A and B:

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

(The above statistics are from November 1, 2021 to November 30, 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 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 November.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects





**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
November 1, 2021 to November 30, 2021**

| SOUTH COAST AQMD LOG-IN NUMBER<br>PROJECT TITLE   | PROJECT DESCRIPTION   | TYPE OF DOC.  | LEAD AGENCY              | COMMENT STATUS  |
|---|---|---|--------------------------|---|
| <i>Warehouse &amp; Distribution Centers</i><br><b>RVC211119-04</b><br>Temescal Valley Commerce Center               | The project consists of construction of a 181,495 square foot warehouse on 46.16 acres. The project is located on the southeast corner of Temescal Canyon Road and Dawson Canyon Road in the community of Temescal Valley.<br><br>Comment Period: 11/19/2021 - 1/3/2022<br>Public Hearing: N/A                            | Notice of Availability of a Draft Environmental Impact Report | County of Riverside      | Under review, may submit written comments                       |
| <i>Warehouse &amp; Distribution Centers</i><br><b>SBC211105-01</b><br>Agua Mansa Commerce Center                    | The project consists of construction of two warehouses totaling 914,188 square feet on 59 acres. The project is located at 1500 West Agua Mansa Road near the southwest corner of West Agua Mansa Road and South Rancho Avenue.<br><br>Comment Period: 11/5/2021 - 12/1/2021<br>Public Hearing: N/A                       | Site Plan   | City of Colton           | Document reviewed - No comments sent for this document received |
| <i>Warehouse &amp; Distribution Centers</i><br><b>SBC211116-01</b><br>Jersey Milliken Industrial Complex Project    | The project consists of construction of a 159,580 square foot warehouse on 7.39 acres. The project is located at 11298 Jersey Boulevard on the northwest corner of Jersey Boulevard and Milliken Avenue.<br>Reference SBC210706-03 and SBC210415-04<br><br>Comment Period: 11/12/2021 - 12/27/2021<br>Public Hearing: N/A | Notice of Availability of a Draft Environmental Impact Report | City of Rancho Cucamonga | Document reviewed - No comments sent for this document received |
| <i>Warehouse &amp; Distribution Centers</i><br><b>SBC211116-07</b><br>South Ontario Logistics Center Specific Plan# | The project consists of construction of 5,333,518 square feet of industrial and warehouse uses on 219.39 acres. The project is located on the southwest corner of Eucalyptus Avenue and South Grove Avenue.<br>Reference SBC201215-03<br><br>Comment Period: 11/15/2021 - 12/30/2021<br>Public Hearing: 1/25/2022         | Draft Environmental Impact Report                             | City of Ontario          | Under review, may submit written comments                       |

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







**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
November 1, 2021 to November 30, 2021**

| SOUTH COAST AQMD LOG-IN NUMBER<br>PROJECT TITLE                                       | PROJECT DESCRIPTION   | TYPE OF DOC.                  | LEAD AGENCY                            | COMMENT STATUS  |
|---|---|-------------------------------|--|---|
| <i>Waste and Water-related</i><br><b>LAC211109-09</b><br>Avenue 34 Project            | The project consists of development of cleanup actions to excavate, remove, and dispose 24,800 cubic yards of soil contaminated with volatile organic compounds, and installation of a soil vapor extraction system on five acres. The project is located on the northwest corner of West Avenue 34 and Pasadena Avenue in the community of Lincoln Heights within the City of Los Angeles. Reference LAC210901-09 and LAC170216-01<br><br>Comment Period: 11/10/2021 - 12/20/2021<br>Public Hearing: 12/1/2021   | Draft Removal Action Workplan | Department of Toxic Substances Control | Document reviewed - No comments sent for this document received |
| <i>Waste and Water-related</i><br><b>LAC211109-10</b><br>World Oil Terminals - Vernon | The project consists of renewal of an existing Resource Conservation and Recovery Act permit to continue storage and transfer of hazardous wastes for the next 10 years, and a request to increase loading and unloading volume from 25,000 gallons per rail car to 30,000 gallons per rail car on two acres. The project is located at 3650 East 26th Street on the southeast corner of East 26th Street and South Downey Road in the City of Vernon within the designated AB 617 Southeast Los Angeles community. Reference LAC211019-02, LAC201110-09, LAC190919-04, and LAC180515-07<br><br>Comment Period: N/A<br>Public Hearing: N/A  | Permit Modification           | Department of Toxic Substances Control | Document reviewed - No comments sent for this document received |
| <i>Waste and Water-related</i><br><b>LAC211118-04</b><br>DeMenno-Kerdoon              | Staff provided comments on the Permit Modification for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/june/LAC210415-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/june/LAC210415-06.pdf</a> . The project consists of modifications to an existing hazardous waste facility permit to remove seven tanks, and install eight 42,000-gallon tanks 14 feet in diameter and 38 feet in height, a naphtha splitter column, an oily water filter press, and an ethylene glycol filter press. The project is located at 2000 North Alameda Street on the southeast corner of North Alameda Street and East Pine Street in the City of Compton within the designated AB 617 South Los Angeles community. Reference LAC210415-06, LAC201215-04, LAC201117-11, LAC200623-08, and LAC190924-05<br><br>Comment Period: N/A<br>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  
November 1, 2021 to November 30, 2021**

| SOUTH COAST AQMD LOG-IN NUMBER<br>PROJECT TITLE   | PROJECT DESCRIPTION  | TYPE OF DOC.   | LEAD AGENCY                             | COMMENT STATUS  |
|---|--|--|---|---|
| <i>Institutional (schools, government, etc.)</i><br><b>RVC211103-01</b><br>2021 Long Range Development Plan | Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210713-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/september/RVC210713-08.pdf</a> . 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.<br>Reference RVC210713-08 and RVC200708-14<br><br>Comment Period: N/A<br>Public Hearing: 11/16/2021 | Response to Comments                                       | Regents of the University of California | Document reviewed - No comments sent for this document received |
| <i>Retail</i><br><b>LAC211102-09</b><br>Double Tree Hotel Expansion Project                                 | The project consists of construction of a 59,569 square foot hotel with 90 rooms and subterranean parking on four acres. The project is located at 3101 West Temple Avenue on the southwest corner of West Temple Avenue and State Route 57.<br><br>Comment Period: 11/1/2021 - 11/22/2021<br>Public Hearing: N/A  | Notice of Intent to Adopt a Mitigated Negative Declaration | City of Pomona                          | Document reviewed - No comments sent for this document received |
| <i>Retail</i><br><b>LAC211118-10</b><br>Double Tree Hotel Expansion Project                                 | The project consists of construction of a 59,569 square foot hotel with 90 rooms and subterranean parking on four acres. The project is located at 3101 West Temple Avenue on the southwest corner of West Temple Avenue and State Route 57.<br>Reference LAC211102-09<br><br>Comment Period: 11/5/2021 - 12/6/2021<br>Public Hearing: N/A   | Notice of Intent to Adopt a Mitigated Negative Declaration | City of Pomona                          | Document reviewed - No comments sent for this document received |
| <i>Retail</i><br><b>RVC211109-01</b><br>Ethanac and Goetz Commercial Center                                 | The project consists of construction of a 7,250 square foot convenience store, 7,040 square feet of restaurant and retail uses, a 2,890 square foot car wash facility, a gasoline service station with 16 pumps, and a 3,798 square foot fueling canopy on 3.81 acres. The project is located on the southeast corner of Ethanac Road and Goetz Road.<br><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211109-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211109-01.pdf</a><br><br>Comment Period: 11/8/2021 - 11/30/2021<br>Public Hearing: N/A  | Site Plan  | City of Menifee                         | South Coast AQMD staff commented on 11/16/2021                  |

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





**ATTACHMENT A  
INCOMING CEQA DOCUMENTS LOG  
November 1, 2021 to November 30, 2021**

| SOUTH COAST AQMD LOG-IN NUMBER<br>PROJECT TITLE   | PROJECT DESCRIPTION  | TYPE OF DOC.  | LEAD AGENCY           | COMMENT STATUS  |
|---|--|---|-----------------------|---|
| <i>General Land Use (residential, etc.)</i><br><b>LAC211116-09</b><br>Sterling Ranch Estates                    | The project consists of construction of 222 residential units, 21,000 square feet of commercial uses, and 21 acres of open space on 113.9 acres. The project is located at 29053 Coolidge Avenue near the northwest corner of Coolidge Avenue and Hunstock Street in the community of Val Verde.<br>Reference LAC190806-02<br><br>Comment Period: 11/11/2021 - 1/9/2022<br>Public Hearing: 12/14/2021                | Notice of Availability of a Draft Environmental Impact Report | County of Los Angeles | Document reviewed - No comments sent for this document received |
| <i>General Land Use (residential, etc.)</i><br><b>LAC211118-09</b><br>Concord Residential Project               | The project consists of construction of 60 residential units on 2.45 acres. The project is located at 930 West Compton Boulevard on the southwest corner of West Compton Boulevard and South Kemp Avenue.<br><br>Comment Period: 11/16/2021 - 12/6/2021<br>Public Hearing: N/A   | Notice of Intent to Adopt a Mitigated Negative Declaration    | City of Compton       | Document reviewed - No comments sent for this document received |
| <i>General Land Use (residential, etc.)</i><br><b>LAC211118-15</b><br>ENV-2020-2784: 4652-4658 La Mirada Avenue | The project consists of construction of 10 residential units totaling 19,418 square feet on 16,186 square feet. The project is located near the southeast corner of West La Mirada Avenue and North Vernon Avenue in the community of Hollywood.<br><br>Comment Period: 11/18/2021 - 12/8/2021<br>Public Hearing: N/A  | Negative Declaration  | City of Los Angeles   | Document reviewed - No comments sent for this document received |
| <i>General Land Use (residential, etc.)</i><br><b>LAC211119-03</b><br>8th, Grand and Hope                       | The project consists of demolition of a 36,178 square foot parking structure, and construction of a 554,927 square foot building with 580 residential units and subterranean parking on 0.83 acres. The project is located on the northwest corner of Eighth Street and Grand Avenue in the community of Central City.<br>Reference LAC190510-01<br><br>Comment Period: 11/18/2021 - 1/5/2022<br>Public Hearing: N/A | Draft Environmental Impact Report                             | City of Los Angeles   | 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 B\***  
**ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS**  
**OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

| SOUTH COAST AQMD LOG-IN NUMBER<br>PROJECT TITLE  | PROJECT DESCRIPTION   | TYPE OF DOC.  | LEAD AGENCY              | COMMENT STATUS  |
|--|---|---|--------------------------|---|
| <b>Warehouse &amp; Distribution Centers</b><br><b>RVC211001-03</b><br>Compass Danbe Centerpointe Project#                  | Staff provided comments on the Mitigated Negative Declaration for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210729-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/august/RVC210729-01.pdf</a> . The project consists of construction of two warehouses totaling 389,603 square feet on 17.7 acres. The project is located on the southeast corner of Alessandro Boulevard and Frederick Street.<br>Reference RVC210729-01<br><br>Comment Period: N/A<br>Public Hearing: 10/19/2021       | Response to Comments  | City of Moreno Valley    | Document reviewed - No comments sent for this document received |
| <b>Warehouse &amp; Distribution Centers</b><br><b>SBC210928-09</b><br>Bloomington Business Park Specific Plan Project#     | The project consists of construction of two warehouses totaling 3,235,836 square feet on 213 acres. The project is located on the southeast corner of Santa Ana Avenue and Alder Avenue in the community of Bloomington.<br>Reference SBC210105-05<br><br><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/december/SBC210928-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/december/SBC210928-09.pdf</a><br><br>Comment Period: 9/29/2021 - 12/15/2021<br>Public Hearing: N/A  | Notice of Availability of a Draft Environmental Impact Report | County of San Bernardino | South Coast AQMD staff commented on 12/15/2021                  |
| <b>Warehouse &amp; Distribution Centers</b><br><b>RVC210928-08</b><br>BRE Space Center Mira Loma Logistics Center Project# | The project consists of demolition of nine buildings totaling 1,597,500 square feet, and construction of two warehouses totaling 1,939,312 square feet on 105.58 acres. The project is located at 3401 Space Center Court on the northwest corner of Iberia Street and Space Center Court.<br>Reference RVC201103-05<br><br><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC210928-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC210928-08.pdf</a><br><br>Comment Period: 9/24/2021 - 11/8/2021<br>Public Hearing: N/A | Notice of Availability of a Draft Environmental Impact Report | City of Jurupa Valley    | South Coast AQMD staff commented on 11/4/2021                   |
| <b>Warehouse &amp; Distribution Centers</b><br><b>RVC211012-07</b><br>Heacock Commerce Center Project                      | The project consists of construction of two warehouses totaling 873,967 square feet on 46.02 acres. The project is located on the southeast corner of Gentian Avenue and Heacock Street.<br><br><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211012-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211012-07.pdf</a><br><br>Comment Period: 10/7/2021 - 11/8/2021<br>Public Hearing: 10/20/2021  | Notice of Preparation   | City of Moreno Valley    | South Coast AQMD staff commented on 11/2/2021                   |
| <b>Warehouse &amp; Distribution Centers</b><br><b>RVC211021-01</b><br>Rubidoux Commerce Park                               | The project consists of construction of two warehouses totaling 1,299,358 square feet on 81.3 acres. The project is located on the southeast corner of Montana Avenue and 25th Street.<br>Reference RVC201201-05 and RVC190903-14<br><br><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211021-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/november/RVC211021-01.pdf</a><br><br>Comment Period: 10/15/2021 - 11/29/2021<br>Public Hearing: N/A  | Notice of Availability of a Draft Environmental Impact Report | City of Jurupa Valley    | South Coast AQMD staff commented on 11/23/2021                  |

\*Sorted by Comment Status, followed by Land Use, then County, then date received.

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







**ATTACHMENT C**  
**ACTIVE SOUTH COAST AQMD LEAD AGENCY**  
**PROJECTS THROUGH NOVEMBER 30, 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) | <p>Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community on the Notice of Preparation/Initial Study (NOP/IS) and 153 oral comments were received. Responses to the comment letters and oral comments relative to the NOP/IS and CEQA scoping meetings have been prepared and are included in Appendix B of the Draft EIR. The Draft EIR was initially released for a 61-day public review and comment period from October 14, 2021 to December 14, 2021, but after receiving several requests seeking a longer review period, staff extended the public review and comment period by an additional 63 days to February 15, 2022.</p> <p>On November 10, 2021, staff held a public meeting which presented an overview of the proposed project, the CEQA process, detailed analysis of the potentially significant environmental topic areas, and the existing regulatory safeguards. Written comments submitted relative to the Draft EIR and oral comments made at the public meeting, along with responses will be included in the Final EIR.</p> | Trinity Consultants |

| PROJECT DESCRIPTION  | PROPONENT                       | TYPE OF DOCUMENT                                     | STATUS  | CONSULTANT           |
|--|---------------------------------|--|---|----------------------|
| <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> | <p>Sunshine Canyon Landfill</p> | <p>Subsequent Environmental Impact Report (SEIR)</p> | <p>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.</p> | <p>SCS Engineers</p> |

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 12

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2022, and provides a summary of implementation of the 2016 AQMP in 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

SLR:SN:IM:AK:ZS

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## **2022 MASTER CALENDAR**

The 2022 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 (for Best Available Retrofit Control Technology (BARCT) or measures identified in a Community Emission Reduction Plan (CERP)), or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP, Toxics, and AB 617 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.

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>1135</b>   | <b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b> |
| Proposed Amended Rule 1135 will be added to November 2022 to address provisions for diesel internal combustion engines used for electric generation at Santa Catalina Island.   |   |
| <b>1147.2</b>   | <b>NOx Reductions from Metal Melting and Heating Furnaces</b>                 |
| Proposed Rule 1147.2 is being moved from March to April 2022 to allow staff to work with stakeholders.  |   |
| <b>1147</b>   | <b>NOx Reductions from Miscellaneous Sources</b>                              |
| Proposed amendments to Rule 1147 scheduled for March 2022 is no longer needed since proposed amendments to remove equipment to be regulated under Proposed Rule 1147.2 will be addressed in the amendments to Rule 1147 scheduled for April 2022. |   |

## 2022 MASTER CALENDAR

| Month           | Title and Description  | Type of Rulemaking       |
|-----------------|--|--------------------------|
| <b>February</b> |  |                          |
| 1134            | <p><b>Emissions of Oxides of Nitrogen from Stationary Gas Turbines</b><br/> Proposed Amended Rule 1134 will clarify NOx limits for recuperative gas turbines, revise startup and shutdown requirements, and update provisions for Continuous Emissions Monitoring Systems.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP/<br>AB 617<br>BARCT |
| <b>March</b>    |  |                          |
| 1115            | <p><b>Motor Vehicle Assembly Line Coating Operations</b><br/> Proposed Rule 1115 will address U.S. EPA RACT requirements for motor vehicle assembly line coating operations.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                    |
| <b>April</b>    |  |                          |
| 429             | <p><b>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen</b><br/> Proposed amendments to Rule 429 will update startup and shutdown provisions for a variety of combustion equipment regulated under source-specific rules.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                    |
| 1147*+##        | <p><b>NOx Reductions from Miscellaneous Sources</b><br/> Proposed Amended Rule 1147 will revise NOx emission limits to reflect BARCT for miscellaneous combustion sources and will apply to RECLAIM, former RECLAIM facilities, and non-RECLAIM facilities. Other revisions are to improve clarity and reflect categories that will be addressed in other rules.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | AQMP/<br>AB 617<br>BARCT |
| 1147.2*+##      | <p><b>NOx Reductions from Metal Melting and Heating Furnaces</b><br/> Proposed Rule 1147.2 will establish NOx emission limits to reflect BARCT for metal melting and heating furnaces and will apply to RECLAIM, former RECLAIM, and non-RECLAIM facilities.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP/<br>AB 617<br>BARCT |

\* Potentially significant hearing

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

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

**2022 MASTER CALENDAR (Continued)**

| <b>Month</b>       | <b>Title and Description</b>  | <b>Type of Rulemaking</b> |
|--------------------|---|---------------------------|
| <b>May</b>         |   |                           |
| Reg. III<br>318    | <p><b>Fees – General Amendments</b><br/> <b>Fees for Cost Recovery for Emissions Analyses</b><br/>                     Proposed amendments to Regulation III will incorporate the Consumer Price Index adjustment to reflect inflation pursuant to Rule 320. Other proposed amendments may be needed to update and add fees associated with existing programs and implementation of new or revised programs. Proposed Rule 318 will establish fees to recover costs when the South Coast AQMD conducts specific emissions analyses such as source tests or ambient monitoring that are associated with a specific owner or operator of a facility.<br/> <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Other                     |
| 403.2<br>403       | <p><b>Fugitive Dust from Large Roadway Projects</b><br/> <b>Fugitive Dust</b><br/>                     Proposed Rule 403.2 will establish requirements to minimize PM emissions and require additional public notification for large roadway construction projects. Amendments to Rule 403 may be needed to ensure requirements for fugitive dust sources are not duplicative and to update existing requirements. The associated handbook may also be revised.<br/> <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                     |
| <b>June</b>        | <b>Title and Description</b>  | <b>Type of Rulemaking</b> |
| 218.2<br><br>218.3 | <p><b>Enhanced Requirements for Continuous Emission Monitoring System</b><br/> <b>Enhanced Requirements for Continuous Emission Monitoring System Performance Specifications</b><br/>                     Proposed Amended Rules 218.2 and 218.3 are needed to include provisions when monitoring mass emission limits using a Continuous Emissions Monitoring Systems for non-RECLAIM and former RECLAIM facilities. Other amendments may be needed for clarity or to remove obsolete provisions.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                     |

\* Potentially significant hearing

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

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

**2022 MASTER CALENDAR (Continued)**

| <b>Month</b>     | <b>Title and Description</b>  | <b>Type of Rulemaking</b> |
|------------------|---|---------------------------|
| <b>August</b>    |   |                           |
| 1148.2           | <p><b>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</b><br/>                     Proposed amendments to Rule 1148.2 may be needed to expand the applicability of well activities, improve notifications of well working activities, add additional monitoring provisions, and to address other issues.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Other/<br>AB 617 CERP     |
| 1153.1           | <p><b>Emissions of Oxides of Nitrogen from Commercial Food Ovens</b><br/>                     Proposed amendments to Rule 1153.1 are needed to establish NOx BARCT limits for the RECLAIM transition.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP/<br>AB 617<br>BARCT  |
| <b>September</b> |   |                           |
| 1178             | <p><b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b><br/>                     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.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                         | AB 617 CERP               |
| 1426.1           | <p><b>Control of Hexavalent Chromium Emissions from Metal Finishing Operations</b><br/>                     Proposed Rule 1426.1 will reduce hexavalent chromium emissions from heated chromium tanks used at facilities with metal finishing operations that are not subject to Rule 1469.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Toxics                    |
| 1466.1           | <p><b>Control of Particulate Emissions from Demolition of Building</b><br/>                     Proposed Rule 1466.1 will 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.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                           | Toxics                    |

\* 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

**2022 MASTER CALENDAR (Continued)**

| <b>Month</b>       | <b>Title and Description</b>  | <b>Type of Rulemaking</b> |
|--------------------|---|---------------------------|
| <b>October</b>     |   |                           |
| 1159.1             | <b>Control of NOx Emissions from Nitric Acid Tanks</b><br>Proposed Rule 1159.1 will establish requirements to reduce NOx emissions from nitric acid units that will apply to RECLAIM, former RECLAIM, and non-RECLAIM facilities.<br><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | AQMP/<br>AB 617<br>BARCT  |
| 2202*              | <b>On-Road Motor Vehicle Mitigation Options</b><br>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 targets.<br><i>Vicki White 909.396.3436; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i> | Other                     |
| 2306               | <b>New Intermodal Railyard Indirect Source Rule</b><br>Proposed Rule 2306 will establish requirements for new intermodal railyards to minimize emissions from indirect sources associated with new railyards.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | AQMP/<br>AB 617 CERP      |
| Regulation<br>XX*# | <b>RECLAIM</b><br>Proposed Amended Regulation XX will address the transition of RECLAIM facilities to a command-and-control regulatory structure.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | AQMP                      |
| <b>November</b>    |   |                           |
| 1135               | <b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b><br>Proposed Amended Rule 1135 will modify provisions for electricity generating units at Santa Catalina Island to reflect a revised BARCT assessment.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | AQMP/<br>AB 617<br>BARCT  |
| 1151               | <b>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations</b><br>Proposed Amended Rule 1151 will provide clarifications of current requirements and amend provisions to address implementation issues.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706 Socio: Shah Dabirian 909.396.3076</i>  | Other                     |
| 1445*              | <b>Control of Toxic Emissions from Laser Arc Cutting</b><br>Proposed Rule 1445 will establish requirements to reduce hexavalent chromium and other metal toxic air contaminant particulate emissions from laser arc cutting.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>  | Toxics                    |

\* 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

**2022 MASTER CALENDAR (Continued)**

| <b>Month</b>                   | <b>Title and Description</b>   | <b>Type of Rulemaking</b> |
|--------------------------------|--|---------------------------|
| <b>November</b><br>(Continued) |  |                           |
| 1460                           | <b>Control of Particulate Emissions from Metal Cutting and Shredding Operations</b><br>Proposed Rule 1460 will establish housekeeping and best management practices to minimize fugitive particulate emissions from metal cutting and shredding operations.<br><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>  | Other                     |
| Regulation XIII <sup>#</sup>   | <b>New Source Review</b><br>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 and to address comments from U.S. EPA. Additional rules under Regulation XIII may be needed to address offsets and other provisions under Regulation XIII.<br><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i> | AQMP                      |
| <b>December</b>                | <b>Title and Description</b>   | <b>Type of Rulemaking</b> |
| 1146.2 <sup>#</sup>            | <b>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</b><br>Proposed Amended Rule 1146.2 will update the NOx emission limits to reflect BARCT. Other provisions may be added to facilitate the deployment of zero-emission units regulated under the proposed amended rule.<br><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | AQMP/<br>AB 617<br>BARCT  |
| 1180.1                         | <b>Fenceline and Community Monitoring</b><br>Proposed Rule 1180.1 will 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.<br><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>   | Other                     |
| 2304                           | <b>Marine Port Indirect Source Rule</b><br>Proposed Rule 2304 will reduce emissions from indirect sources related to marine ports and is included in the rule calendar as a placeholder in case a Memorandum of Understanding to reduce emissions cannot be reached with the Ports of Los Angeles and Long Beach.<br><i>Ian MacMillan; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i>  | AQMP                      |

\* Potentially significant hearing

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

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

## 2022 To-Be-Determined

| Rule Number | Title and Description  | Type of Rulemaking |
|-------------|--|--------------------|
| 102         | <p><b>Definition of Terms</b><br/>Proposed amendments may be needed to update and add definitions, and potentially modify exemptions.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other              |
| 103         | <p><b>Definition of Geographical Areas</b><br/>Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other              |
| 209         | <p><b>Transfer and Voiding of Permits</b><br/>Proposed amendments may be needed to clarify requirements for change of ownership and permits and the assessment of associated fees.<br/><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other              |
| 219         | <p><b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b><br/>Proposed Amendments may be needed to address issues raised by U.S. EPA for approval in the State Implementation Plan or to identify sources that are currently exempt from permitting.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                             | Other              |
| 222         | <p><b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</b><br/>Proposed Amendments may be needed to require certain equipment that is currently not permitted to register the equipment to gather information and emissions data.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>         | Other              |
| 223         | <p><b>Emission Reduction Permits for Large Confined Animal Facilities</b><br/>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.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | AQMP               |
| 317         | <p><b>Clean Air Act Non-Attainment Fees</b><br/>Proposed amendments may be needed to modify CAA Section 185 fees for non-attainment.<br/><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other              |

\* Potentially significant hearing

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

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

**2022 To-Be-Determined (Continued)**

| 2021               | Title and Description  | Type of Rulemaking              |
|--------------------|--|---------------------------------|
| 403.1              | <p><b>Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources</b><br/> Proposed Amended Rule 403.1 would clarify existing requirements for dust control and remove outdated provisions contained in supporting documents for Rule 403.1.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                           |
| 407 <sup>#</sup>   | <p><b>Liquid and Gaseous Air Contaminants</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                        | AB 617<br>BARCT                 |
| 410                | <p><b>Odors from Transfer Stations and Material Recovery Facilities</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                             | Other                           |
| 425                | <p><b>Odors from Cannabis Processing</b><br/> Proposed Rule 425 will establish requirements for control of odors from cannabis processing.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                           |
| 430                | <p><b>Breakdown Provisions</b><br/> Amendments to Rule 430 will be needed to amended remove exemptions for facilities that exit the RECLAIM program and update references to CEMS rules. Other amendments may be needed to address current policies from U.S. EPA regarding startup, shutdown, and malfunction requirements.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | RECLAIM<br>Other                |
| 431.1 <sup>#</sup> | <p><b>Sulfur Content of Gaseous Fuels</b><br/> Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AB 617<br>BARCT/<br>AB 617 CERP |
| 431.2 <sup>#</sup> | <p><b>Sulfur Content of Liquid Fuels</b><br/> Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AB 617<br>BARCT/<br>AB 617 CERP |

\* Potentially significant hearing

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

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

**2022 To-Be-Determined (Continued)**

| 2022  | Title and Description  | Type of Rulemaking              |
|---|--|---------------------------------|
| 431.3 <sup>#</sup>                                | <p><b>Sulfur Content of Fossil Fuels</b><br/>                     Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AB 617<br>BARCT/<br>AB 617 CERP |
| 442.1<br>1107<br>1124<br><br>1136<br>1145<br>1171 | <p><b>Usage of Solvent</b><br/> <b>Coating of Metal Parts and Products</b><br/> <b>Aerospace Assembly and Component Manufacturing Operations</b><br/> <b>Wood Products Coatings</b><br/> <b>Plastic, Rubber, Leather, and Glass Coatings</b><br/> <b>Solvent Cleaning Operations</b><br/>                     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. Other provisions may be needed to address exempt compounds.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Other                           |
| 444   | <p><b>Open Burning</b><br/>                     Amendments may be needed to clarify existing provisions.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                           |
| 445 <sup>*</sup>                                  | <p><b>Wood Burning Devices</b><br/>                     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. Amendments may be needed to revise the penalty structure for violations on No Burn Days during the wood burning season.<br/> <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AQMP                            |
| 462   | <p><b>Organic Liquid Loading</b><br/>                     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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                           |
| 463   | <p><b>Organic Liquid Storage</b><br/>                     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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                           |

\* Potentially significant hearing

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

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

**2022 To-Be-Determined (Continued)**

| 2022                  | Title and Description  | Type of Rulemaking              |
|-----------------------|--|---------------------------------|
| 468 <sup>#</sup>      | <p><b>Sulfur Recovery Units</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AB 617<br>BARCT                 |
| 469 <sup>#</sup>      | <p><b>Sulfuric Acid Units</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AB 617<br>BARCT                 |
| 1100                  | <p><b>Implementation Schedule for NO<sub>x</sub> Facilities</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   |                                 |
| 1101 <sup>#</sup>     | <p><b>Secondary Lead Smelters/Sulfur Oxides</b><br/> Proposed Amended Rule 1101 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AB 617<br>BARCT                 |
| 1105 <sup>#</sup>     | <p><b>Fluid Catalytic Cracking Units Sox</b><br/> Proposed Amended Rule 1105 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AB 617<br>BARCT/<br>AB 617 CERP |
| 1110.2* <sup>+#</sup> | <p><b>Emissions from Gaseous- and Liquid-Fueled Engines</b><br/> 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.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | AQMP/<br>AB 617<br>BARCT        |
| 1111.1                | <p><b>Zero-Emission Residential Furnaces</b><br/> Proposed Rule 1111.1 may include provisions to encourage zero emission residential furnaces that goes beyond Rule 1111 for gas-fired furnaces.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP                            |

\* Potentially significant hearing

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

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

**2022 To-Be-Determined (Continued)**

| 2021   | Title and Description  | Type of Rulemaking              |
|--------|--|---------------------------------|
| 1113   | <p><b>Architectural Coatings</b><br/> Proposed amendments may be needed address delisted compounds and other amendments to improve clarity and to remove obsolete provisions.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                           |
| 1118*  | <p><b>Control of Emissions from Refinery Flares</b><br/> Proposed Amended Rule 1118 will incorporate revisions to further reduce flaring at refineries, provisions for clean service flares, and facility thresholds. Other amendments to improve clarity and to remove obsolete provisions.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | AQMP/<br>AB 617 CERP            |
| 1119#  | <p><b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>       | AB 617<br>BARCT/<br>AB 617 CERP |
| 1121*  | <p><b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b><br/> Proposed amendments may be needed further reduce NOx emissions from water heaters.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AQMP                            |
| 1121.1 | <p><b>Zero Emission Residential Water Heaters</b><br/> Proposed Rule 1121.1 may include provisions to encourage zero emission water heaters that goes beyond Rule 1121 for gas-fired water heaters.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AQMP                            |
| 1133.3 | <p><b>Emission Reductions from Greenwaste Composting Operations</b><br/> 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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AQMP                            |
| 1138   | <p><b>Control of Emissions from Restaurant Operations</b><br/> Proposed Amended Rule 1138 will further reduce emissions from char boilers.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP                            |

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

**2022 To-Be-Determined (Continued)**

| 2021                | Title and Description   | Type of Rulemaking    |
|---------------------|---|-----------------------|
| 1142                | <p><b>Marine Tank Vessel Operations</b><br/>                     Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations, applicability, noticing requirements, and provide clarifications.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                 |
| 1146                | <p><b>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b><br/>                     Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</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><br/>                     Proposed amendments to Rule 1146.1 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Other                 |
| 1148.1 <sup>*</sup> | <p><b>Oil and Gas Production Wells</b><br/>                     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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other/<br>AB 617 CERP |
| 1165                | <p><b>Control of Emissions from Incinerators</b><br/>                     Proposed Rule 1165 will establish emission standards, source testing, and monitoring, recordkeeping, and reporting requirements for incinerators.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP                  |
| 1166                | <p><b>Volatile Organic Compound Emissions from Decontamination of Soil</b><br/>                     Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Other                 |
| 1168                | <p><b>Adhesive and Sealant Applications</b><br/>                     Amendments to Rule 1168 may be needed to address VOC limits for certain applications. Other amendments may also be needed.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                 |

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

**2022 To-Be-Determined (Continued)**

| 2021  | Title and Description  | Type of Rulemaking    |
|-------|--|-----------------------|
| 1171  | <p><b>Solvent Cleaning Operations</b><br/>                     Proposed Amendments to Rule 1171 may be needed to address certain exempt chemicals and compliance issues.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706 Socio: Shah Dabirian 909.396.3076</i></p>  | Other                 |
| 1173  | <p><b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b><br/>                     Proposed Amended Rule 1173 will further reduce emissions from petroleum and chemical plants by requiring early leak detection approaches.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other/<br>AB 617 CERP |
| 1176  | <p><b>VOC Emissions from Wastewater Systems</b><br/>                     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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other/<br>AB 617 CERP |
| 1180  | <p><b>Refinery Fenceline and Community Air Monitoring</b><br/>                     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.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Other                 |
| 1403* | <p><b>Asbestos Emissions from Demolition/Renovation Activities</b><br/>                     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.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Toxics                |
| 1404  | <p><b>Hexavalent Chromium Emissions from Cooling Towers</b><br/>                     Amendments may be needed to provide additional clarifications regarding use of process water that is associated with sources that have the potential to contain chromium in cooling towers and address VOC emissions.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Toxics<br>AQMP        |
| 1405  | <p><b>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes</b><br/>                     Amendments may be needed to address ethylene oxide emissions from sterilization of medical equipment.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Toxics                |

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

**2022 To-Be-Determined (Continued)**

| 2021           | Title and Description  | Type of Rulemaking     |
|----------------|--|------------------------|
| 1415<br>1415.1 | <p><b>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</b></p> <p>Proposed Amended Rules 1415 and 1415.1 will align requirements with the proposed CARB Refrigerant Management Program and U.S. EPA’s Significant New Alternatives Policy Rule provisions relative to prohibitions on specific hydrofluorocarbons.</p> <p><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                | Other                  |
| 1420           | <p><b>Emissions Standard for Lead</b></p> <p>Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Other provisions may be needed to address storage and handling requirements, and revise closure requirements.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>            | Toxics                 |
| 1420.1         | <p><b>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities</b></p> <p>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><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Toxics                 |
| 1420.2         | <p><b>Emission Standards for Lead from Metal Melting Facilities</b></p> <p>Proposed Amended Rule 1420.2 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Additional amendments may be needed to address monitoring and post closure requirements.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Toxics                 |
| 1435*          | <p><b>Control of Emissions from Metal Heat Treating Processes</b></p> <p>Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements.</p> <p><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | Toxics/<br>AB 617 CERP |

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

**2022 To-Be-Determined (Continued)**

| 2022  | Title and Description   | Type of Rulemaking     |
|-------|---|------------------------|
| 1450* | <p><b>Control of Methylene Chloride Emissions</b><br/>                     Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Toxics                 |
| 1455  | <p><b>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding</b><br/>                     Proposed Rule 1455 will establish requirements to reduce hexavalent chromium emissions from torch cutting and welding of chromium alloys.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Toxics                 |
| 1469  | <p><b>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</b><br/>                     Amendments to Rule 1469 may be needed to address potential changes with the CARB’s Hexavalent Chromium Airborne Toxic Control Measure for Chrome Plating and Chromic Acid Anodizing Operations.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>                                     | Toxics                 |
| 1470  | <p><b>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</b><br/>                     Proposed Amended Rule 1470 will include provisions to further reduce diesel particulate emissions from stationary diesel-fueled internal combustion engines.<br/> <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Toxics                 |
| 1472  | <p><b>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</b><br/>                     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.<br/> <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p> | Toxics                 |
| 1480  | <p><b>Toxics Monitoring</b><br/>                     Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III.<br/> <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | Toxics/<br>AB 617 CERP |

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

**2022 To-Be-Determined (Continued)**

| 2021  | Title and Description  | Type of Rulemaking   |
|---|--|--|
| 2306.1  | <p><b>Existing Intermodal Railyard Indirect Source Rule</b><br/>                     Proposed Rule 2306.1 will establish requirements for existing intermodal railyards to minimize emissions from indirect sources associated with these facilities.<br/> <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>   | AQMP/<br>AB 617 CERP                                       |
| Regulation XXIII* <sup>+</sup>                                  | <p><b>Facility-Based Mobile Sources</b><br/>                     Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., mobile sources that visit facilities).<br/> <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Shah Dabirian 909.396.3076</i></p>  | AQMP/<br>Toxics/<br>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, and if adopted, 2022 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/<br>Toxics/<br>AB 617<br>BARCT/<br>AB 617 CERP |

\* Potentially significant hearing

<sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

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

The following is a summary of implementation of the 2016 AQMP in 2021.

### **Summary of 2016 AQMP Implementation**

The 2016 AQMP was adopted in March 2017 and approved by CARB the same month. The 2016 AQMP included a comprehensive control strategy with specific control measures to attain upcoming ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards.

Staff continued working on fulfilling the Board directive for the 2016 AQMP and Control Measure CMB-05 to require facilities in the RECLAIM Program to implement BARCT. Adoption of these amendments are also needed to meet the requirements of AB 617. From 2018 to 2021, a total of twelve rules (Rules 1109.1, 1110.2, 1117, 1118.1, 1134, 1135, 1146, 1146.1, 1146.2, 1147.1, 1150.3, and 1179.1) were adopted/amended as part of the BARCT implementation. With the exception of Rule 1109.1, the total emission reductions resulting from these rules are about 5.9 tpd which are anticipated to be achieved by 2024 (reductions from Rule 1118.1 are allocated to CMB-03). Implementation of Rule 1109.1, adopted by the Board on November 5, 2021, is estimated to reduce NO<sub>x</sub> emissions by approximately 7.7 to 7.9 tpd upon final implementation, with 3.7 to 3.8 tpd expected by 2023. Four additional rules (Rules 1147, 1147.2, 1153.1, and 1159.1) are currently under development and are scheduled for Board consideration for amendment or adoption in calendar year 2022. Table 1 provides a complete list of rules that have been adopted as part of the 2016 AQMP implementation.

\* *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*

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

| Control Measure #           | Control Measure Title  | Adoption Date | AQMP Commitment |            | Reduction in Approved Measure |           |
|-----------------------------|--|---------------|-----------------|------------|-------------------------------|-----------|
|                             |  |               | 2023            | 2031       | 2023                          | 2031      |
| <b>VOC EMISSIONS*</b>       |  |               |                 |            |                               |           |
| <b>CTS-01</b>               | Further Emission Reductions from Coatings, Solvents, Adhesives, and Sealants [R1168]     | 2017          | 1.0             | 2.0        | 1.4                           | --        |
| <b>FUG-01</b>               | Improved Leak Detection and Repair   | --            | 2.0             | 2.0        | --                            | --        |
| <b>CMB-01</b>               | Transition to Zero and Near-Zero Emission Technologies for Stationary Sources            | --            | 1.2             | 2.8        | --                            | --        |
| <b>CMB-03</b>               | Emission Reductions from Non-Refinery Flares [R1118.1]                                   | 2018          | 0.4             | 0.4        | 0.014                         | --        |
| <b>ECC-02</b>               | Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures | 2018          | 0.07            | 0.3        | 0.07                          | --        |
| <b>ECC-03</b>               | Additional Enhancements in Reducing Existing Residential Building Energy Use             | --            | 0.2             | 0.3        | --                            | --        |
| <b>BCM-10</b>               | Emission Reductions from Greenwaste Composting   | --            | 1.5             | 1.8        | --                            | --        |
| <b>MSC-02</b>               | Application of All Feasible Measures   | TBD           | TBD             | TBD        | 0.88**                        |           |
| <b>TOTAL VOC REDUCTIONS</b> |  |               | <b>6.4</b>      | <b>9.6</b> | <b>2.4</b>                    | <b>--</b> |

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

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

| Control Measure #             | CONTROL MEASURE TITLE   | Adoption Date | AQMP Commitment |            | Reduction in Approved Measure |         |
|-------------------------------|---|---------------|-----------------|------------|-------------------------------|---------|
|                               |   |               | 2023            | 2031       | 2023                          | 2031    |
| <b>PM2.5 EMISSIONS</b>        |   |               |                 |            |                               |         |
| <b>BCM-01</b>                 | Further Emission Reductions from Commercial Cooking   | --            | 0.0             | 3.3        | --                            | --      |
| <b>BCM-04</b>                 | Emission Reductions from Manure Management Strategies [NH3]   | --            | 0.26            | 0.2        | --                            | --      |
| <b>BCM-10</b>                 | Emission Reductions from Greenwaste Composting [NH3]  | --            | 0.1             | 0.1        | --                            | --      |
| <b>TOTAL PM2.5 REDUCTIONS</b> |   |               | <b>TBD</b>      | <b>3.3</b> | --                            | --      |
| Control Measure #             | CONTROL MEASURE TITLE   | Adoption Date | AQMP Commitment |            | Reduction in Approved Measure |         |
|                               |   |               | 2023            | 2031       | 2023                          | 2031    |
| <b>NOx EMISSIONS*</b>         |   |               |                 |            |                               |         |
| <b>CMB-01</b>                 | Transition to Zero and Near-Zero Emission Technologies for Stationary Sources   | --            | 2.5             | 6.0        | --                            | --      |
| <b>CMB-02</b>                 | Emission Reductions from Replacement with Zero or Near-Zero NOx Appliances in Commercial and Residential Applications [R1111] | 2018          | 1.1             | 2.8        | 0.01                          | --      |
| <b>CMB-03</b>                 | Emission Reductions from Non-Refinery Flares [R1118.1]  | 2018          | 1.4             | 1.5        | 0.2                           | --      |
| <b>CMB-04</b>                 | Emission Reductions from Restaurant Burners and Residential Cooking   | --            | 0.8             | 1.6        | --                            | --      |
| <b>CMB-05</b>                 | Further NOx Reductions from RECLAIM Assessment  | 2018-2021     | 0.0             | 5.0        | 9.4***                        | 11.7*** |

\* 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

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

| Control Measure #                           | CONTROL MEASURE TITLE  | Adoption Date | AQMP Commitment |             | Reduction in Approved Measure |                     |
|---|--|---------------|-----------------|-------------|-------------------------------|---------------------|
|   |  |               | 2023            | 2031        | 2023                          | 2031                |
| <b>NO<sub>x</sub> EMISSIONS (CONTINUED)</b> |  |               |                 |             |                               |                     |
| <b>ECC-02</b>                               | Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures | 2018          | 0.3             | 1.1         | 0.3****                       | --                  |
| <b>ECC-03</b>                               | Additional Enhancements in Reducing Existing Residential Building Energy Use             | --            | 1.2             | 2.1         | --                            | --                  |
| <b>MOB-03</b>                               | Emission Reductions at Warehouse Distribution Centers                                    | 2021          | TBD             | TBD         | 0.7 to 1.5*****               | 1.5 to 3.0*****     |
| <b>MOB-04</b>                               | Emission Reductions at Commercial Airports   | 2019          | TBD             | TBD         | 0.5                           | 0.37                |
| <b>MOB-10</b>                               | Extension of the SOON Provision for Construction/Industrial Equipment                    | Ongoing       | 1.9             | 1.9         | *****                         | TBD                 |
| <b>MOB-11</b>                               | Extended Exchange Program  | Ongoing       | 2.9             | 1.0         | <0.1                          | TBD                 |
| <b>MOB-14</b>                               | Emission Reductions from Incentive Programs  | Ongoing       | 11              | 7.8         | 11.2                          | TBD                 |
| <b>TOTAL NO<sub>x</sub> REDUCTIONS</b>      |  |               | <b>23.1</b>     | <b>31.0</b> | <b>22.3 to 23.1</b>           | <b>13.6 to 15.1</b> |

\* SIP commitments in the 2016 AQMP for VOC and NO<sub>x</sub> use a summer planning inventory, whereas expected emission reductions shown in this table are based on annual average inventories estimated during development of specific rules/measures. Annual average inventories for VOC and NO<sub>x</sub> are generally lower than summer planning inventories, hence this table shows conservatively low emission reductions relative to SIP commitments.

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

\*\*\* Reflects emission reductions from Rules 1109.1, 1110.2, 1117, 1134, 1135, 1146 series, 1147.1, 1150.3, and 1179.1 (adopted from 2018 to 2021, with partial reductions of 3.7

\* *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*

tpd and 5.8 tpd by 2023 and 2031, respectively for Rule 1109.1). The specific emission reductions by 2023/2031 vary depending on the implementation schedule of each rule.

There may be partial overlap between the emission reductions shown and those achieved from the RECLAIM shave as described in the 2015 amendment of Rule 2002. In addition, part of these emission reductions resulting from non-RECLAIM facilities satisfy commitments for CMB-01 and CMB- 02.

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

\*\*\*\*\* SIP credit subject to EPA's approval.

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

South Coast AQMD has also taken several actions to implement the facility-based mobile source measures in the 2016 AQMP to achieve further reductions from mobile sources. On May 4, 2018, the Board directed staff to pursue both regulatory and voluntary approaches for some of the Basin's largest indirect sources: marine ports, commercial airports, warehouses/distribution centers, railyards, and new and re-development. MOUs with commercial airports were adopted at the December 6, 2019 Board meeting, with a projected NOx emission reduction of 0.52 and 0.37 tpd in 2023 and 2031, respectively. Rule 2305 (Warehouse Indirect Source Rule) was adopted in May 2021 to reduce NOx and diesel emissions associated with warehousing activities, with estimated NOx reductions of 1.5 to 3 tpd by 2031. In August 2021, the Board directed staff to pursue a MOU with the Ports of Los Angeles and Long Beach for another four months, begin internal research on port Indirect Source Rule (ISR) concepts in December 2021 if a draft MOU (or draft MOUs) is/are not ready for full execution by all parties, and pivot fully to developing an ISR in February 2022 if an MOU or MOUs is/are not fully executed. Rulemaking is also currently under way for new rail yards.

A key element of the 2016 AQMP is to make private and public funding available to help further the development and deployment of advanced cleaner technologies such as zero emission and near-zero emission technologies, and also achieve co-benefits from existing programs (e.g., climate and energy efficiency). On January 4, 2019, Board awarded funding to 27 emission reduction incentive projects, totaling over \$47 million (with funding from several South Coast AQMD mitigation and penalty funds) to support the 2016 AQMP goals. Of the 27 projects, 16 would implement commercially available zero or near-zero control technologies or support infrastructure for implementation of cleaner fuels. These projects are anticipated to result in approximately 88 tons per year of NOx and 2 tons per year of PM2.5 emissions reductions in the Basin, with the majority of the projects implemented in environmental justice communities. Additionally, 11 stationary and mobile source technology

\* *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*

demonstration projects were also included in this funding program. Upon successful demonstration and deployment, these projects have the potential to provide additional long-term NO<sub>x</sub> and VOC emission reductions. The awarded projects are consistent with the commitments in various 2016 AQMP control measures including MOB-14, CMB-02, CMB-04, and ECC-03. To estimate the benefits of zero and near-zero emission technology in the residential and commercial sectors, staff has developed an emissions tool to estimate changes in criteria and GHG emissions and costs associated with upgrades in residential and commercial appliances. The Net Emissions Analysis Tool (NEAT), has been developed to assist in implementing control measures CMB-02 and ECC-03, which seek emission reductions with zero and near-zero NO<sub>x</sub> appliances in commercial and residential applications, and integrate energy efficiency enhancements with criteria pollutants (e.g., NO<sub>x</sub>) and greenhouse gas emission reduction co-benefits.

In addition, South Coast AQMD continues the implementation of ongoing mobile source programs such as Surplus Off-Road Opt-In for NO<sub>x</sub> (SOON), the extended exchange program, and incentive programs (e.g., Carl Moyer) specified in the 2016 AQMP control measures MOB-10 (Extension of the SOON Provision for Construction/Industrial Equipment), MOB-11 (Extended Exchange Program), and MOB-14 (Emission Reductions from Incentive Programs). The Mobile Source Incentive Programs listed in Table 2 includes the number of affected mobile source equipment and emission reductions in tons per year (tpy) for projects approved in year 2021.

**TABLE 2**  
**Estimated Emission Reductions Benefits From 2021 Incentive Programs**

| <b>Program</b>            | <b># of Engines / Equipment / INF Stations</b> | <b>Estimated Emission Reductions NO<sub>x</sub> (TPY)</b> | <b>Estimated Emission Reductions PM (TPY)</b> | <b>Award Amount</b>  |
|---------------------------|--|---|---|----------------------|
| Carl Moyer                | 163  | 231.9   | 4.1   | \$39,664,068         |
| AB 617 CAPP Incentives    | 239  | 123.5   | 6.0   | \$37,762,509         |
| Lower-Emission School Bus | 178  | 34.1  | 4.8   | \$46,983,000         |
| FARMER Program            | 2  | 5.8   | 0.3   | \$711,736            |
| Volkswagen Mitigation     | 107 (First Come First Serve)                   | --*   |   | \$8,974,476          |
|                           | 38 (Competitive)                               | 12.2  | --**  | \$2,361,126          |
| VIP                       | 30   | 19.6  | 0.1   | \$1,300,000          |
| Prop 1B                   | 307  | 101.8   | 0   | \$32,825,000         |
| Replace your Ride         | 865  | 2.5   | 0.1   | \$7,014,500          |
| <b>TOTAL</b>              |  | <b>531.4</b>  | <b>15.4</b>                                   | <b>\$177,596,415</b> |

\*Emission reduction values pending evaluation from this FCFS solicitation.

\*\*Only NO<sub>x</sub> reduction is required for VW Program.

\* 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

 Back to Agenda

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 13

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

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

COMMITTEE: Administrative, December 10, 2021, Reviewed

RECOMMENDED ACTION:

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

Wayne Natri  
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/Asst. Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/grants-bids> following Board approval on January 7, 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 January 2022

**January 7, 2022 Board Meeting  
Report on RFQs/RFPs Scheduled for Release on January 7, 2022**

**(For detailed information visit South Coast AQMD's website at  
<http://www.aqmd.gov/nav/grants-bids>  
following Board approval on January 7, 2022)**

**SPECIAL TECHNICAL EXPERTISE**

RFP #2022-07      Issue RFP for Security Guard Services at Diamond  
Bar Headquarters

Olvera/2309

South Coast AQMD contracts for security guard services to provide 24-hour protection of South Coast AQMD property, staff, and visitors at the headquarters facility, as well as to provide security for Board meetings and special events. The current security guard services contract expires June 30, 2022. This action is to issue an RFP to solicit bids from interested parties in order to secure a new three-year contract for this service. Funds for this contract will be included in the FY 2022-23 Budget and in subsequent budgets.

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 14

**REPORT:** Status Report on Major Ongoing and Upcoming Projects for Information Management

**SYNOPSIS:** Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects.

**COMMITTEE:** Administrative, December 10, 2021, Reviewed

**RECOMMENDED ACTION:**  
Receive and file.

Wayne Nastri  
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**  
**January 7, 2022 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> <li>• Initial Assessment completed</li> </ul>  | <ul style="list-style-type: none"> <li>• Review Cybersecurity Assessment findings and develop mitigation plan</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 January 7, 2022</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> <li>• Architecture and Functional Design completed</li> </ul> | <ul style="list-style-type: none"> <li>• Work Plan Development for Phase 2</li> </ul>  |
| South Coast AQMD Mobile Application Enhancements | Enhancement of Mobile Application to incorporate FIND  | \$90,000                      | <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> <li>• User Acceptance Testing and Deployment to production of Emergency IC Engines Form completed</li> <li>• User Acceptance Testing and Deployment to Production of first 3 Rule 222 forms (Tar Pots, Cooling Towers, and Power Washers) completed</li> </ul> | <ul style="list-style-type: none"> <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 remaining 19 Rule 222 forms</li> <li>• Additional twelve 400-E-XX forms</li> </ul> |

| Project                           | Brief Description  | Estimated Project Cost | Completed Actions  | Upcoming Milestones  |
|-----------------------------------|--|------------------------|--|--|
| 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> |
| 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 Phase 1 Applications</li> <li>• Phase 2 - proposed new project to ITSC</li> </ul>              |
| 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> <li>• Development of calculation, ranking and messaging has been completed</li> </ul> | <ul style="list-style-type: none"> <li>• Development of Contracting module</li> </ul>  |

| Project  | Brief Description   | Estimated Project Cost | Completed Actions  | Upcoming Milestones   |
|--|---|------------------------|--|---|
| Source Test Tracking System                            | Online Source Test Tracking System will keep track of timelines and quantify the number of test protocols and reports received. System will provide an external online portal to submit source testing protocols and reports, track the review process, and provide integration to all other business units. It will also provide an external dashboard to review the status of a submittal | \$250,000              | <ul style="list-style-type: none"> <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 completed</li> <li>• Developed Full Business Process Model</li> <li>• Developed screens mock-ups</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>• Deploy updated STTS data model and move application to Stage completed</li> </ul> | <ul style="list-style-type: none"> <li>• Complete User Acceptance testing of STTS Portal in Stage Environment.</li> <li>• Deploy updated STTS data model to Production</li> <li>• Deploy STTS Portal to production</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> <li>• Development of Phase 1.2 – Warehouse Operations Notification evaluation completed</li> <li>• Phase 2 Project Initiation and Planning completed</li> </ul>   | <ul style="list-style-type: none"> <li>• Phase 2 Software Requirements</li> <li>• Phase 2 Architecture and Design</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>                                      |
| 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 January 7, 2022</li> <li>• Execute contract(s) February 28, 2022</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>  |

| Project   | Brief Description  | Estimated Project Cost | Completed Actions  | Upcoming Milestones  |
|---|--|------------------------|--|--|
| 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>• Released RFQ November 5, 2021</li> </ul>  | <ul style="list-style-type: none"> <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 issued</li> <li>• Project Planning phase for forms completed</li> </ul>   | <ul style="list-style-type: none"> <li>• System development</li> </ul>   |
| Replace Your Ride (RZR)/One Stop Shop Integration   | Development of integration access points for RZR 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> <li>• Phase 1 Sprint 1 – Security Portal Enhancement completed</li> <li>• Phase 2 Sprint 2 - RZR service endpoints completed</li> </ul> | <ul style="list-style-type: none"> <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     |
|--|--------------------|
| CLASS Database Software Licensing                                  | November 30, 2021  |
| AQ-Spec/AB617 Data Management System                               | November 16, 2021  |
| Rule 1180 Notification System                                      | October 6, 2021    |
| PAATS and PPS System enhancements for Gasoline Dispensing Stations | September 16, 2021 |
| 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     |

# Budget and Economic Outlook Update

Board Meeting

January 7, 2022



# Presentation Topics

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

# Summary of Metrics – Monthly

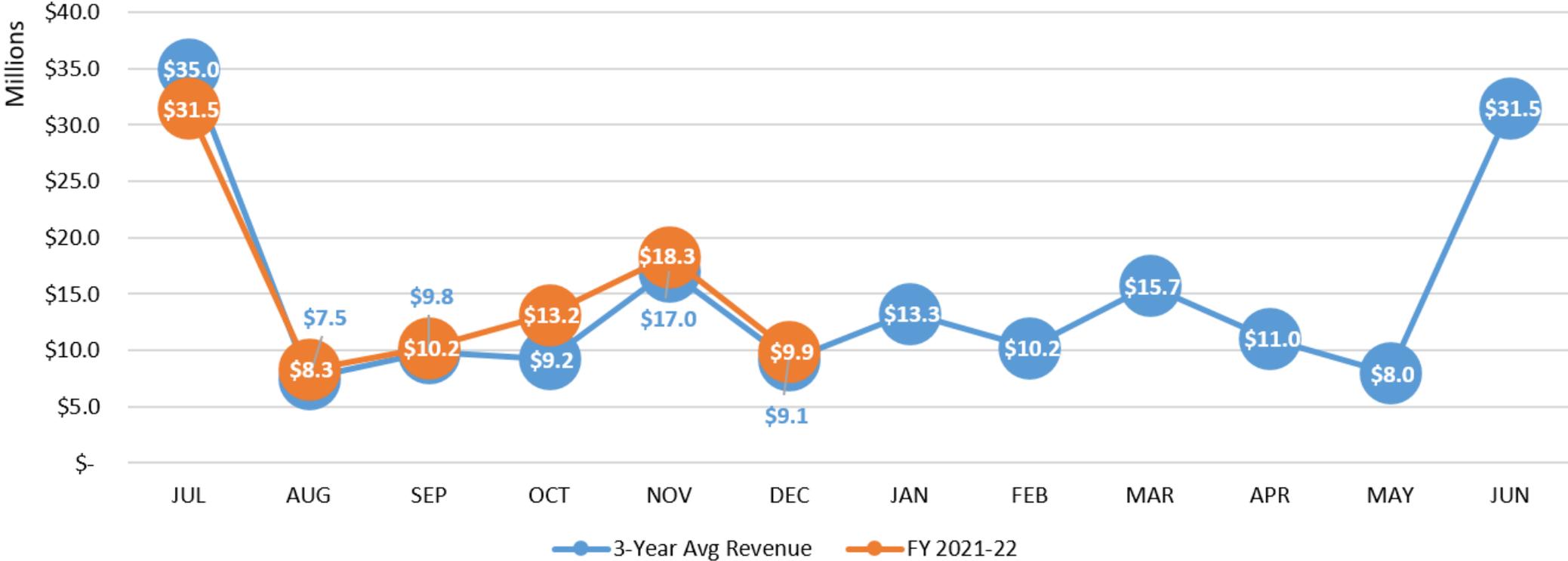
| Metric   |                      |                      |                         |
|--|----------------------|----------------------|-------------------------|
| <b>State Economic Indicators</b>   | <b>November 2020</b> | <b>November 2021</b> | <b>Notes</b>            |
| <i>Statewide Refinery Activity<br/>(Million Barrels Crude Oil Input)</i> | 51.1                 | 47.5                 |                         |
| <i>Port TEU Throughput<br/>(Million TEUs)</i>                            | 1.7                  | 1.6                  |                         |
| <i>Statewide Unemployment</i>  | 9.8%                 | 6.9%                 |                         |
| <b>South Coast AQMD</b>  | <b>December 2020</b> | <b>December 2021</b> |                         |
| <i>Revenue</i>   | \$9.6 million        | \$9.9 million        |                         |
| <i>Expenditures</i>  | \$12.5 million       | \$13.4 million       |                         |
| <i>Vacancy Rate</i>  | 16.7%                | 16.3%                |                         |
| <i>Permit Applications Received</i>                                      | 580                  | 504                  | (*Dec 2021 preliminary) |
| <i>Expired or Potentially Expired Permits</i>                            | 142                  | 571                  |                         |

# Summary of Metrics – Year to Date

| Metric   |                            |                            |                          |
|--|----------------------------|----------------------------|--------------------------|
| <b>State Economic Indicators</b>   | <b>Dec 2019 – Nov 2020</b> | <b>Dec 2020 – Nov 2021</b> | <b>Notes</b>             |
| <i>Statewide Refinery Activity<br/>(Million Barrels Crude Oil Input)</i> | 494                        | 503                        |                          |
| <i>Port TEU Throughput<br/>(Million TEUs)</i>                            | 17.0                       | 20.2                       |                          |
| <b>South Coast AQMD</b>  | <b>July – Dec 2020</b>     | <b>July – Dec 2021</b>     |                          |
| <i>Revenue</i>   | \$87.9 million             | \$91.4 million             |                          |
| <i>Expenditures</i>  | \$79.2 million             | \$81.9 million             |                          |
| <i>Permit Applications Received</i>                                      | 3,154                      | 2,905*                     | (*Dec. 2021 preliminary) |
| <i>Expired or Potentially Expired Permits</i>                            | 563                        | 1,398                      | 1 year to reinstate      |

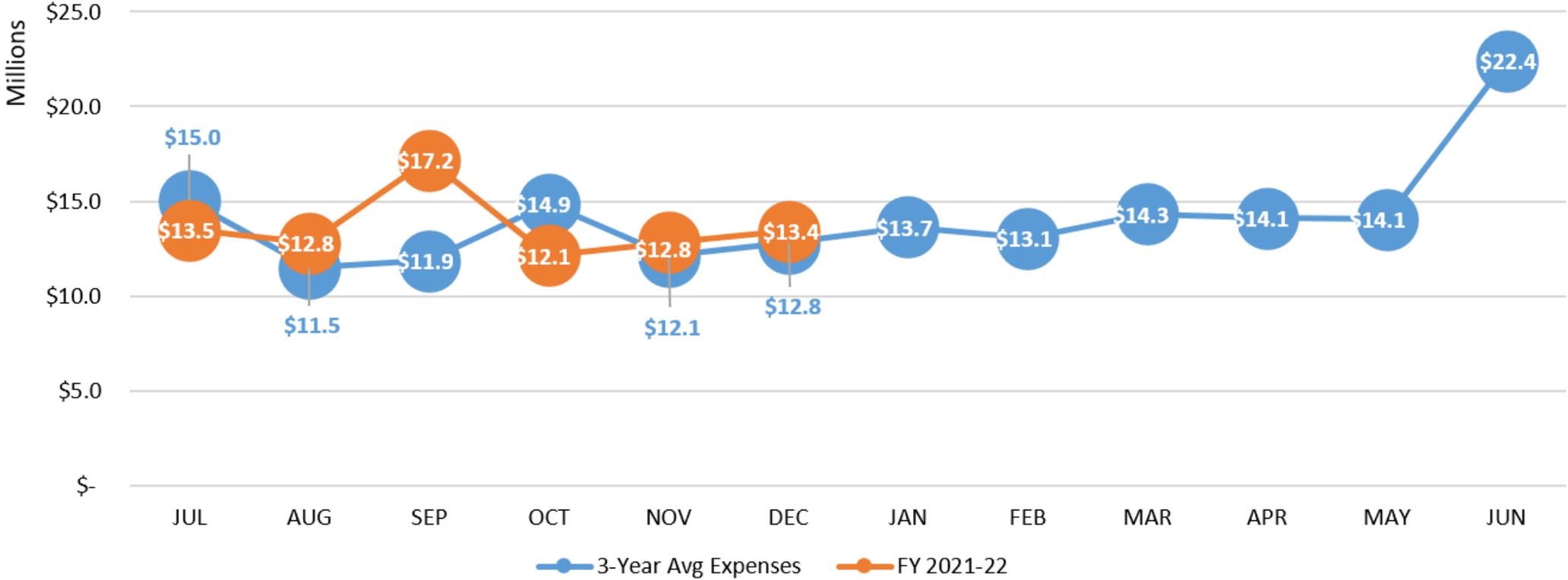
# Revenue

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



# Expenditures

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

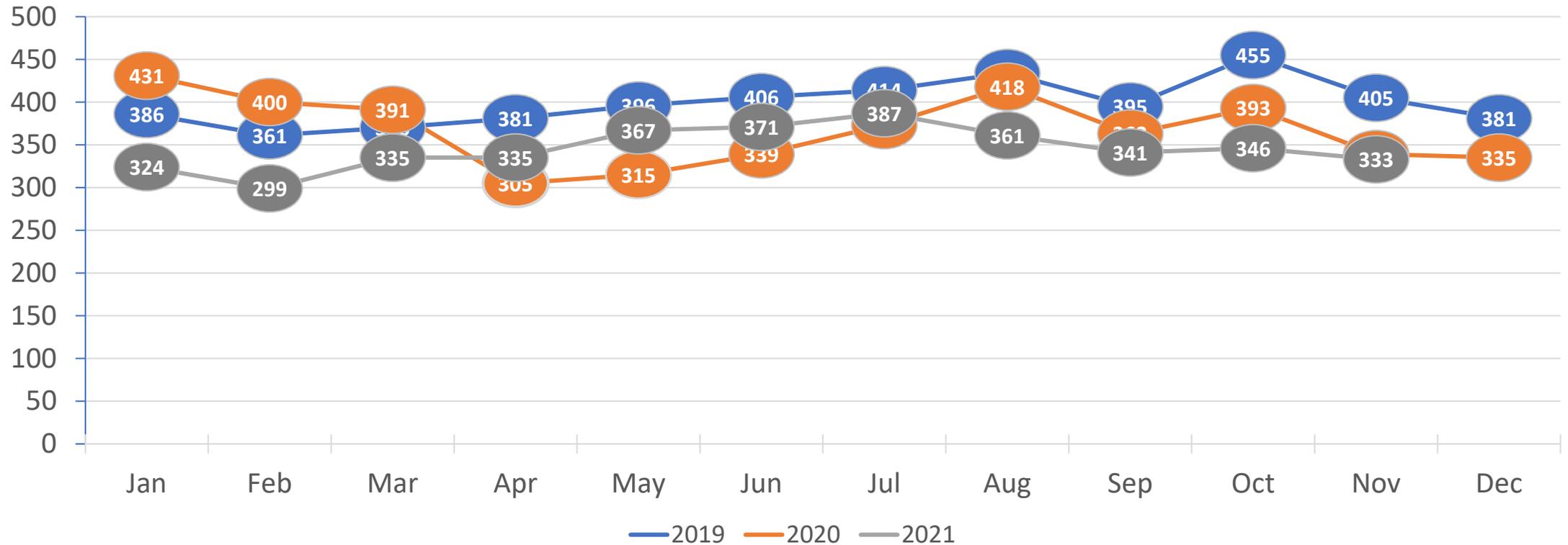


# Staffing Levels as of 1/4/22

- 959 budgeted FTEs
- 156 vacant positions
- 803 filled positions
- 16.3 % vacancy rate

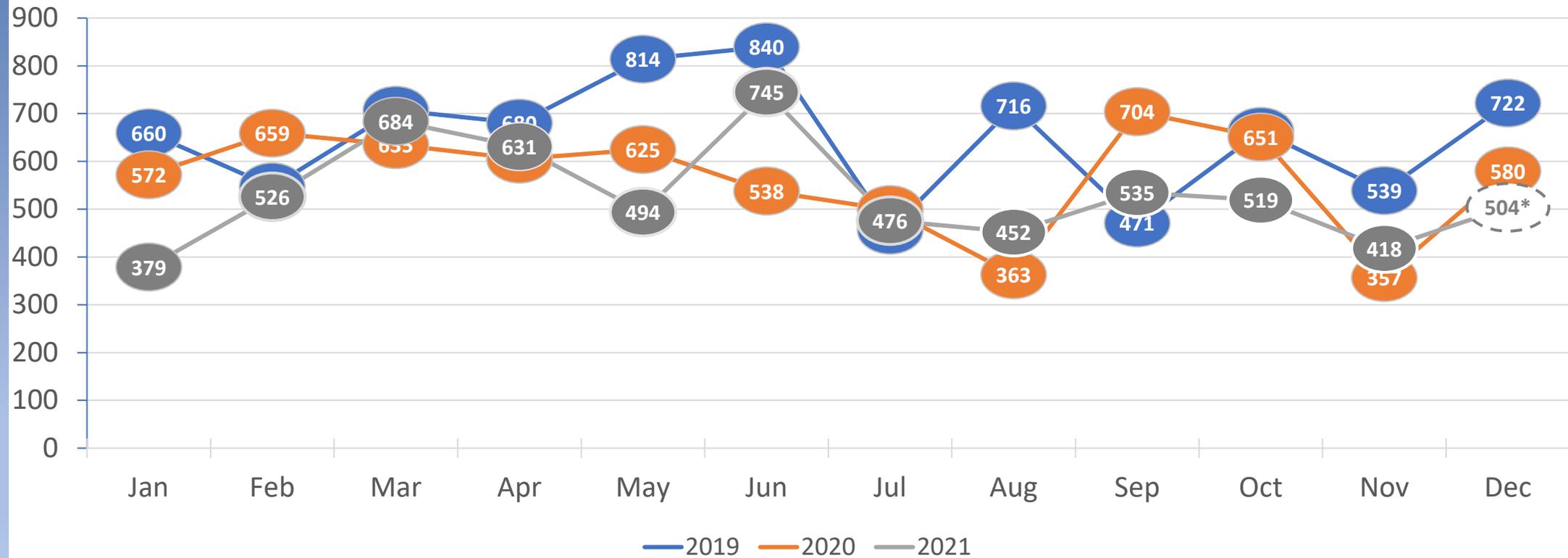
# Emission Trends

## NOx Emissions, RECLAIM Major Sources (tons)



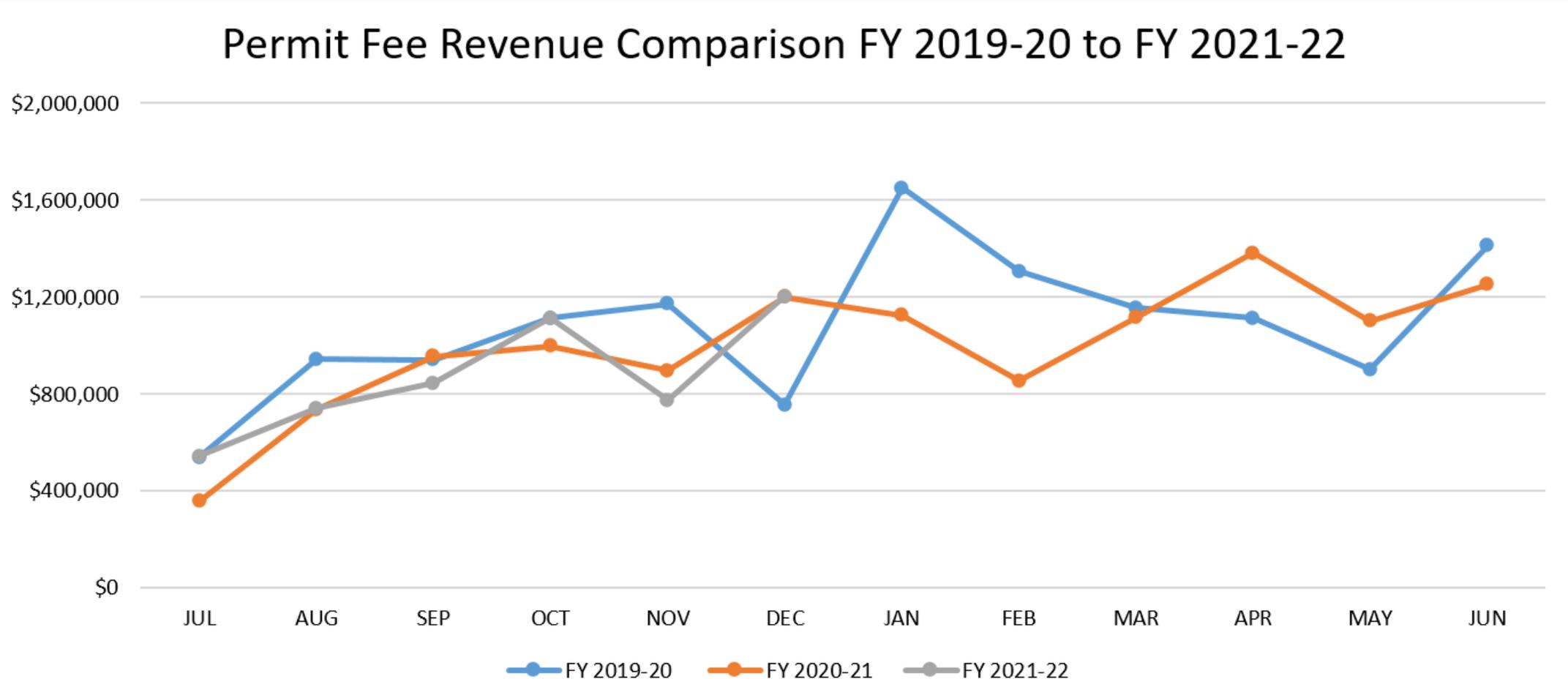
# Permit Activity

## Number of Applications Received per Month

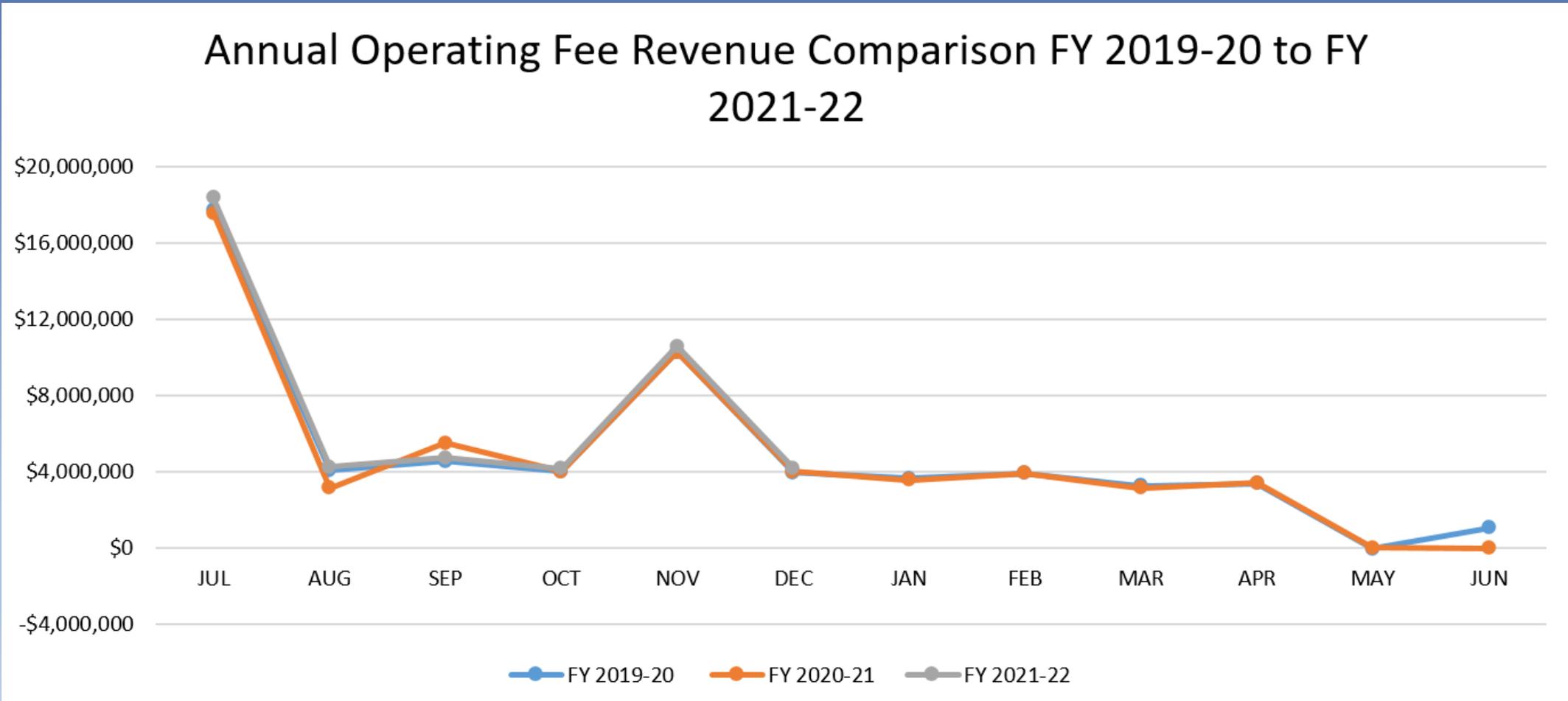


\*December 2021 numbers preliminary

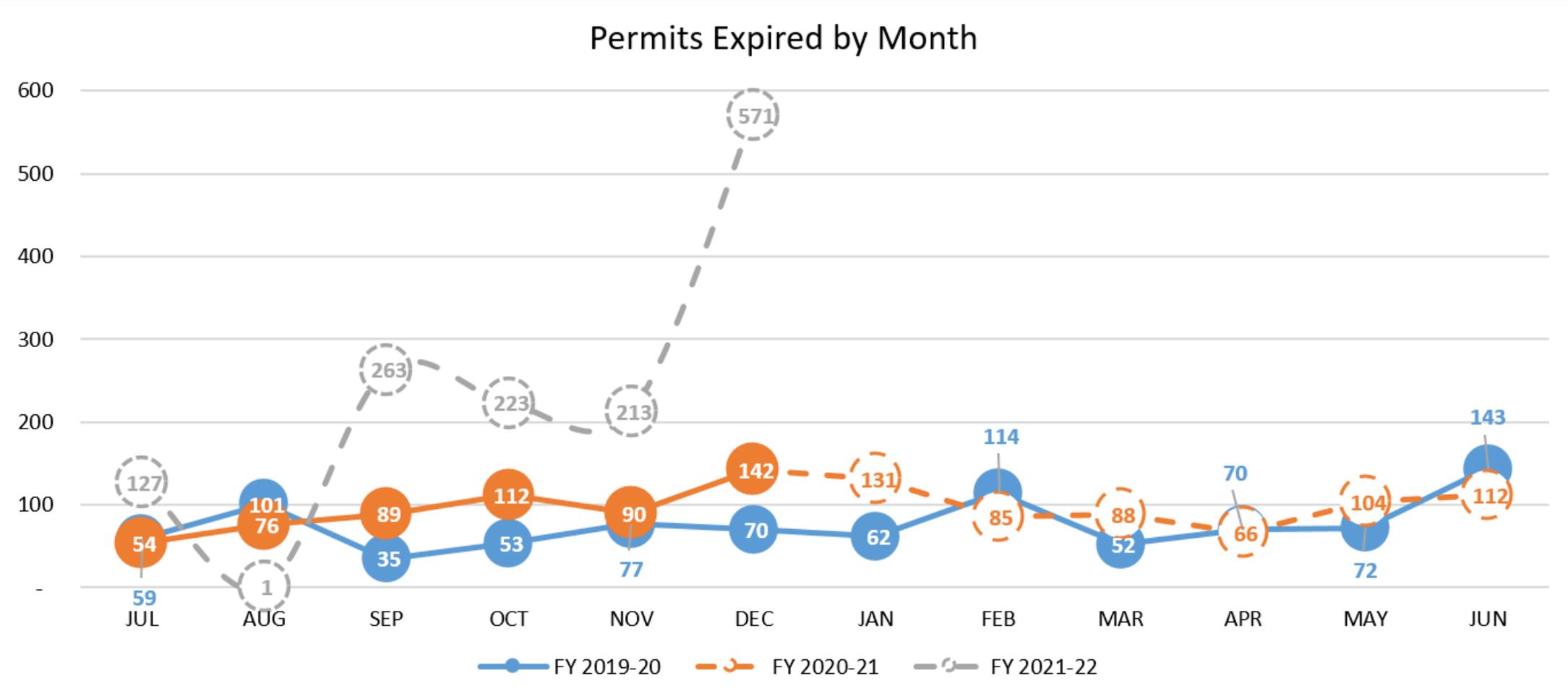
# Permit Revenue



# 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>November 2020</b> | <b>November 2021</b> | <b>Notes</b>            |
| <i>Statewide Refinery Activity<br/>(Million Barrels Crude Oil Input)</i> | 51.1                 | 47.5                 |                         |
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# Summary of Metrics – Year to Date

| Metric   |                            |                            |                          |
|--|----------------------------|----------------------------|--------------------------|
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| <i>Expired or Potentially Expired Permits</i>                            | 563                        | 1,398                      | 1 year to reinstate      |

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 16

REPORT: Administrative Committee

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

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit, Chair  
Administrative Committee

JW:cb

---

### **Committee Members**

Present: Chair Ben Benoit, Committee Chair  
Senator (Ret.) Vanessa Delgado, Vice Chair  
Mayor 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:** There were no concerns to report.
2. **Chair's Report of Approved Travel:** As noted on the travel report, Board Member Kracov attended the monthly CARB meetings and Board Consultant to Councilmember Joe Buscaino, Jacob Haik, attended the National League of Cities Convention, as it relates to air quality on behalf of South Coast AQMD.
3. **Report of Approved Out-of-Country Travel:** There was no travel to report.

4. **Review January 7, 2022 Governing Board Agenda:** Chair Benoit inquired about set hearings on the agenda. Wayne Nastri, Executive Officer, confirmed there are no set hearings until February. Barbara Baird, Chief Deputy Counsel, specified that Rule 1134 has been noticed for set hearing for February, which will include the port update.
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Guillermo Gonzalez, Board Member Consultant for Supervisor V. Manuel Perez, is modifying his contract from independent contractor to employee.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

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

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 highlighted several cultural remembrances taking place in December and provided employee resource work group updates. They have been meeting monthly and working together to develop culturally relevant strategies on employee professional development, promotion, recruitment and retention.

Dr. Heard-Johnson reported that two Senior Public Affairs Specialists have joined the Diversity, Inclusion and Equity group.

Supervisor Rutherford commented on Hanukkah in November next year. She shared how she enjoys learning about these holidays and celebrations, and wondered why Christmas was not included.

Dr. Heard-Johnson indicated that Christmas was included in an email announcement regarding 12 days of different multi-cultural holidays. Supervisor Rutherford indicated she would like to receive a copy.

7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, indicated that South Coast AQMD is doing well overall and managing through this last year and a half of COVID-19. She reported that there were no surprises to report, and the vacancy rate is lower due to recent hires.
8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management, reported that open enrollment for employee benefits was

completed. A new AQ portal was released for AB 617. The cyber security assessment was completed and contains a list of recommended projects and staffing, which will be included in the upcoming budget request. He also reported on the success of conducting hybrid meetings, including the Clean Air Awards.

Chair Benoit requested to include Board Assistants and Consultants on testing and phishing attacks.

Board Member Kracov commented on the incentive technology and requested more background on the zero emission web application. Matt Miyasato, Deputy Executive Officer/Science and Technology Advancement, provided an update on the web portal for the VW Application Process. He indicated that the zero-emission portion is currently oversubscribed for that first installment of funding received and South Coast AQMD is waiting for additional funds from CARB.

Mr. Moskowitz also reported that the application portal was completed in December.

9. **Report of RFPs/RFQs Scheduled for Release in January:** Sujata Jain, Chief Financial Officer/Finance, reported that this is a request for authorization to release an RFP for security guard services.

#### **ACTION ITEMS:**

10. **Authorize Purchase for Cisco Unified Communication Telephony System Upgrade:** Mr. Moskowitz reported that this item is to authorize the purchase of unified communications telephony system upgrade and an RFQ was released to upgrade components that are at end of life. Three bids were received, and staff recommends the lowest cost-bidder. Funds are available in the budget.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov, Rutherford

Noes: None

11. **Authorize Purchase of Telecommunication Services:** Mr. Moskowitz reported that this action is to authorize the purchase of telecommunication services and an RFQ was released to select vendors for all telecommunication services. He recommended awarding three-year contracts to four vendors and the funds are available in the budget and will be requesting in subsequent years.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

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

12. **Interview an Additional Firm and Recommend a Firm or Firms for Legislative Representation Services in Washington, D.C. (RFP P2022-01):** Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs & Media, reported that at the December Board meeting there was a bid protest from a legislative consultant firm that did not get interviewed by the Administrative Committee. The Board decided to have the Administrative Committee interview Duncan Weinberg Genzer & Pembroke (DWG&P).

The committee interviewed DWG&P and considered their professional background, experience and discussed legislative efficiency issues.

After interviewing the firm and discussion among committee members, Supervisor Rutherford moved to extend the contracts to the three existing firms: The Carmen Group, Cassidy & Associates, and Kadash & Associates; seconded by Cacciotti, unanimously approved.

Mr. Harvey Eder, Public Solar Power Coalition, provided public comment on energy, climate and solar power.

Supervisor Rutherford commented on future RFPs for this item and the need to allow flexibility for firms to respond in case they have a different model from what we have used. Chair Benoit and Mayor Cacciotti agreed.

Mayor Cacciotti inquired about the one-year option and contract term. Mr. Alatorre responded that this item is to approve for one year and there are two, one-year extension options that will be discussed by the Administrative Committee. Recommendations from the committee would then go to the Board regarding each one-year extension option.

Mayor Cacciotti further inquired if there would be presentations on the firms next year. Mr. Alatorre explained that the discussion next year would be for the contract extensions. If some or all of the extensions are not approved, then an RFP would be issued.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

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

**WRITTEN REPORT:**

13. **Local Government & Small Business Assistance Advisory Group Minutes for the October 8, 2021 Meeting:** The report was acknowledged and received.

**OTHER MATTERS:**

14. **Other Business:** There was no business to report.
15. **Public Comment:** Mr. Eder commented on Christmas trees and forest fires.
16. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for January 14, 2022 at 10:00 a.m.

**Adjournment**

The meeting adjourned at 11:00 a.m.

**Attachments**

Local Government & Small Business Assistance Advisory Group Minutes for October 8, 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, OCTOBER 8, 2021 MEETING MINUTES

### **MEMBERS PRESENT:**

Mayor Pro Tempore Carlos Rodriguez, LGSBA Chair (Board Member)  
Supervisor Janice Rutherford (Board Member)  
Felipe Aguirre  
Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
Todd Campbell, Clean Energy  
John DeWitt, JE DeWitt, Inc.  
Bill LaMarr, California Small Business Alliance  
Rita Loof, RadTech International  
Eddie Marquez, Roofing Contractors Association  
David Rothbart, Los Angeles County Sanitation Districts

### **MEMBERS ABSENT:**

Mayor Rachelle Arizmendi, City of Sierra Madre  
LaVaughn Daniel, DancoEN

### **OTHERS PRESENT:**

Mark Abramowitz  
Harvey Eder  
Frank Forbes  
Mark Taylor, Board Member Consultant (Rutherford)

### **SOUTH COAST AQMD STAFF:**

Jill Whynot, Chief Operating Officer  
Derrick Alatorre, Deputy Executive Officer  
Jason Aspell, Deputy Executive Officer  
Sujata Jain, Chief Financial Officer  
Sarah Rees, Deputy Executive Officer  
Susan Nakamura, Assistant Deputy Executive Officer  
Lisa Tanaka O'Malley, Assistant Deputy Executive Officer  
Victor Yip, Assistant Deputy Executive Officer  
Daphne Hsu, Principal Deputy District Counsel  
Karin Manwaring, Senior Deputy District Counsel  
Mitch Haimov, Senior Air Quality Engineering Manager  
Michael Morris, Planning and Rules Manager  
Ricardo Rivera, Senior Staff Specialist  
Van Doan, Air Quality Specialist

Elaine-Joy Hills, Air Quality Specialist  
De Groeneveld, Senior Information Technology Specialist  
Anthony Tang, Information Technology Supervisor  
Paul Wright, Senior Information Technology Specialist  
Aisha Reyes, Senior Administrative Secretary

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

Chair Carlos Rodriguez called the meeting to order at 11:30 a.m.

Supervisor Janice Rutherford commented on the Governing Board (GB) Retreat and the presence of California Air Resources Board (CARB) members. Supervisor Rutherford learned that there may be a disconnect between CARB members and South Coast Air Quality Management District (South Coast AQMD) staff regarding activities and regulations; however, was pleased that CARB members were informed and involved in the challenges faced by South Coast AQMD, particularly with the AB617 communities.

Ms. Jill Whynot indicated that the retreat was not recorded due to technical challenges; however, all the handouts are available.

Mr. Todd Campbell asked if there are any reactions to CARB's Board Member Hector De La Torre's comment regarding low nitrogen oxides (NO<sub>x</sub>) trucks as South Coast AQMD needs CARB's assistance with this matter. Chair Rodriguez refrained from commenting and Supervisor Rutherford agreed that the solution would be to have low emission trucks, which would get us closer to attainment.

### **Agenda Item #2 – Approval of August 13, 2021 Meeting Minutes**

Chair Rodriguez called for approval of the August 13, 2021 meeting minutes. Ms. Rita Loof requested to amend page 4, item 5 indicating her support for Supervisor Rutherford's comments made at the Administrative Committee meeting regarding the Clean Air Program. The minutes were approved unanimously.

Mr. Harvey Eder commented on his request for records and solar renewables.

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

Mr. Derrick Alatorre reviewed the follow-up and action items from the previous meeting and indicated that Ms. Loof requested to discuss with Engineering and Permitting (E&P) regarding facility names and query for ultraviolet/electron beam (UV/EB) equipment using BCAT (basic equipment) code.

Mr. Jason Aspell stated that staff closed out a public records request on May 4 that collected all active permits for UV/EB facilities in our database and E&P permitting file. Ms. Loof clarified she had made this request in December 2020 and received information that there were 108 facilities that currently had permits for UV/EB equipment. Subsequently, she submitted another request, but was informed to make a request for each facility; however, was not provided with each facility name. Mr. Aspell stated he will discuss the clarification with the records department.

Mr. Bill LaMarr expressed his concerns regarding Ms. Loof's request and make one public records request with a list of all commercial printers providing Standard Industrial Classification (SIC) codes. Mr. LaMarr suggested information be obtained independently. Ms. Loof clarified that RadTech is a non-profit organization and membership is made up of equipment manufacturers, raw material suppliers and formulators; therefore, the data collection is not a self-serving exercise and market research. Ms. Loof provided background information from 2017 regarding provisions impacting printers. Mr. Aspell indicated the information requested by Ms. Loof has been sent. Mr. LaMarr commented that Small Business Alliance represents printing industries and indicated the suppliers, manufacturer and formulators should have information on equipment sold to businesses.

Mr. Alatorre provided the next follow-up item, which was to discuss the transfer of Home Rule Advisory Group (HRAG) with Planning, Rule Development and Area Sources (PRDAS) department. It was recommended that the two advisory groups remain separate. Per the charter, HRAG reports to the Stationary Source Committee and the members are appointed by the GB. Mr. LaMarr recommended to keep the advisory groups separate, which are distinct in mission statements and charter. Mr. LaMarr added that he hopes HRAG can resume. Mr. David Rothbart agrees the groups should remain separate and asked Mr. Alatorre if he had any feedback on when HRAG would reconvene and if any GB member would volunteer to Chair HRAG. Mr. Alatorre responded he will take the inquiry to the Chair of the GB.

***Action Item #1:** Discuss with GB Chair regarding reconvening HRAG and appointing a new HRAG Chair.*

Mr. Alatorre proceeded with the next action item, which was to consult with Mr. Wayne Nastri regarding whether trade associations could be allowed to participate on the Community Steering Committee (CSC). Mr. Alatorre read CARB's adopted blueprint which indicates that the "CSC is composed of community members who live, work, or own businesses within each community. For example, community residents, small business, facility managers/workers, school personnel." It also states that "this can include the owners of the small businesses, which are important community voices, locally-based business associations such a Chamber of Commerce. The community membership must draw from workers or managers from the facility itself to keep the focus on the community." Mr. Alatorre indicated this addresses Mr. LaMarr's question about trade associations not being able to join a CSC, but are still welcome to make public comment.

Mr. LaMarr indicated he is familiar with the blueprint; however, it does not explain why the California Council for Environmental and Economic Balance (CCEEB) has a seat on the consultation group and other CSCs, which is a large business organization. Mr. LaMarr further stated that Western States Petroleum Association (WSPA), Burlington Northern and Santa Fe (BNSF) Railway, and Union Pacific are seated on a CSC, which may not have representatives that reside in the appropriate communities. Mr. LaMarr indicated that small businesses are reluctant to identify themselves in venues that may be hostile to their presence. In addition, when meetings are held during the daytime, they are during normal business hours and evenings would be a long day for these businesses. Small Business Alliance is interested in representing these businesses and industries and points of view in these communities. These businesses are as much of a community as the residents are, hiring from these communities, pay taxes, and supply revenue to these communities. Mr. Alatorre commented that this may be a consultative group, which is not the same as a CSC. The consultative/working groups are led by CARB and not by air quality districts. Mr. Alatorre further stated that representative may actually be members who work or live in these communities.

***Follow-up Item #1:** Research representatives in CSC.*

Chair Rodriguez asked Mr. LaMarr if the intent of Small Business Alliance is to participate in AB 617 meetings. Mr. LaMarr responded he brought this up in 2018/2019 to the former Chair of the GB, and asked the same question regarding participation. Mr. LaMarr received a letter to participate; however, the invitation was rescinded by South Coast AQMD due to the location of the Small Business Alliance not being in any of the communities. Not all members are within these communities, but some of them are. Some members are reluctant because of unaccommodating members; therefore, small business representation is at a minimum. Chair Rodriguez responded that if there is an inconsistency and

requested to provide comparisons in a correspondence. Mr. Alatorre indicated that the blueprint was established and adopted by CARB and recommended questions regarding trade association representation be presented to CARB. Chair Rodriguez agreed and commented that the point of distinction is if the blueprint is being followed and there is consistency in the participants.

Ms. Loof recalled the comments Mr. LaMarr made in 2018/2019 and stated support of the concept of having a seat for business organizations. Ms. Loof has participated in the CARB meetings for Environmental Justice and indicated there are no representation for the business community at these meetings. These businesses can implement the goals and visions and can provide essential feedback. The business organizations are non-profit that are national-based and not community-based; therefore, do not fall under the definition. Ms. Loof further stated that there has been discussion about providing links within South Coast AQMD's website as resources and encourages staff to work with these business organizations to enhance the list currently on the website.

Chair Rodriguez requested staff to put on the agenda the topic of participation in CSCs and to clarify the required steps, channels, and process to reform the participation requirements.

***Action Item #2:** Put on a future agenda a discussion on participation requirements on CSCs, clarify the steps, channels, and process to reform the participation requirements, and how to seek changes from CARB.*

Mr. Alatorre asked Ms. Daphne Hsu whether a letter, with the consensus of the advisory group, would have to be submitted to the Administrative Committee, then to GB, and the GB would then take a position. Ms. Hsu indicated that LGSBA reports to the Administrative Committee, which reports to the GB. Ms. Hsu stated she would have to do research as to whether or not there are other options. Chair Rodriguez commented on his interest in LGSBA having the opportunity to make a request to CARB in making an adjustment to a policy.

Ms. Loof supported Chair Rodriguez's comment and stated she agreed with LGSBA playing a more active role. Ms. Loof provided background information regarding changes to the LGSBA charter submitting a letter as a group to the Administrative Committee.

Mr. Alatorre indicated the last action item was to distribute a letter from Mr. Nastri to Environmental Justice groups about zero-emission versus near zero-emission vehicles, which was sent to the LGSBA members on October 1, 2021.

**Agenda Item #4 – FY 2021-22 General Fund Budget**

Ms. Sujata Jain provided an overview of the General Fund Budget detailing staffing levels, expenditures, and revenues required to maintain current program commitments.

Mr. LaMarr inquired about renovations made on "aging infrastructure" and asked what major items fall under this category. Ms. Jain responded that there is a list of items in the budget, such as the roof and atrium, which money is set aside for maintenance. Some are deferred; however, should be budgeted.

Mr. Rothbart stated there is quite a vacancy rate and indicated that it is taking years to obtain a permit. Mr. Rothbart expressed support in getting assistance for E&P. Ms. Whynot responded that we are working hard to address permitting needs and have 12 to 13 engineers starting in a few weeks.

Mr. Eder commented about COVID-19 and solar conversion.

**Agenda Item #5 – Update on Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II**

Mr. Michael Morris provided an overview of Proposed Amended Rule 219 to address mobile fueling operations and a request for amendments for UV/EB.

Ms. Loof shared her involvement with the 1998 amendments to Rule 219 and commented that technology changes quickly; however, South Coast AQMD rules do not move fast enough to accommodate new innovations. Ms. Loof mentioned that, in the past, South Coast AQMD recognized UV/EB and light-emitting diodes (LED) processes as pollution prevention. Ms. Loof stated that some policies need to be looked at the bigger picture of cleaning the air while keeping businesses in Southern California. Ms. Loof referenced a slide regarding newly configured system not qualifying for exemption under Rule 219. Ms. Loof indicated there are some systems that are now hybrid and there is an equipment being charged for the addition of UV material with no emissions when the facility was already charged for their solvent system. She supports putting limits on Rule 219 to eliminate toxic materials. Ms. Loof asked that when a facility brings in a new innovative hybrid system, not exclusively UV and EB, with a solvent component, if the UV/EB can be assessed separately from the solvent system so as not be double charged.

Ms. Susan Nakamura informed LGSBA that the working group meeting for Rule 461 and 461.1 was cancelled.

Mr. Mitch Haimov indicated that the change in emissions associated with adding UV curing component to the existing operation at Fender Guitar was zero and not the total emissions. The coating being used is non-compliant coating, which is the reason it is sent to an afterburner for control in order to comply with Rule 1136. There is no emission benefit or detriment and was an emission neutral project. Ms. Loof agreed the emissions were neutral and the difference in emission from the UV process was zero. The non-compliant material was the solvent portion vented into an afterburner to control emissions, which already has a permit.

Mr. Campbell asked if South Coast AQMD will target mobile fueling businesses. Ms. Nakamura responded that the proposed rule would apply to retail and non-retail. Staff is essentially trying to keep the non-retail very similar to the current provisions and will be further discussed. The retail portion has been the focal point and trying to address all aspects of retail. Ms. Nakamura indicated it is just for gasoline dispensing.

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

No comments.

**Agenda Item #7 – Other Business**

Mr. Rothbart requested for a presentation on the summary of the status of Rule 317 Fee Equivalency Account Reconciliation Report and review the annual report provided by the Executive Office on where we are in compliance with the rule. As we move forward, the additional credits that have not been entered in the State Implementation Plan (SIP) have been used to come in compliance for Section 185 penalties. Mr. Rothbart asked if these items are going into the SIP, what will be remaining and will Rule 317 be functional.

*Action Item #3: Put on a future agenda a presentation on an overview of Rule 317 Fee Equivalency Account Reconciliation Report.*

Chair Rodriguez requested, as an on-going update, to be briefed on the outreach efforts pertaining to Warehouse Indirect Source Rule (ISR). Chair Rodriguez also requested for ongoing updates on current discussion with Ports of Los Angeles and Long Beach, and the matter of the Memorandum of Understanding (MOU) under discussion.

Mr. Alatorre provided the Warehouse Actions and Investments to Reduce Emissions (WAIRE) hotline number (909-396-3140) and email address ([waire-program@aqmd.gov](mailto:waire-program@aqmd.gov)).

**Agenda Item #8 – Public Comment**

Mr. Eder commented on local governments, Clean Power Alliance, climate change and solar energy.

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

The next regular LGSBA Advisory Group meeting is scheduled for Friday, November 12, 2021 at 11:30 a.m.

**Adjournment**

The meeting adjourned at 1:19 p.m.

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BOARD MEETING DATE: January 7, 2022

AGENDA NO. 17

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a hybrid meeting on Friday, December 17, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Joe Buscaino, Chair  
Technology Committee

MMM:psc

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### **Committee Members**

Present: Supervisor Lisa Bartlett  
Council Member Joe Buscaino/Chair  
Board Member Gideon Kracov  
Mayor Larry McCallon  
Vice Mayor Rex Richardson

Absent: Mayor Carlos Rodriguez

### **Call to Order**

Chair Buscaino called the meeting to order at 12:00 p.m.

### **ACTION ITEMS:**

**1. Implement Carl Moyer, SOON, State Reserve, FARMER and Community Air Protection Programs by Recognizing Funds from CARB, Executing and Amending Contracts, and Reimbursing Administrative Costs**

In June 2021, Program Announcements for the Carl Moyer and Surplus Off-Road Op-In for NOx (SOON) Programs closed. This year, funding from the State Reserve and Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Programs will also be available to fund eligible projects submitted through these solicitations. These actions are to: 1) adopt Resolutions to recognize FY2020-21 and FY2021-22 funds from CARB for Carl Moyer and FARMER

Programs; 2) execute contracts for Carl Moyer, SOON, State Reserve, Community Air Protection and FARMER Programs; 3) authorize the Executive Officer to redistribute the source of funds for the various incentive program grants to ensure program liquidation targets are met; and 4) reimburse administrative costs for the FY2021-22 FARMER Program.

Council Member Buscaino recused himself from parts of Agenda Item No. 1 which involves Clean Energy and Burlington Northern Santa Fe Railway Company due to campaign contributions within the past 12 months. He also disclosed for the record that he is on the Board of the Sanitation Districts of Los Angeles County, which is involved in the item.

Supervisor Bartlett recused herself from parts of Agenda Item No. 1 which involves Catalina Channel Express, Inc. and USA Waste of California, Inc. (which is affiliated with Waste Management Collection & Recycling and Waste Management and Affiliated Entities, Inc.) due to campaign contributions within the past 12 months.

Board Member Kracov recused himself from parts of Agenda Item No. 1 which involves California Waste Services LLC, TruStarEnergy LLC and Clean Energy due to a financial interest in California Waste and Recycling Association which he formally represented in his capacity as General Counsel. The nature of these disclosures requires that he exit the room or turn the camera off. He also disclosed for the record that he is a Board Member of the CARB, which is involved in the item.

Mayor McCallon commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is the Second Vice Chair on the Board of the Southern California Regional Rail Authority (Metrolink), which is involved in this item.

Vice Mayor Richardson commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is the Vice Mayor for the City of Long Beach, which is involved in this item.

Board Member Kracov inquired about funding status for on-road trucks. Staff replied that due to limitations of the Carl Moyer Program, specifically with cost-effectiveness and engine model year restrictions, about \$2 million was allocated for on-road projects, with about 15 Class 8 heavy-duty trucks awarded (or 2 percent of the total recommended funding). Board Member Kracov recognized the limitations with the Carl Moyer Program relating to on-road trucks and encouraged staff to

continue working with CARB to resolve regulatory and limitation issues for on-road vehicle funding.

Ranji George, a public member, expressed concerns and urged focus on prioritizing fuel cell and sustainable battery technologies.

Michelle Steward, Metrolink, expressed appreciation for staff's efforts with the Carl Moyer Program and support for Metrolink projects.

Mayor McCallon expressed appreciation for staff's efforts with Metrolink.

Due to the nature of disclosures and in order to maintain a quorum the item was split into five separate votes.

*Vote #1 for California Waste Services and TruStarEnergy LLC*

Moved by McCallon; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Buscaino, McCallon, Richardson

Noes: None

Abstain: Kracov (camera off)

Absent: Rodriguez

*Vote #2 for Clean Energy*

Moved by McCallon; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, McCallon, Richardson

Noes: None

Abstain: Buscaino, Kracov

Absent: Rodriguez

*Vote #3 for USA Waste and Recycling and Catalina Channel Express*

Moved by Buscaino; seconded by McCallon; unanimously approved.

Ayes: Buscaino, Kracov, McCallon, Richardson

Noes: None

Abstain: Bartlett

Absent: Rodriguez

*Vote #4 for BNSF*

Moved by McCallon; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Richardson

Noes: None

Abstain: Buscaino

Absent: Rodriguez

*Vote #5 for remaining awards excluding Cody Martin due to required disclosure information not being submitted.*

Moved by Bartlett; seconded by McCallon; unanimously approved.

Ayes: Bartlett, Buscaino, Kracov, McCallon, Richardson

Noes: None

Abstain: None

Absent: Rodriguez

**OTHER MATTERS:**

**2. Other Business**

There was no other business to report.

**3. Public Comment Period**

Rita Loof, RadTech, Inc, provided information regarding Ultraviolet Electron Beam and LED industry technologies and hopes to partner on funding future programs to help communities achieve emissions reductions by using these technologies. She asked that Rule 219 be modernized to incentivize these technologies also.

Mr. George recommended that staff negotiate prices for battery electric school buses and that there be requirements for environmentally sound battery recycling.

**4. Next Meeting Date**

The next regular Technology Committee meeting is scheduled for Friday, January 22, 2022, at noon.

**Adjournment**

The meeting adjourned at 12:40 p.m.

**Attachment**

Attendance Record

**ATTACHMENT**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
TECHNOLOGY COMMITTEE MEETING  
Attendance Record – December 17, 2021**

|                                   |                               |
|-----------------------------------|-------------------------------|
| Supervisor Lisa Bartlett.....     | South Coast AQMD Board Member |
| Council Member Joe Buscaino ..... | South Coast AQMD Board Member |
| Board Member Gideon Kracov .....  | South Coast AQMD Board Member |
| Mayor Larry McCallon .....        | South Coast AQMD Board Member |
| Vice Mayor Rex Richardson .....   | South Coast AQMD Board Member |
| James Dinwiddie .....             | Board Consultant (Bartlett)   |
| Jacob Haik .....                  | Board Consultant (Buscaino)   |
| Ross Zelen .....                  | Board Consultant (Kracov)     |
| Mark Abramowitz .....             | Public Member                 |
| Alex Davis .....                  | Public Member                 |
| Sindy Enriquez .....              | Public Member                 |
| Rita Loof.....                    | Rad Tech Intl.                |
| Fred Minassian .....              | Public Member                 |
| Michelle Stewart.....             | Metrolink                     |
| Debra Ashby .....                 | South Coast AQMD Staff        |
| Phil Barroca.....                 | South Coast AQMD Staff        |
| Penny Shaw Cedillo .....          | South Coast AQMD Staff        |
| Philip Crabbe .....               | South Coast AQMD Staff        |
| Marjorie Eaton.....               | South Coast AQMD Staff        |
| Daniel Garcia.....                | South Coast AQMD Staff        |
| Sheri Hanizavareh .....           | South Coast AQMD Staff        |
| Aaron Katzenstein .....           | South Coast AQMD Staff        |
| Joseph Impullitti .....           | South Coast AQMD Staff        |
| Jason Low.....                    | South Coast AQMD Staff        |
| Ron Moskowitz .....               | South Coast AQMD Staff        |
| Matt Miyasato.....                | South Coast AQMD Staff        |
| Wayne Nastri .....                | South Coast AQMD Staff        |
| Robert Paud .....                 | South Coast AQMD Staff        |
| Walter Shen .....                 | South Coast AQMD Staff        |
| Veera Tyagi .....                 | South Coast AQMD Staff        |
| Alex Vega.....                    | South Coast AQMD Staff        |
| Victor Yip.....                   | South Coast AQMD Staff        |
| Nick Volpone .....                | South Coast AQMD Staff        |
| Jill Whynot .....                 | South Coast AQMD Staff        |

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 18

REPORT: Marine Port Committee

SYNOPSIS: The Marine Port Committee held a meeting remotely on Wednesday, December 15, 2021. The following is a summary of this meeting.

RECOMMENDED ACTION:  
Receive and file.

Rex Richardson, Co-Chair  
Joe Buscaino, Co-Chair  
Marine Port Committee

IM:rb

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### **Committee Members**

Present: Vice Mayor Rex Richardson/Co-Chair  
Council Member Joe Buscaino/Co-Chair  
Supervisor Lisa Bartlett  
Board Member Veronica Padilla-Campos  
Mayor Pro-Tem Larry McCallon

Absent: Senator (Ret.) Vanessa Delgado

### **Call to Order**

Co-Chair Richardson called the meeting to order at 9:00 a.m.

### **INFORMATIONAL ITEMS:**

#### **1. Preliminary Analysis of Air Quality Impacts from Recent Port Congestion**

Dr. Sang-Mi Lee, Program Supervisor/Planning, Rule Development and Area Sources, presented on the estimated increase in emissions associated with port congestion and ongoing efforts to quantify the resultant air quality impacts.

**Board Member Comments:**

Co-Chair Buscaino commented that the port backlog has led to an expected spike in emissions, and the primary concern is the resultant impacts throughout the region and particularly in Wilmington. He commended the new vessel queuing system which encourages ships to stay at least 150 miles away from shore before calling the Ports of Long Beach (POLB) and Los Angeles (POLA) (collectively “the Ports”). He expressed his wish that the system could have been introduced sooner and added that port congestion could be possibly resolved in the second to third quarter in 2022.

Board Member Padilla-Campos asked staff to elaborate on the new vessel queuing system. Dr. Lee and Wayne Natri, Executive Officer, explained the changes being implemented with the new system. Co-Chair Richardson commended on the new system and asked staff to provide the committee with updates on the associated emission reduction benefits.

**Public Comments:**

Thomas Jelenić, Pacific Merchant Shipping Association (PMSA), commented on the new queuing system initiated by PMSA, with the Pacific Maritime Association and the Marine Exchange of Southern California. He stated that the number of container ships within 40 nautical miles from the Ports had declined from 86 to 29 since the new system was implemented on November 16. Mr. Jelenić mentioned that South Coast AQMD staff received a full briefing on December 3, and that more information can be provided to Board Members upon request.

Fernando Gaytan, Earth Justice, commented that the emissions increase was likely underestimated and that port communities have suffered from many consecutive days of unhealthy air while there is no comprehensive solution to address congestion-related emissions at the nation’s largest port complex. He stated that congestion would not be resolved soon, and that the latest MOU proposals from both Ports does not address the increased Port emissions and would further limit South Coast AQMD in future rulemaking. He advocated for a comprehensive emission reduction strategy for the whole Port complex via an indirect source rule (ISR).

Adrian Martinez, Earth Justice, echoed comments about congested-related emissions increases. He added that the new queuing system would only partially mitigate the increase in congestion-related emissions by moving emissions further away offshore, and that the new system would not result in reductions already needed from the pre-pandemic levels. He urged the Committee to consider the emissions inventory and the increase in Port emissions since 2019 when evaluating the benefits of the new queuing system.

Jesse Marquez, Coalition for a Safe Environment, stated that ship emissions can be calculated, and the increase has been significant. While acknowledging the dispersion of

emitted pollutants as a complicating factor, he indicated that staff's statement about the complexity of evaluating air quality impacts could be misleading. He stated that staff has not acknowledged all air pollutants emitted from ships and their associated health impacts and that ships waiting further offshore would still increase emissions of greenhouse gases (GHG) and impact local environment and public health. He commented on his organization's participation in the Ports' public process for the environmental impact reports for Port projects and the perceived lack of planning for foreseeable labor and equipment shortages.

Madeline Rose, Pacific Environment, stated that Port congestion is not a short-term problem and that major retailers expected port congestion to continue well into 2022 due to pandemic-induced changes in consumer behavior and the continued rise in e-commerce. She concurred with prior speakers regarding the contingent nature of the new vessel queueing system as a solution to increased emissions. She urged South Coast AQMD to mandate ships transition off fossil fuels by requiring dual fueled ships that can run on zero-carbon fuels do so within the responsible jurisdictions. She added that such ships are being built today and can be deployed as early as 2024.

Theral Golden, West Long Beach Association, agreed with prior speakers about the new vessel queuing system being a short-term solution. He indicated that the longer transit time due to slower vessel cruising speeds would cancel out the direct emission reduction benefits resulted from the new system. He commented that the "new normal" of record container throughput requires immediate and long-lasting actions, and that new zero-carbon ships would not meaningfully address the thousands of in-service ships for another 30 years. He asked what the plan is for the region to meet federal clean air standards by the attainment deadlines and that any plan would require the ports to fulfill their clean air obligations.

Sylvia Betancourt, Long Beach Alliance for Children with Asthma, commented that increased diesel pollution from ships and trucks triggers and exacerbates children's asthma in the port community and they already have a higher-than-average rate of asthma-related emergency room visits. She expressed concern that an MOU is not enforceable and advocated for a strong ISR.

Chris Chavez, Coalition for Clean Air, commented that pollution from port backlog is pushing the region increasingly further away from attainment. He attributed South Coast AQMD's halting of PM2.5 attainment re-designation request to port congestion and referenced CARB's estimate that increased anchorage emissions have outweighed the reductions achieved by the At-Berth Regulation. He urged South Coast AQMD to take into consideration the increased emissions when formulating a strategy for the Ports and indicated that the shipping industry can afford clean air solutions due to record profits.

**Board Member Comments:**

Co-Chair Richardson asked staff to clarify why the air quality impacts of port congestion would need further investigation. Dr. Lee explained the differences between pollutant emissions and ambient concentrations, the latter of which is impacted by complex interactions of atmospheric chemistry and meteorology and therefore needs further analysis. Richardson asked staff to continue working with relevant parties to identify methods that can minimize congestion-related impacts and update the committee on staff's recommendations. Mr. Nastri mentioned that PMSA offered to work with staff to quantify emission reduction benefits of the new queuing system, and that staff expects to have more to report at the February committee meeting.

**2. Update on Port MOU Process**

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Area Sources, provided an update on MOU discussions with POLA and POLB. He explained the history and recent actions related to emission reduction efforts related to port sources. He described the latest MOU proposals submitted by POLB and POLA, respectively, summarized staff's key concerns with each proposal and compared the latest proposals to the clean air strategies included in the Ports' 2017 Update to Clean Air Action Plan (CAAP).

**Public Comments:**

Rick Cameron, POLB, commented on POLB's track record in reducing emissions under the CAAP and its commitment to continuing emission reduction efforts to protect the health of port-adjacent communities. He stated that the best way to accomplish clean air goals is to continue the collaborative partnerships. Mr. Cameron referred to POLB's latest MOU proposal as advancing 2017 CAAP implementation and highlighted the offer to advance clean truck funding totaling \$100 million as POLB's commitment to take immediate clean air actions. He urged the committee and the Board to support POLB's MOU proposal. Mr. Jelenić further argued that an MOU approach can be successful as he maintained that the Ports' CAAP, which is a voluntary plan and originally started in 2005, was the basis for all future regulations.

Jacqueline Moore, PMSA, commented on the success of the Ports' Vessel Speed Reduction (VSR) program and that participation in the existing program cannot be increased much further. She stated that staff's July redline MOU proposal was infeasible and added that the associated emission reduction estimation had not been vetted by the Technical Working Group (TWG) for Ports MOU. She further indicated that emission reduction estimates associated with MOU proposals should be reviewed by the TWG before estimates are released to the public.

Mr. Chavez voiced opposition to an MOU approach and stated that the local community prefers an ISR for the Ports as demonstrated in the AB617 process. He commented that POLA's MOU concept letter does not offer enough to meet the region's attainment

needs, and that POLB's offer of \$100 million advanced funding to accelerate the turnover of drayage trucks is insufficient in preventing turnover to diesel trucks. He added that the Ports' offers also included little to hold the Ports accountable for emission reductions. He stated that the discretionary actions included in the proposals should go through the CEQA process and be evaluated for the SIP.

Eli Lipmen, Move LA, opposed an MOU approach. He highlighted the clause in POLB's latest proposal where South Coast AQMD would need to return to POLB all of the advanced clean truck funding if it terminates the MOU early. He further questioned the Ports' commitment to implement their CAAP and that the proposed funding levels for early deployment of ZE/NZE trucks fall short of the vision laid out in the 2017 CAAP. He indicated that the state and federal funding recently made available to the Ports should be used for clean air goals while also addressing port capacity issues. He also argued that the Ports' clean air strategies must address emissions from ocean-going vessels.

Elliot Gonzales spoke in support of an ISR. He expressed discontent in the lack of public process in the Ports' development of their respective MOU proposals, and in the Ports' lack of implementing meaningful clean air actions. Citing concerns over the past transition to natural gas trucks and associated labor disputes, he stressed the importance of public participation in ISR rulemaking to concurrently achieve clean air goals and secure good jobs for the community.

Yassi Kevezade, Sierra Club, criticized the lack of public process and accountability in the ongoing MOU negotiation. Pointing to the lack of emission and health benefits as a result of the four-year MOU process, she stressed that regulations are needed to change the business-as-usual operations at the Ports and to implement the clean air actions at the Ports that the community has been waiting for.

Mandeera Wijetunga, Pacific Environment, called for enforceable regulations to ensure emissions reduction from port sources. He commented that the Ports' latest proposals fail to meet AQMP emission reduction needs and fall short of the 2017 CAAP, and they are further weakened with unacceptable provisions. He stated that enforceable regulations are needed to protect public health, attain air quality standards, and achieve 100-percent zero emission from port sources by 2035.

Resa Barillas, California Environmental Voters, echoed support for a Ports ISR by stating that the latest MOU proposals would not meet attainment needs and the MOU proposals would not hold the Ports accountable for emission reductions.

Ms. Betancourt stated that MOU proposals are unenforceable and expressed support for rulemaking to address the root of the public health problem for children with asthma.

Teresa Bui, Pacific Environment, yielded her time to Mr. Marquez. Mr. Marquez indicated that the South Coast AQMD staff brought up the MOU approach in 2018 and deliberately delayed the development of a Ports ISR. He commented on the inadequacy of the Ports' MOU proposals in achieving emission reductions and claimed that the Ports had not adequately invested in capture-and-control systems as an alternative to using shore power at berth. He stated that it is both technically and economically feasible to transition over 90 percent of vehicles and equipment today to zero emission technologies. He urged the Ports to adopt a budget for the transition to zero-emission operations and expressed support for the contribution of public funds to facilitate the transition.

Mr. Gaytan stated that accepting either of the MOU proposals would be worse than no actions at all because the proposed MOUs would hamstring South Coast AQMD from future rulemaking. He urged staff to develop an ISR with community input as soon as possible.

**Board Member Comments:** Co-Chair Richardson stated appreciation for staff's presentation in summarizing the Ports' latest MOU proposals and highlighting the different areas of importance to reach both CAAP goals and the region's attainment goals. He commented on the significant progress observed over the past few months and emphasized the urgency to continue putting more on the negotiation table in relation to actual reduction needs. He reiterated the importance of addressing concerns over automation and misclassification in a potential MOU to ensure good jobs at the ports during the transition to clean air. After referencing a total of \$600 million needed to turn over 6,000 port drayage trucks from diesel to ZE/NZE and POLB's proposed advanced funding \$100 million, Co-Chair Richardson encouraged POLA to offer higher amounts for early clean truck deployment while South Coast AQMD and the Ports would partner on advocacy for additional funding.

Co-Chair Richardson referred to several public comments where the Ports' MOU proposals were described as unenforceable and added that staff can still present counter offers to include enforceable terms within the MOU. In addition, he stated that a working group should be convened to allow for public inputs outside of the Committee meetings. He encouraged all parties to continue with the MOU process and address the outstanding issues within the next month, with the goal of achieving emission reductions more quickly.

Mayor Pro Tem McCallon urged the Ports to take timely actions and get the MOU done.

Board Member Padilla-Campos commented that the new vessel queuing system would only push ships further offshore and would not reduce overall emissions. She stated that the same urgency to resolve supply chain issues should be applied to emission reductions and urged both ports to come back in January with meaningful and impactful

measures to reduce emissions from port sources. She expressed her concern over the combined time limit for public comments on the agenda items, and she would like to bring up this concern to the full Board. Co-Chair Richardson shared the same concern.

Supervisor Bartlett commented that South Coast AQMD needs to continue to push for a substantial MOU, and in the meantime, also understand that the vessel backlog would be alleviated over time. Citing examples of warehouse owners and big retailers potentially looking for areas to store goods that are outside of California or our jurisdiction. She expressed concerns about potential cargo diversion away from POLA and POLB if overly stringent regulatory requirements are to be implemented in our region and advocated for a balanced long-term solution for both the environment and the regional economy.

Co-Chair Richardson reiterated that the Ports' MOU proposals are not their final offer and encouraged all parties to continue negotiating and making progress.

**OTHER MATTERS:**

**3. Other Business**

There was no other business to report.

**4. Public Comment Period**

Mr. Gaytan stated his interpretation of the Brown Act as allowing the public to use full commenting time of three minutes to speak on each agenda item. He stated that the draft MOU language appeared to allude to a public process where public input was provided to the development of the latest MOU proposals. He clarified that the only public process had been through this committee.

**5. Next Meeting Date**

TBD

**Adjournment**

The meeting adjourned at 11:11 a.m.

**Attachment**

Attendance Record

**ATTACHMENT 1**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MARINE PORT COMMITTEE MEETING**

**Attendance – December 15, 2021**

|   |                                       |
|---|---------------------------------------|
| Board Member Veronica Padilla-Campos..... | South Coast AQMD Board Member         |
| Vice Mayor Rex Richardson .....           | South Coast AQMD Board Member         |
| Mayor Pro Tem Larry McCallon.....         | South Coast AQMD Board Member         |
| Supervisor Lisa Bartlett.....             | South Coast AQMD Board Member         |
| Council Member Joe Buscaino.....          | South Coast AQMD Board Member         |
|   |                                       |
| Genevieve Amsalem Gale .....              | Board Consultant (Kracov)             |
| James Dinwiddie .....                     | Board Consultant (Bartlett)           |
| Jacob Haik .....                          | Board consultant (Buscaino)           |
| Matthew Hamlett .....                     | Board Consultant (Richardson)         |
| Amy Wong .....                            | Board Consultant (Padilla-Campos)     |
| Ross Zelen .....                          | Board Consultant (Kracov)             |
| Lorraine Lundquist .....                  | Board Consultant (Kuehl)              |
|   |                                       |
| Angie Balderas .....                      | Sierra Club                           |
| Christopher Cannon.....                   | Port of Los Angeles                   |
| Morgan Caswell.....                       | Port of Long Beach                    |
| Chris Chavez .....                        | Coalition for Clean Air               |
| Fernando Gaytan .....                     | Earthjustice                          |
| Elliot Gonzales .....                     | Public Member                         |
| Yassamin Kavezade.....                    | Sierra Club                           |
| Sudhir Lay .....                          | City of Long Beach                    |
| Erick Martell.....                        | Port of Los Angeles                   |
| Dawn McIntosh .....                       | City of Long Beach                    |
| Jacqueline Moore.....                     | PMSA                                  |
| T. Pisano .....                           | Port of Los Angeles                   |
| Leela Rao.....                            | Port of Long Beach                    |
| Mandeera Wijetunga .....                  | Pacific Environment                   |
| Jesse Marquez.....                        | Coalition for a Safe Environment      |
| Dan McGivney .....                        | SoCalGas                              |
| Thomas Jelenic .....                      | Pacific Merchant Shipping Association |
| Theral Golden.....                        | West Long Beach Association           |
| Eli Lipmen .....                          | Move LA                               |
| Michele Grubbs.....                       | Pacific Merchant Shipping Association |
| Jen Simmons .....                         | Sierra Club                           |
| Adrian Martinez .....                     | Earthjustice                          |
| Madeline Rose .....                       | Pacific Environment                   |
| Julia Smithins .....                      | Public Member                         |
| Amber Aviles .....                        | Port of Los Angeles                   |
| Ana Dragin .....                          | City of Los Angeles                   |

|                          |   |
|--------------------------|---|
| Christine Batikian ..... | Sierra Club                                     |
| David Libatique .....    | Port of Los Angeles                             |
| Eleanor Torres .....     | Port of Long Beach                              |
| Greg Roche .....         | Clean Energy Fuels                              |
| Joe Lyou .....           | CCA/CTC   |
| John Ungvarsky .....     | EPA   |
| Marvin Pineda .....      | Lobby California                                |
| Megan Jamerson .....     | KVCR  |
| Mike DiBernardo .....    | Port of Los Angeles                             |
| Peter Whittingham .....  | Public Member                                   |
| Regina Hsu .....         | Earthjustice                                    |
| Resa Barillas .....      | EnviroVoters                                    |
| Rick Cameron .....       | Port of Long Beach                              |
| Stephanie Magnien .....  | Port of Los Angeles                             |
| Sylvia Betancourt .....  | Long Beach Alliance for Children<br>with Asthma |
| Teresa Bui .....         | Pacific Environment                             |
| Tim DeMoss .....         | Port of Los Angeles                             |

|                         |                        |
|-------------------------|------------------------|
| Barbara Baird.....      | South Coast AQMD Staff |
| Aaron Katzenstein ..... | South Coast AQMD Staff |
| Angela Kim .....        | South Coast AQMD Staff |
| Ian MacMillan .....     | South Coast AQMD Staff |
| Karin Manwaring.....    | South Coast AQMD Staff |
| Matt Miyasato.....      | South Coast AQMD Staff |
| Ron Moskowitz .....     | South Coast AQMD Staff |
| Wayne Nastro .....      | South Coast AQMD Staff |
| Sarah Rees .....        | South Coast AQMD Staff |
| Veera Tyagi .....       | South Coast AQMD Staff |
| Vicki White .....       | South Coast AQMD Staff |
| Jill Whynot .....       | South Coast AQMD Staff |
| Rachel Ballon .....     | South Coast AQMD Staff |
| Sang-Mi Lee .....       | South Coast AQMD Staff |
| Denny Shaw .....        | South Coast AQMD Staff |
| Elaine Shen .....       | South Coast AQMD Staff |
| Scott Epstein .....     | South Coast AQMD Staff |
| Sheri Hanizavareh ..... | South Coast AQMD Staff |
| Jeff Inabinet .....     | South Coast AQMD Staff |
| Randon Lane .....       | South Coast AQMD Staff |
| Alicia Lizarraga .....  | South Coast AQMD Staff |

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BOARD MEETING DATE: January 7, 2021

AGENDA NO. 19

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a hybrid meeting on Thursday, December 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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### **FYs 2014-16 Work Program**

#### **Transportation Control Measure Partnership Program**

In March 2016, the MSRC approved an award to San Bernardino County Associated Governments (SANBAG, now San Bernardino County Transportation Authority or SBCTA as approved by Senate Bill 1305 in 2016) to implement special transit service to Dodger Stadium for 2018. Contract #MS16086 was executed to effectuate the award. While the \$115,023.09 final invoice was awaiting processing, due to an error the contract was closed prematurely. To pay the outstanding invoice, an appropriation of \$115,023.09 was recommended to re-open the contract. The MSRC considered and approved the recommended appropriation.

### **FYs 2018-21 Work Program**

#### **Inland Ports Zero and Near-Zero Emission Cargo Handling**

In March 2021, the MSRC approved several awards for on- and off-road goods movement projects associated with the “Inland Ports” - warehouse and distribution facilities located in Riverside and San Bernardino Counties. Among these was a \$1,160,000 award to Penske Truck Leasing to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure. Subsequent to the award, a determination has been made that the charging infrastructure would be owned

and operated by the property owner Costco Wholesale Corporation. To enhance accountability in administration of the project, it was recommended that the award be bifurcated into a \$1,000,000 award to Penske Truck Leasing Company and a \$160,000 award to Costco Wholesale Corporation. The MSRC considered and approved the bifurcation.

### **FYs 2021-24 Work Program**

MSRC staff provided an update on the FYs 2021-24 Work Program development process. Ideas were discussed as they relate to potential project categories and reported that two subcommittees had been formed to develop proposed Work Program elements: Goods Movement and Innovative Transportation. Candidate partnerships to leverage MSRC funds are being explored and further details are expected to be brought forward at future meetings.

### **Report on Updated Language for MSRC Contracts**

South Coast AQMD Legal staff provided an informational written report on changes to the contract template. These changes were made to better reflect that the MSRC's Work Program contracts funding infrastructure are grant agreements.

### **Contract Modification Requests**

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

1. MHX, LLC (Contract #MS21017), provides \$1,900,000 to deploy 10 zero emission trucks & infrastructure, approval of a revised project scope;
2. City of La Puente (Contract #ML18178), provides \$25,000 to purchase one heavy-duty near-zero emission vehicle, approval of a one-year no-cost term extension;
3. City of Bellflower (Contract #ML12091), provides \$100,000 to install EV charging infrastructure, approval of a six-month no-cost term extension, contingent upon limiting additional future extensions to a maximum of six months; and
4. City of San Fernando (Contract #ML16075), provides \$354,000 to install a Class I Bikeway, approval of a thirty-month no-cost term extension.

### **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 October 28 through December 1, 2021 is attached (*Attachment 1*).

### **Attachment**

October 28 through December 1, 2021 Contracts Administrator's Report

MSRC Agenda Item No. 3

**DATE:** December 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 October 28 to December 1, 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 executed.

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, with the prospective contractor for signature, or executed.

On June 4, 2021, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is undergoing internal review.

**Work Program Status**

Contract Status Reports for work program years with open and/or pending contracts are attached.

***FY 2010-11 Work Program Contracts***

One contract from this work program year is open; and 3 are in “Open/Complete” status, having completed all obligations except operations.

***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 7 are in “Open/Complete” status. 3 contracts closed during this period: City of Fullerton, Contract #ML12015 – Purchase One Heavy-Duty Natural Gas Vehicle and Expand CNG Station; City of Los Angeles, Bureau of Sanitation, Contract #ML12017 – Purchase 32 Heavy-Duty Natural Gas Vehicles; and City of Hemet, Contract #ML12043 – Purchase One Heavy-Duty Natural Gas Vehicle.

***FY 2011-12 Invoices Paid***

No invoices were paid during this period.

***FYs 2012-14 Work Program Contracts***

8 contracts from this work program year are open, and 19 are in “Open/Complete” status. One contract moved into “Open/Complete” status during this period: Hacienda La Puente Unified School District, Contract #MS14083 – Install New Limited Access CNG Station.

***FYs 2012-14 Invoices Paid***

One invoice in the amount of \$104,400.00 was paid during this period.

***FYs 2014-16 Work Program Contracts***

26 contracts from this work program year are open, and 32 are in “Open/Complete” status.

***FYs 2014-16 Invoices Paid***

One invoice in the amount of \$60,000.00 was paid during this period.

***FYs 2016-18 Work Program Contracts***

83 contracts from this work program year are open, and 55 are in “Open/Complete” status. 2 contracts passed into “Open/Complete” status during this period: City of La Canada Flintridge, Contract #ML18138 – Install EV Charging Infrastructure and Bicycle Racks; and City of El Monte, Contract #ML18171 – Procure One Heavy-Duty ZEV and Install EV Charging Infrastructure. One contract was cancelled during this period: City of Malibu, Contract #ML18044 – Install EV Charging Infrastructure. \$50,000 reverted to the AB 2766 Discretionary Fund.

***FYs 2016-18 Invoices Paid***

One invoice in the amount of \$50,000.00 was paid during this period.

***FYs 2018-21 Work Program Contracts***

9 contracts from this work program year are open.

***FYs 2018-21 Invoices Paid***

2 invoices totaling \$4,208.40 were paid during this period.

***Administrative Scope Changes***

One administrative scope change was initiated during the period from October 28 to December 1, 2021:

- City of Santa Monica, Contract #MS16115 (Repower 58 Transit Buses) – Reduce scope to 30 buses and reduce value from \$870,000 to \$450,000

**Attachments**

- FY 2007-08 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

October 28 to December 1, 2021

| Contract Admin.               | MSRC Chair | MSRC Liaison | Finance    | Contract # | Contractor                                     | Invoice # | Amount       |
|-------------------------------|------------|--------------|------------|------------|--|-----------|--------------|
| <i>2012-2014 Work Program</i> |            |              |            |            |  |           |              |
| 11/30/2021                    |            |              |            | ML14097    | County of Los Angeles Internal Services Depart | 21MSRC004 | \$104,400.00 |
| <b>Total: \$104,400.00</b>    |            |              |            |            |  |           |              |
| <i>2014-2016 Work Program</i> |            |              |            |            |  |           |              |
| 10/29/2021                    | 11/3/2021  | 11/5/2021    | 11/12/2021 | ML16038    | City of Palm Springs                           | 649       | \$60,000.00  |
| <b>Total: \$60,000.00</b>     |            |              |            |            |  |           |              |
| <i>2016-2018 Work Program</i> |            |              |            |            |  |           |              |
| 10/29/2021                    | 11/3/2021  | 11/5/2021    | 11/12/2021 | ML18078    | County of Riverside                            | 7         | \$50,000.00  |
| <b>Total: \$50,000.00</b>     |            |              |            |            |  |           |              |
| <i>2018-2021 Work Program</i> |            |              |            |            |  |           |              |
| 11/19/2021                    | 12/9/2021  |              |            | MS21002    | Better World Group Advisors                    | WG-MSRC2  | \$3,835.40   |
| 11/2/2021                     | 11/3/2021  | 11/5/2021    |            | MS21006    | Geographics                                    | 21-22605  | \$373.00     |
| <b>Total: \$4,208.40</b>      |            |              |            |            |  |           |              |

**Total This Period: \$218,608.40**



## FYs 2008-09 Through 2018-21 AB2766 Contract Status Report

12/10/2021

| 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 |
|---------|------------------------------------|------------|------------|-----------|--------------|--------|------------------------------------|--------------|----|

**Total: 1**

**Open/Complete Contracts**

|         |                    |          |          |           |              |              |                                       |        |     |
|---------|--------------------|----------|----------|-----------|--------------|--------------|---------------------------------------|--------|-----|
| ML09036 | City of Long Beach | 5/7/2010 | 5/6/2017 | 11/6/2022 | \$875,000.00 | \$875,000.00 | Purchase 35 Natural Gas Refuse Trucks | \$0.00 | Yes |
|---------|--------------------|----------|----------|-----------|--------------|--------------|---------------------------------------|--------|-----|

**Total: 1**

| Cont.# | Contractor | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description | Award Balance | Billing Complete? |
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|

### **FY 2010-2011 Contracts**

#### **Open Contracts**

|         |                   |          |          |          |              |             |  |              |    |
|---------|-------------------|----------|----------|----------|--------------|-------------|--|--------------|----|
| ML11029 | City of Santa Ana | 9/7/2012 | 3/6/2020 | 3/6/2023 | \$262,500.00 | \$75,000.00 | Expansion of Existing CNG Station, Install N | \$187,500.00 | No |
|---------|-------------------|----------|----------|----------|--------------|-------------|--|--------------|----|

**Total: 1**

#### **Declined/Cancelled Contracts**

|         |                                    |           |           |  |                |        |  |                |    |
|---------|------------------------------------|-----------|-----------|--|----------------|--------|--|----------------|----|
| ML11038 | City of Santa Monica               | 5/18/2012 | 7/17/2018 |  | \$400,000.00   | \$0.00 | Maintenance Facility Modifications           | \$400,000.00   | No |
| MS11013 | Go Natural Gas, Inc.               |           |           |  | \$150,000.00   | \$0.00 | New CNG Station - Huntington Beach           | \$150,000.00   | No |
| MS11014 | Go Natural Gas, Inc.               |           |           |  | \$150,000.00   | \$0.00 | New CNG Station - Santa Ana                  | \$150,000.00   | No |
| MS11015 | Go Natural Gas, Inc.               |           |           |  | \$150,000.00   | \$0.00 | New CNG Station - Inglewood                  | \$150,000.00   | No |
| MS11046 | Luis Castro                        |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11047 | Ivan Borjas                        |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11048 | Phase II Transportation            |           |           |  | \$1,080,000.00 | \$0.00 | Repower 27 Heavy-Duty Vehicles               | \$1,080,000.00 | No |
| MS11049 | Ruben Caceras                      |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11050 | Carlos Arrue                       |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11051 | Francisco Vargas                   |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11053 | Jose Ivan Soltero                  |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11054 | Albino Meza                        |           |           |  | \$40,000.00    | \$0.00 | Repower One Heavy-Duty Vehicle               | \$40,000.00    | No |
| MS11059 | Go Natural Gas                     |           |           |  | \$150,000.00   | \$0.00 | New Public Access CNG Station - Paramou      | \$150,000.00   | No |
| MS11063 | Standard Concrete Products         |           |           |  | \$310,825.00   | \$0.00 | Retrofit Two Off-Road Vehicles under Showc   | \$310,825.00   | No |
| MS11070 | American Honda Motor Company       |           |           |  | \$100,000.00   | \$0.00 | Expansion of Existing CNG Station            | \$100,000.00   | No |
| MS11072 | Trillium USA Company DBA Californi |           |           |  | \$150,000.00   | \$0.00 | New Public Access CNG Station                | \$150,000.00   | No |
| MS11077 | DCL America Inc.                   |           |           |  | \$263,107.00   | \$0.00 | Retrofit of 13 Off-Road Diesel Vehicles with | \$263,107.00   | No |
| MS11083 | Catrac Construction, Inc.          |           |           |  | \$500,000.00   | \$0.00 | Install DECS on Eight Off-Road Vehicles      | \$500,000.00   | No |
| MS11084 | Ivanhoe Energy Services and Develo |           |           |  | \$66,750.00    | \$0.00 | Retrofit One H.D. Off-Road Vehicle Under S   | \$66,750.00    | No |
| MS11088 | Diesel Emission Technologies       |           |           |  | \$32,750.00    | \$0.00 | Retrofit Three H.D. Off-Road Vehicles Under  | \$32,750.00    | No |
| MS11089 | Diesel Emission Technologies       |           |           |  | \$9,750.00     | \$0.00 | Retrofit One H.D. Off-Road Vehicle Under S   | \$9,750.00     | No |
| MS11090 | Diesel Emission Technologies       |           |           |  | \$14,750.00    | \$0.00 | Retrofit One H.D. Off-Road Vehicle Under S   | \$14,750.00    | No |

**Total: 22**

#### **Closed Contracts**

|         |                                     |           |            |           |              |              |  |            |     |
|---------|-------------------------------------|-----------|------------|-----------|--------------|--------------|--|------------|-----|
| ML11007 | Coachella Valley Association of Gov | 7/29/2011 | 7/28/2012  |           | \$250,000.00 | \$249,999.96 | Regional PM10 Street Sweeping Program      | \$0.04     | Yes |
| ML11020 | City of Indio                       | 2/1/2013  | 3/31/2019  | 9/30/2020 | \$15,000.00  | \$9,749.50   | Retrofit one H.D. Vehicles w/DECS, repower | \$5,250.50 | Yes |
| ML11021 | City of Whittier                    | 1/27/2012 | 9/26/2018  | 6/26/2019 | \$210,000.00 | \$210,000.00 | Purchase 7 Nat. Gas H.D. Vehicles          | \$0.00     | Yes |
| ML11022 | City of Anaheim                     | 3/16/2012 | 7/15/2018  |           | \$150,000.00 | \$150,000.00 | Purchase of 5 H.D. Vehicles                | \$0.00     | Yes |
| ML11023 | City of Rancho Cucamonga            | 4/20/2012 | 12/19/2018 | 9/19/2020 | \$260,000.00 | \$260,000.00 | Expand Existing CNG Station, 2 H.D. Vehicl | \$0.00     | Yes |
| 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 |
| 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 |

| Cont.#  | Contractor                            | Start Date | Original End Date | Amended End Date | Contract Value | Remitted       | Project Description                          | Award Balance | Billing Complete? |
|---------|---------------------------------------|------------|-------------------|------------------|----------------|----------------|--|---------------|-------------------|
| ML11027 | City of Los Angeles, Dept. of Genera  | 5/4/2012   | 7/3/2015          | 1/3/2016         | \$300,000.00   | \$300,000.00   | Maintenance Facility Modifications           | \$0.00        | Yes               |
| ML11028 | City of Glendale                      | 1/13/2012  | 5/12/2018         |                  | \$300,000.00   | \$300,000.00   | Purchase 10 H.D. CNG Vehicles                | \$0.00        | Yes               |
| ML11030 | City of Fullerton                     | 2/3/2012   | 3/2/2018          |                  | \$109,200.00   | \$109,200.00   | Purchase 2 Nat. Gas H.D. Vehicles, Retrofit  | \$0.00        | Yes               |
| 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     | \$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               |

| Cont.#  | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                           | Award Balance | Billing Complete? |
|---------|--------------------------------------|------------|-------------------|------------------|----------------|--------------|---|---------------|-------------------|
| MS11062 | Load Center                          | 9/7/2012   | 1/6/2016          | 12/6/2016        | \$175,384.00   | \$169,883.00 | Retrofit Six Off-Road Vehicles under Showc    | \$5,501.00    | Yes               |
| MS11065 | Temecula Valley Unified School Distr | 8/11/2012  | 1/10/2019         |                  | \$50,000.00    | \$48,539.62  | Expansion of Existing CNG Station             | \$1,460.38    | Yes               |
| MS11066 | Torrance Unified School District     | 11/19/2012 | 9/18/2018         |                  | \$42,296.00    | \$42,296.00  | Expansion of Existing CNG Station             | \$0.00        | Yes               |
| MS11067 | City of Redlands                     | 5/24/2012  | 11/23/2018        | 11/23/2019       | \$85,000.00    | \$85,000.00  | Expansion of Existing CNG Station             | \$0.00        | Yes               |
| MS11068 | Ryder System Inc.                    | 7/28/2012  | 10/27/2018        |                  | \$175,000.00   | \$175,000.00 | New Public Access L/CNG Station (Fontana)     | \$0.00        | Yes               |
| MS11069 | Ryder System Inc.                    | 7/28/2012  | 8/27/2018         |                  | \$175,000.00   | \$175,000.00 | New Public Access L/CNG Station (Orange)      | \$0.00        | Yes               |
| MS11071 | City of Torrance Transit Department  | 12/22/2012 | 1/21/2019         | 1/21/2020        | \$175,000.00   | \$175,000.00 | New Limited Access CNG Station                | \$0.00        | Yes               |
| MS11074 | SunLine Transit Agency               | 5/11/2012  | 7/31/2012         |                  | \$41,849.00    | \$22,391.00  | Transit Service for Coachella Valley Festival | \$19,458.00   | Yes               |
| MS11079 | Bear Valley Unified School District  | 2/5/2013   | 10/4/2019         |                  | \$175,000.00   | \$175,000.00 | New Limited Access CNG Station                | \$0.00        | Yes               |
| MS11080 | Southern California Regional Rail Au | 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: 57**

**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              | 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 |
| 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: 3**

| Cont.# | Contractor | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description | Award Balance | Billing Complete? |
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|

### **FY 2011-2012 Contracts**

#### **Open Contracts**

|         |                          |           |            |            |              |             |   |              |    |
|---------|--------------------------|-----------|------------|------------|--------------|-------------|---|--------------|----|
| ML12014 | City of Santa Ana        | 11/8/2013 | 8/7/2020   | 2/7/2022   | \$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 | 12/13/2026 | \$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 Infrastructur | \$60,000.00  | No |
| ML12038 | City of Long Beach Public Works     |           |            |  | \$26,000.00  | \$0.00 | Electric Vehicle Charging Infrastructure     | \$26,000.00  | No |
| ML12040 | City of Duarte                      |           |            |  | \$30,000.00  | \$0.00 | One Heavy-Duty Nat. Gas Vehicle              | \$30,000.00  | No |
| ML12044 | County of San Bernardino Public Wo  |           |            |  | \$250,000.00 | \$0.00 | Install New CNG Station                      | \$250,000.00 | No |
| ML12048 | City of La Palma                    | 1/4/2013  | 11/3/2018  |  | \$20,000.00  | \$0.00 | Two Medium-Duty LPG Vehicles                 | \$20,000.00  | No |
| ML12052 | City of Whittier                    | 3/14/2013 | 7/13/2019  |  | \$165,000.00 | \$0.00 | Expansion of Existing CNG Station            | \$165,000.00 | No |
| ML12053 | City of Mission Viejo               |           |            |  | \$60,000.00  | \$0.00 | EV Charging Infrastructure                   | \$60,000.00  | No |
| MS12007 | WestAir Gases & Equipment           |           |            |  | \$100,000.00 | \$0.00 | Construct New Limited-Acess CNG Station      | \$100,000.00 | No |
| MS12027 | C.V. Ice Company, Inc.              | 5/17/2013 | 11/16/2019 |  | \$75,000.00  | \$0.00 | Purchase 3 Medium-Heavy Duty Vehicles        | \$75,000.00  | No |
| MS12030 | Complete Landscape Care, Inc.       |           |            |  | \$150,000.00 | \$0.00 | Purchase 6 Medium-Heavy Duty Vehicles        | \$150,000.00 | No |
| MS12067 | Leatherwood Construction, Inc.      | 11/8/2013 | 3/7/2017   |  | \$122,719.00 | \$0.00 | Retrofit Six Vehicles w/DECS - Showcase III  | \$122,719.00 | No |
| MS12070 | Valley Music Travel/CID Entertainme |           |            |  | \$99,000.00  | \$0.00 | Implement Shuttle Service to Coachella Mus   | \$99,000.00  | No |

**Total: 12**

#### **Closed Contracts**

|         |                                       |            |            |            |              |              |  |              |     |
|---------|---------------------------------------|------------|------------|------------|--------------|--------------|--|--------------|-----|
| ML12013 | City of Pasadena                      | 10/19/2012 | 3/18/2015  | 9/18/2015  | \$200,000.00 | \$65,065.00  | Electric Vehicle Charging Infrastructure | \$134,935.00 | Yes |
| 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 |
| 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 |
| 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 |
| 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 |

| Cont.#  | Contractor                             | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                         | Award Balance | Billing Complete? |
|---------|--|------------|-------------------|------------------|----------------|--------------|---|---------------|-------------------|
| 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               |
| ML12054 | City of Palm Desert                    | 9/30/2013  | 2/28/2015         |                  | \$77,385.00    | \$77,385.00  | EV Charging Infrastructure                  | \$0.00        | Yes               |
| ML12055 | City of Manhattan Beach                | 3/1/2013   | 12/31/2018        |                  | \$10,000.00    | \$10,000.00  | One Medium-Duty Nat. Gas Vehicle            | \$0.00        | Yes               |
| ML12056 | City of Cathedral City                 | 3/26/2013  | 5/25/2014         |                  | \$25,000.00    | \$25,000.00  | Regional Street Sweeping Program            | \$0.00        | Yes               |
| ML12066 | City of Manhattan Beach                | 1/7/2014   | 4/6/2015          |                  | \$5,900.00     | \$5,900.00   | Electric Vehicle Charging Infrastructure    | \$0.00        | Yes               |
| MS12001 | Los Angeles County MTA                 | 7/1/2012   | 4/30/2013         |                  | \$300,000.00   | \$211,170.00 | Clean Fuel Transit Service to Dodger Stadiu | \$88,830.00   | Yes               |
| MS12002 | Orange County Transportation Autho     | 9/7/2012   | 4/30/2013         |                  | \$342,340.00   | \$333,185.13 | Express Bus Service to Orange County Fair   | \$9,154.87    | Yes               |
| MS12003 | Orange County Transportation Autho     | 7/20/2012  | 2/28/2013         |                  | \$234,669.00   | \$167,665.12 | Implement Metrolink Service to Angel Stadiu | \$67,003.88   | Yes               |
| MS12004 | USA Waste of California, Inc.          | 10/24/2013 | 11/23/2019        |                  | \$175,000.00   | \$175,000.00 | Construct New Limited-Access CNG Station    | \$0.00        | Yes               |
| MS12005 | USA Waste of California, Inc.          | 10/19/2012 | 8/18/2013         |                  | \$75,000.00    | \$75,000.00  | Vehicle Maintenance Facility Modifications  | \$0.00        | Yes               |
| MS12006 | Waste Management Collection & Re       | 10/19/2012 | 8/18/2013         |                  | \$75,000.00    | \$75,000.00  | Vehicle Maintenance Facility Modifications  | \$0.00        | Yes               |
| 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               |
| 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               |
| 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/VS      | 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 Au   | 3/1/2013   | 9/30/2013         |                  | \$57,363.00    | \$47,587.10  | Implement Metrolink Service to Autoclub Sp  | \$9,775.90    | Yes               |

| Cont.#  | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                          | Award Balance | Billing Complete? |
|---------|--------------------------------------|------------|-------------------|------------------|----------------|--------------|--|---------------|-------------------|
| MS12069 | City of Irvine                       | 8/11/2013  | 2/28/2014         |                  | \$45,000.00    | \$26,649.41  | Implement Special Transit Service to Solar   | \$18,350.59   | Yes               |
| MS12071 | Transit Systems Unlimited, Inc.      | 5/17/2013  | 12/16/2018        |                  | \$21,250.00    | \$21,250.00  | Expansion of Existing CNG Station            | \$0.00        | Yes               |
| MS12072 | 99 Cents Only Stores                 | 4/5/2013   | 9/4/2019          |                  | \$100,000.00   | \$100,000.00 | Construct New CNG Station                    | \$0.00        | Yes               |
| MS12073 | FirstCNG, LLC                        | 7/27/2013  | 12/26/2019        |                  | \$150,000.00   | \$150,000.00 | Construct New CNG Station                    | \$0.00        | Yes               |
| MS12074 | Arcadia Unified School District      | 7/5/2013   | 9/4/2019          |                  | \$175,000.00   | \$175,000.00 | Expansion of Existing CNG Infrastructure     | \$0.00        | Yes               |
| MS12076 | City of Ontario, Housing & Municipal | 3/8/2013   | 4/7/2015          |                  | \$75,000.00    | \$75,000.00  | Maintenance Facilities Modification          | \$0.00        | Yes               |
| 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: 65**

**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**

|         |                                      |            |            |           |              |              |   |        |     |
|---------|--------------------------------------|------------|------------|-----------|--------------|--------------|---|--------|-----|
| 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 |
| 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 |
| 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: 7**

| Cont.# | Contractor | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description | Award Balance | Billing Complete? |
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|

### **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   | \$104,400.00   | Electric Vehicle Charging Infrastructure    | \$0.00         | No |
| MS14057 | Los Angeles County MTA               | 11/7/2014 | 10/6/2019  | 10/6/2023 | \$1,250,000.00 | \$0.00         | Implement Various Signal Synchronization P  | \$1,250,000.00 | No |
| MS14059 | Riverside County Transportation Co   | 9/5/2014  | 3/4/2018   | 3/4/2022  | \$1,250,000.00 | \$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 |

**Total: 8**

#### **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 |
| 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 |

| Cont.#  | Contractor                             | Start Date | Original End Date | Amended End Date | Contract Value | Remitted       | Project Description                          | Award Balance | Billing Complete? |
|---------|--|------------|-------------------|------------------|----------------|----------------|--|---------------|-------------------|
| 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               |
| MS14041 | USA Waste of California, Inc.          | 9/4/2015   | 10/3/2021         |                  | \$175,000.00   | \$175,000.00   | Limited-Access CNG Station, Vehicle Maint.   | \$0.00        | Yes               |
| MS14042 | Grand Central Recycling & Transfer     | 6/6/2014   | 9/5/2021          |                  | \$150,000.00   | \$150,000.00   | Expansion of Existing CNG Station            | \$0.00        | Yes               |
| MS14044 | TIMCO CNG Fund I, LLC                  | 5/2/2014   | 11/1/2020         |                  | \$150,000.00   | \$150,000.00   | New Public-Access CNG Station in Santa A     | \$0.00        | Yes               |
| MS14045 | TIMCO CNG Fund I, LLC                  | 6/6/2014   | 12/5/2020         |                  | \$150,000.00   | \$150,000.00   | New Public-Access CNG Station in Inglewoo    | \$0.00        | Yes               |
| MS14047 | Southern California Regional Rail Au   | 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               |
| 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               |
| 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               |
| 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               |
| 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               |

| Cont.#  | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                         | Award Balance | Billing Complete? |
|---------|--------------------------------------|------------|-------------------|------------------|----------------|--------------|---|---------------|-------------------|
| 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 Au | 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               |
| 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: 52**

**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 Infrasa., Bicycle L | \$9,639.37 | Yes |
| ML14033 | City of Irvine                       | 7/11/2014 | 2/10/2021  | 2/10/2022  | \$60,000.00  | \$60,000.00  | Purchase 2 H.D. CNG Vehicles                  | \$0.00     | Yes |
| 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 |
| 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 |
| 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 |
| MS14079 | Waste Resources, Inc.                | 9/14/2016 | 8/13/2022  | 10/13/2024 | \$100,000.00 | \$100,000.00 | New Limited Access CNG Station                | \$0.00     | Yes |
| MS14080 | CR&R Incorporated                    | 6/1/2015  | 8/31/2021  | 8/31/2022  | \$200,000.00 | \$200,000.00 | Expansion of Existing CNG Infrastructure/Ma   | \$0.00     | Yes |
| 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 |
| MS14083 | Hacienda La Puente Unified School    | 7/10/2015 | 3/9/2022   | 6/9/2023   | \$175,000.00 | \$175,000.00 | New Limited Access CNG Station                | \$0.00     | Yes |

**Total: 19**

| Cont.# | Contractor | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description | Award Balance | Billing Complete? |
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|

## FY 2014-2016 Contracts

### Open Contracts

|         |                                     |            |           |            |                |                |  |                |    |
|---------|-------------------------------------|------------|-----------|------------|----------------|----------------|--|----------------|----|
| ML16006 | City of Cathedral City              | 4/27/2016  | 4/26/2022 |            | \$25,000.00    | \$0.00         | Bicycle Outreach                               | \$25,000.00    | No |
| 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 Ex      | \$160,000.00   | No |
| ML16038 | City of Palm Springs                | 4/1/2016   | 7/31/2022 | 9/30/2022  | \$170,000.00   | \$60,000.00    | Install Bicycle Lanes & Purchase 2 Heavy-D     | \$110,000.00   | 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 |
| ML16041 | City of Moreno Valley               | 9/3/2016   | 1/2/2021  | 4/2/2024   | \$20,000.00    | \$20,000.00    | Install EV Charging Infrastructure             | \$0.00         | 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 | 12/25/2026 | \$80,000.00    | \$18,655.00    | Install EV Charging Infrastructure             | \$61,345.00    | 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 |
| 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 |
| 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   | \$826,500.00   | Repower 63 Existing Buses                      | \$118,500.00   | 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: 26**

### Declined/Cancelled Contracts

|         |                                    |           |           |  |                |        |   |                |    |
|---------|------------------------------------|-----------|-----------|--|----------------|--------|---|----------------|----|
| ML16014 | City of Dana Point                 |           |           |  | \$153,818.00   | \$0.00 | Extend an Existing Class 1 Bikeway          | \$153,818.00   | No |
| ML16065 | City of Temple City                |           |           |  | \$500,000.00   | \$0.00 | Implement a "Complete Streets" Pedestrian   | \$500,000.00   | No |
| ML16067 | City of South El Monte             |           |           |  | \$73,329.00    | \$0.00 | Implement an "Open Streets" Event           | \$73,329.00    | No |
| ML16074 | City of La Verne                   | 7/22/2016 | 1/21/2023 |  | \$365,000.00   | \$0.00 | Install CNG Fueling Station                 | \$365,000.00   | No |
| MS16043 | LBA Realty Company LLC             |           |           |  | \$100,000.00   | \$0.00 | Install Limited-Access CNG Station          | \$100,000.00   | No |
| MS16080 | Riverside County Transportation Co |           |           |  | \$1,200,000.00 | \$0.00 | Passenger Rail Service for Coachella and St | \$1,200,000.00 | No |

| Cont.#  | Contractor                            | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description                         | Award Balance | Billing Complete? |
|---------|---------------------------------------|------------|-------------------|------------------|----------------|----------|---|---------------|-------------------|
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |

| Cont.#  | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted       | Project Description                           | Award Balance | Billing Complete? |
|---------|--------------------------------------|------------|-------------------|------------------|----------------|----------------|---|---------------|-------------------|
| 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 Au | 3/11/2016  | 9/30/2016         |                  | \$78,033.00    | \$64,285.44    | Special MetroLink Service to Autoclub Spee    | \$13,747.56   | Yes               |
| MS16086 | San Bernardino County Transportatio  | 9/3/2016   | 10/2/2021         |                  | \$800,625.00   | \$653,998.86   | Freeway Service Patrols                       | \$146,626.14  | No                |
| MS16089 | Orange County Transportation Autho   | 7/8/2016   | 4/30/2017         |                  | \$128,500.00   | \$128,500.00   | Implement Special Bus Service to Angel Sta    | \$0.00        | Yes               |
| MS16092 | San Bernardino County Transportatio  | 2/3/2017   | 1/2/2019          |                  | \$242,937.00   | \$242,016.53   | Implement a Series of "Open Streets" Event    | \$920.47      | Yes               |
| MS16093 | Orange County Transportation Autho   | 9/3/2016   | 3/2/2018          | 9/2/2018         | \$1,553,657.00 | \$1,499,575.85 | Implement a Mobile Ticketing System           | \$54,081.15   | Yes               |
| MS16095 | Orange County Transportation Autho   | 7/22/2016  | 5/31/2017         |                  | \$694,645.00   | \$672,864.35   | Implement Special Bus Service to Orange C     | \$21,780.65   | Yes               |
| 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        | 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 Au | 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: 50**

**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  |
| 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  |
| 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               |
| 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               |
| ML16040 | City of Eastvale                      | 1/6/2017   | 7/5/2022          | 7/5/2026         | \$110,000.00   | \$53,908.85    | Install EV Charging Infrastructure         | \$56,091.15   | 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                |
| 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               |
| 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: 31**

| Cont.#                        | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                             | Award Balance | Billing Complete? |
|-------------------------------|--------------------------------------|------------|-------------------|------------------|----------------|--------------|---|---------------|-------------------|
| <b>FY 2016-2018 Contracts</b> |                                      |            |                   |                  |                |              |   |               |                   |
| <b>Open Contracts</b>         |                                      |            |                   |                  |                |              |   |               |                   |
| ML18020                       | City of Colton                       | 5/3/2018   | 4/2/2024          |                  | \$67,881.00    | \$35,667.00  | Purchase One Medium-Duty and One Heavy          | \$32,214.00   | No                |
| 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                |
| ML18036                       | City of Indian Wells                 | 8/8/2018   | 5/7/2023          | 5/7/2025         | \$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         | 12/6/2024        | \$87,990.00    | \$0.00       | Install EV Charging Infrastructure              | \$87,990.00   | 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        |                  | \$91,500.00    | \$30,000.00  | Purchase 6 Light-Duty ZEVs, Install EVSE a      | \$61,500.00   | 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                   | 11/29/2018 | 11/28/2026        |                  | \$622,220.00   | \$158,411.59 | Install EV Charging Stations                    | \$463,808.41  | 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         | 7/6/2025         | \$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   | \$300,000.00 | Purchase 15 Heavy-Duty Vehicles                 | \$75,000.00   | 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                |
| 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                |
| ML18091                       | City of Temecula                     | 1/19/2019  | 7/18/2023         |                  | \$141,000.00   | \$0.00       | Install Sixteen EV Charging Stations            | \$141,000.00  | No                |
| ML18092                       | City of South Pasadena               | 2/1/2019   | 1/31/2025         | 4/30/2027        | \$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                |

| Cont.#  | Contractor                           | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                         | Award Balance  | Billing Complete? |
|---------|--------------------------------------|------------|-------------------|------------------|----------------|--------------|---|----------------|-------------------|
| 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         | 10/30/2024       | \$137,310.00   | \$0.00       | Install Twenty EV Charging Stations         | \$137,310.00   | No                |
| ML18129 | City of Yucaipa                      | 12/14/2018 | 3/13/2023         |                  | \$63,097.00    | \$0.00       | Install Six EV Charging Stations            | \$63,097.00    | No                |
| 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                |
| ML18141 | City of Rolling Hills Estates        | 2/14/2020  | 1/13/2024         | 1/13/2025        | \$40,000.00    | \$0.00       | Purchase One Light-Duty ZEV and Install T   | \$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 Emis     | \$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 Emis      | \$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                |
| ML18172 | City of Huntington Park              | 3/1/2019   | 2/28/2025         |                  | \$65,450.00    | \$0.00       | Purchase One Heavy-Duty ZEV                 | \$65,450.00    | No                |
| ML18174 | City of Bell                         | 11/22/2019 | 7/21/2026         |                  | \$25,000.00    | \$0.00       | Purchase One Heavy-Duty ZEV                 | \$25,000.00    | No                |
| ML18177 | City of San Bernardino               | 6/7/2019   | 12/6/2026         |                  | \$279,088.00   | \$0.00       | Purchase Medium- and Heavy-Duty Evs and     | \$279,088.00   | No                |
| ML18178 | City of La Puente                    | 11/1/2019  | 11/30/2025        | 11/30/2026       | \$25,000.00    | \$0.00       | Purchase One Heavy-Duty Near-Zero Emis      | \$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                |
| 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   | \$318,135.96 | Weekend Freeway Service Patrols             | \$181,864.04   | No                |
| MS18024 | Riverside County Transportation Co   | 6/28/2018  | 8/27/2021         | 8/27/2023        | \$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                |

| Cont.#  | Contractor                             | Start Date | Original End Date | Amended End Date | Contract Value | Remitted       | Project Description                          | Award Balance  | Billing Complete? |
|---------|--|------------|-------------------|------------------|----------------|----------------|--|----------------|-------------------|
| MS18065 | San Bernardino County Transportatio    | 3/29/2019  | 8/28/2023         |                  | \$2,000,000.00 | \$2,000,000.00 | Implement Metrolink Line Fare Discount Pro   | \$0.00         | No                |
| MS18073 | Los Angeles County MTA                 | 1/10/2019  | 2/9/2026          |                  | \$2,000,000.00 | \$2,000,000.00 | Purchase 40 Zero-Emission Transit Buses      | \$0.00         | No                |
| MS18104 | Orange County Transportation Autho     | 2/21/2020  | 3/31/2021         | 3/31/2022        | \$212,000.00   | \$165,235.92   | Implement College Pass Transit Fare Subsi    | \$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                |
| 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         | 3/31/2027        | \$200,000.00   | \$0.00         | Install New Limited Access CNG Infrastructur | \$200,000.00   | No                |
| MS18175 | Regents of the University of Californi | 6/7/2019   | 8/6/2025          | 8/6/2026         | \$1,000,000.00 | \$0.00         | Expansion of Existing Hydrogen Station       | \$1,000,000.00 | No                |

**Total: 83**

#### Pending Execution Contracts

|         |                                     |  |  |  |                |        |  |                |    |
|---------|-------------------------------------|--|--|--|----------------|--------|--|----------------|----|
| ML18148 | City of San Dimas                   |  |  |  | \$50,000.00    | \$0.00 | Implement Bicycle Detection Measures         | \$50,000.00    | No |
| MS18180 | Omnitrans                           |  |  |  | \$83,000.00    | \$0.00 | Modify Vehicle Maintenance Facility and Trai | \$83,000.00    | No |
| MS18181 | San Bernardino County Transportatio |  |  |  | \$1,662,000.00 | \$0.00 | Construct Hydrogen Fueling Station           | \$1,662,000.00 | No |
| MS18182 | Air Products and Chemicals Inc.     |  |  |  | \$1,000,000.00 | \$0.00 | Install Publicly Accessible Hydrogen Fueling | \$1,000,000.00 | No |
| MS18183 | Nikola Energy, Inc.                 |  |  |  | \$1,660,000.00 | \$0.00 | Install Publicly Accessible Hydrogen Fueling | \$1,660,000.00 | No |
| MS18184 | Clean Energy                        |  |  |  | \$1,000,000.00 | \$0.00 | Install Publicly Accessible Hydrogen Fueling | \$1,000,000.00 | No |

**Total: 6**

#### Declined/Cancelled Contracts

|         |                                     |            |            |           |                |        |  |                |    |
|---------|-------------------------------------|------------|------------|-----------|----------------|--------|--|----------------|----|
| 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 |
| 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 |
| 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 Distric |            |            |           | \$175,000.00   | \$0.00 | Expansion of Existing CNG Infrastructure     | \$175,000.00   | No |

| Cont.#  | Contractor                      | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description                         | Award Balance | Billing Complete? |
|---------|---------------------------------|------------|-------------------|------------------|----------------|----------|---|---------------|-------------------|
| 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: 19**

#### 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 |
| ML18088 | City of Big Bear Lake                  | 11/29/2018 | 8/28/2020 | 8/28/2021  | \$50,000.00    | \$50,000.00    | Install Bicycle Trail                          | \$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 |
| ML18139 | City of Calimesa                       | 8/30/2019  | 7/29/2020 | 11/29/2021 | \$50,000.00    | \$50,000.00    | Install Bicycle Lane                           | \$0.00       | No  |
| 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 |
| 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   | 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 Au   | 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 Au   | 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 Au   | 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 Au   | 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: 18**

#### 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 |
| 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 |
| ML18034 | City of Calabasas        | 6/8/2018  | 3/7/2022  | 3/7/2023 | \$50,000.00 | \$50,000.00 | Install EVSE                          | \$0.00     | No  |
| ML18035 | City of Westlake Village | 8/8/2018  | 11/7/2022 |          | \$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? |
|---------|---------------------------------------|------------|-------------------|------------------|----------------|--------------|--|---------------|-------------------|
| 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 Emiss      | \$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               |
| ML18090 | City of Santa Clarita                 | 5/9/2019   | 2/8/2023          | 2/8/2024         | \$122,000.00   | \$118,978.52 | Install Nine EV Charging Stations            | \$3,021.48    | 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               |
| 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                |
| ML18130 | City of Lake Forest                   | 3/1/2019   | 9/30/2022         |                  | \$106,480.00   | \$106,480.00 | Install Twenty-One EVSEs                     | \$0.00        | No                |
| ML18131 | City of Los Angeles, Police Departm   | 5/3/2019   | 12/2/2022         |                  | \$19,294.00    | \$19,294.00  | Purchase Three Light-Duty ZEVs               | \$0.00        | Yes               |
| 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                |
| 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               |

| Cont.#  | Contractor                            | Start Date | Original End Date | Amended End Date | Contract Value | Remitted     | Project Description                         | Award Balance | Billing Complete? |
|---------|---------------------------------------|------------|-------------------|------------------|----------------|--------------|---|---------------|-------------------|
| 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               |
| 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                |
| 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               |
| 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                |
| 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               |
| 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                |
| 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: 55**

| Cont.# | Contractor | Start Date | Original End Date | Amended End Date | Contract Value | Remitted | Project Description | Award Balance | Billing Complete? |
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|
|--------|------------|------------|-------------------|------------------|----------------|----------|---------------------|---------------|-------------------|

### FY 2018-2021 Contracts

#### Open Contracts

|         |                                      |           |            |  |                |              |   |                |    |
|---------|--------------------------------------|-----------|------------|--|----------------|--------------|---|----------------|----|
| MS21002 | Better World Group Advisors          | 11/1/2019 | 12/31/2022 |  | \$265,079.00   | \$110,532.90 | Programmatic Outreach Services              | \$154,546.10   | 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    | \$1,915.00   | Hosting & Maintenance of the MSRC Websit    | \$11,037.00    | No |
| MS21010 | MHX, LLC                             | 9/29/2021 | 1/28/2028  |  | \$569,275.00   | \$0.00       | Deploy One Zero-Emission Overhead Crane     | \$569,275.00   | 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 |
| MS21015 | Premium Transportation Services, In  | 9/22/2021 | 5/21/2027  |  | \$1,500,000.00 | \$0.00       | Deploy up to 15 Near-Zero Emissions Truck   | \$1,500,000.00 | No |
| MS21017 | MHX, LLC                             | 9/29/2021 | 9/28/2030  |  | \$1,900,000.00 | \$0.00       | Deploy up to 10 Zero-Emission Trucks & Infr | \$1,900,000.00 | 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: 9**

#### 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  |  |  |  | \$1,686,900.00 | \$0.00 | Deploy 12 Zero-Emission Yard Tractors       | \$1,686,900.00 | 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 |
| MS21016 | Ryder Integrated Logistics, Inc.   |  |  |  | \$3,169,746.00 | \$0.00 | Procure Two Integrated Power Centers and    | \$3,169,746.00 | No |
| MS21019 | Volvo Financial Services           |  |  |  | \$3,930,270.00 | \$0.00 | Lease up to 14 Zero-Emission Trucks and P   | \$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 |
| MS21023 | BNSF Railway Company               |  |  |  | \$1,313,100.00 | \$0.00 | Install EV Charging Infrastructure          | \$1,313,100.00 | No |

**Total: 11**

#### 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 |
|---------|----------------|--|--|--|----------------|--------|---|----------------|----|

**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 Dodge | \$863,077.13 | Yes |
| 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 | Yes |

**Total: 2**

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 20

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on December 9, 2021. The following is a summary of the meeting.

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 December 9, 2021 via a web-based videoconferencing service. The key items presented are summarized below.

### **DISCUSSION ITEMS**

#### **21-13-2: Public Hearing to Consider Proposed Amendments to the Small Off-Road Engine Regulations: Transition to Zero Emissions**

The Board adopted amendments to the Small Off-Road Engine (SORE) regulation. The SORE regulation applies to spark-ignition engines with rated power at or below 19 kilowatts (25.5 horsepower) predominantly used in lawn and garden equipment such as lawn mowers, string trimmers, and leaf blowers, as well as in other small off-road equipment such as portable generators, pressure washers, and air compressors. In California, the relative contribution of smog-forming emissions from SORE is increasing and already surpasses the emissions from light-duty passenger cars. By 2031, emissions from SORE are projected to be nearly twice the emissions of passenger cars. The amendments to the SORE regulation will accelerate the transition of SORE to zero emissions. Starting in model year 2024, the SORE regulation will set evaporative and exhaust emission standards to zero for new SORE except for portable generators and large pressure washers which will have additional time for complying with zero

emissions requirements. These specialized pieces of equipment will be required to meet more stringent standards in 2024 and then zero-emission standards starting in 2028. Deployment of zero-emission SORE is key to meeting several air quality and greenhouse gas emission reduction goals in California. Specifically, the SORE regulation is critical to meeting the goals of the 2016 State Implementation Plan Strategy, the California Executive Order N-79-20 that requires the transition of off-road vehicles and equipment to 100 percent zero-emission by 2035 where feasible, and to meet the requirement of California Assembly Bill (AB) 1346 (Chapter 753, Stats. of 2021) to adopt cost-effective and technologically feasible regulations by July 1, 2022 prohibiting engine exhaust and evaporative emissions from new small off-road engines. The SORE regulation will provide significant health benefits for Californians by reducing premature deaths, hospital visits for cardiovascular and respiratory illnesses, and emergency room visits for asthma, especially in sensitive groups including children, the elderly, and people with chronic heart or lung disease. The regulation will also provide benefits for disadvantaged communities since many of the users of commercial SORE in California, who have chronic levels of exposure to SORE exhaust, come from underserved and minority communities.

**South Coast AQMD Staff Comments/Testimony:** Staff provided testimony in support of the proposed amendments, noting that the SORE source category contributes substantial VOC emission reductions to our air basin and that these emission reductions will help to attain federal ozone standards. Staff further pointed out that both the NO<sub>x</sub> and VOC reductions expected from the regulation will help meet Clean Air Act Reasonable Further Progress (RFP) requirements. VOCs associated with the SORE course category contain toxic air species and reducing these emissions will have important public health benefits.

### **21-13-3: Public Hearing to Consider the Proposed Heavy-Duty Inspection and Maintenance Program**

The Board adopted the Proposed Heavy-Duty Inspection and Maintenance Regulation (HD I&M Regulation). In California, nongasoline on-road heavy-duty (HD) vehicles with a gross vehicle weight rating greater than 14,000 pounds are responsible for over 50 percent of the on-road ozone and fine particulate matter precursor emissions, even though HD vehicles only represent about 3 percent of total on-road vehicles. Senate Bill (SB) 210 (Leyva, Chapter 5.5, Statutes of 2019) directed CARB to develop the HD I&M Regulation to control emissions more effectively from HD vehicles operating in California. The HD I&M Regulation will require owners of HD vehicles to periodically demonstrate their vehicles' emissions control systems are properly functioning to better ensure that emissions control systems on HD vehicles are operating as designed or are repaired in a timely manner when they malfunction. The HD I&M Regulation will roll out a statewide network of roadside emission monitors to screen for high emitting trucks, starting in the San Joaquin Valley and South Coast then expanding to the rest of

the state. The HD I&M Regulation will ensure HD vehicles operate with low emissions throughout their useful lives to achieve equitable clean air for all Californians, with the greatest benefits in major populated regions and economically disadvantaged communities near heavy trucking traffic areas.

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**Attachment**

CARB December 9, 2021 Meeting Agenda



Revised 12/03/2021

# Public Meeting Agenda

**Thursday, December 9, 2021**

In accordance with recently enacted legislation, [Assembly Bill 361](#) (Chapter 165, Stats. of 2021) the December 9, 2021, meeting of the California Air Resources Board will not have a physical location open to the public. It will be a remote-only meeting conducted 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: 859 6297 1011

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](#)

Spanish and Punjabi interpretation will be provided for the December 9, 2021, Board Meeting.

[Agenda de la Reunión Pública](#)

[¿Cómo participar en la Reunión Remota del Consejo?](#)

[ਜਨਤਕ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ](#)

[ਰਿਮੋਟ ਬੋਰਡ ਮੀਟਿੰਗ ਵਿੱਚ ਕਿਵੇਂ ਭਾਗ ਲੈਣਾ ਹੈ](#)

**Thursday, December 9, 2021 @ 9:00 a.m.**

## Discussion Items:

***\*\*The following change was made to the agenda.***

**21-13-1: Public Meeting to Consider the Proposed South Coast PM2.5 Redesignation Request and Maintenance Plan**

***\*\*This item has been removed from the agenda.***

## 21-13-2: Public Hearing to Consider Proposed Amendments to the Small Off-Road Engine Regulations: Transition to Zero Emissions

The Board will consider the proposal to amend regulations and certification and test procedures for small off-road engines (SORE). The amendments are necessary to accelerate the transition of SORE to zero emissions to reduce emissions. Deployment of zero-emission equipment is key to meeting the expected emission reductions in the 2016 State Implementation Plan Strategy and the goals of California Executive Order N-79-20.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

## 21-13-3: Public Hearing to Consider the Proposed Heavy-Duty Inspection and Maintenance Regulation

The Board will consider the adoption of the Proposed Heavy-Duty Inspection and Maintenance Regulation. This new regulation requires owners of non-gasoline heavy-duty vehicles with gross vehicle weight ratings over 14,000 pounds to periodically demonstrate that their vehicles' emissions control systems are properly functioning in order to legally operate within the state. This regulation is designed to achieve criteria emissions reductions by ensuring that malfunctioning emissions control systems are timely repaired. This proposed regulation would replace the California Air Resources Board's existing heavy-duty vehicle inspection programs.

- [More Information](#)
- [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.* (D.C. Cir. 2021) 985 F.3d 914, cert. granted sub nom. *Westmoreland Mining Holdings v. EPA* (U.S., Oct. 29, 2021, No. 20-1778).

*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).

*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.*, 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: January 7, 2022

AGENDA NO. 22

**PROPOSAL:** Determine That Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, Are Exempt from CEQA and Amend Rule 1135 and Adopt Rule 429.2

**SYNOPSIS:** Rule 1135 reduces NOx emissions from combustion equipment at electricity generating facilities. Proposed Amended Rule 1135 will remove ammonia limits which will be addressed during permitting, revise requirements for diesel internal combustion engines on Santa Catalina Island, update provisions for Continuous Emission Monitoring Systems, and reference Proposed Rule 429.2 for startup and shutdown requirements. Proposed Rule 429.2 will provide an exemption from Rule 1135 NOx concentration limits during startup and shutdown events for specified durations with provisions for best management practices and recordkeeping.

**COMMITTEE:** Stationary Source, November 19, 2021, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, are exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Adopting Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities.

Wayne Natri  
Executive Officer

## **Background**

Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, (Rule 1135) was adopted in 1989 and last amended in November 2018 and applies to RECLAIM NO<sub>x</sub>, former RECLAIM NO<sub>x</sub>, and non-RECLAIM NO<sub>x</sub> electricity generating facilities that are investor-owned electric utilities, publicly owned electric utilities, or have a generation capacity of at least 50 megawatts of electrical power. Rule 1135 establishes NO<sub>x</sub> emission limits based on a Best Available Retrofit Control Technology (BARCT) assessment and implementation timeframes for electric generating units, provisions for monitoring reporting, and recordkeeping and exemptions from specific provisions.

Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, (PAR 1135) is needed for consistency with policy changes implemented since the 2018 amendment regarding ammonia emissions, startup and shutdown requirements, and Continuous Emission Monitoring Systems (CEMS) requirements. Initially, rulemaking for engine replacements at Santa Catalina Island focused on the averaging time for the new diesel engine replacements. Discussion of the diesel engine replacements raised concerns about the continued use of diesel engines and the feasibility of near-zero and zero-emission technologies at Santa Catalina Island. As a result, PAR 1135 includes an approach that no longer allows the replacement of diesel engines and focuses on a pathway towards near-zero and zero-emission technologies. Revisions to requirements for electric generating units will address stakeholder concerns regarding use of diesel internal combustion engines if near-zero or zero-emission technologies are feasible on Santa Catalina Island. Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities, (PR 429.2) is needed to regulate startup and shutdown events pursuant to the 2015 U.S. EPA policy for startup, shutdown, and malfunction events.

## **Public Process**

Development of PAR 1135 and PR 429.2 was conducted through a public process. Two working group meetings were held on May 28, 2021 and September 15, 2021. A public workshop was held on October 27, 2021. Additionally, staff met individually with several facility operators and interested stakeholders.

## **Proposed Amendments**

PAR 1135 removes the ammonia emission limits which will be addressed during permitting and moves all startup and shutdown requirements to PR 429.2. Additionally, PAR 1135 aligns monitoring, recordkeeping and reporting provisions with recently adopted and amended Rule 218-series rules and allows time for backup units to comply with the Rule 218-series rules. To address concerns raised regarding whether near-zero or zero-emission technologies could be implemented, PAR 1135 removes the compliance option that would allow replacement of existing diesel engines with new diesel engines and incorporates a two-step process. The first step establishes an initial NO<sub>x</sub> emission cap of 50 tons per year in 2024 from all electric generating units then

lowers the cap to 45 tons per year in 2025. This allows the owner or operator to replace two, possibly three engines with Tier 4 Final engines. A provision was added for engine replacements to change the averaging time from one hour to three hours, with no change in the NOx concentration limit. The second step is a NOx emission cap of 13 tons per year for all electric generating units beginning in 2026, which is the same provision that was included in the 2018 amendment. The adoption Resolution includes a commitment to re-initiate rulemaking in the first quarter of 2022 to further discuss the provisions of the second step and to allow time to do a more detailed technology assessment with a focus on zero-emission and near-zero emission technologies. This approach provides the opportunity to evaluate the best approach to maximize NOx reductions from power generation for Santa Catalina Island, and to reduce and possibly eliminate the use of diesel internal combustion engines.

PR 429.2 exempts electric generating units from Rule 1135 NOx concentration limits during startup and shutdown events for specified durations, limits the number of scheduled startup events, and establishes best management practices during startup and shutdown events.

### **Emission Reductions**

Implementation of PAR 1135 and PR 429.2 will not impact the emission inventory or emission reductions.

### **Remaining Key Issues**

Throughout the rulemaking process, staff has worked with stakeholders to address and resolve issues; including removing the option to replace all diesel engines at Santa Catalina Island and a commitment in the Resolution to initiate rulemaking for Rule 1135 in the first quarter of this year to further evaluate near-zero or zero-emission technologies for Santa Catalina Island.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment I to this Board letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notice/ceqa-notice/notice-of-exemption/noe---year-2022>.

### **Socioeconomic Analysis**

There are 133 electric generating units located at 32 electricity generating facilities that are potentially impacted by PAR 1135 and PR 429.2. PAR 1135 and PR 429.2 do not impose any additional costs to the affected facilities and do not result in any adverse socioeconomic impacts. Revisions to the requirements for diesel engines on Santa Catalina Island still allow the owner or operator to partially replace engines with Tier 4 Final engines to meet the initial NOx emission caps proposed by 2024 and 2025. Moreover, the proposed revisions retain the provision of meeting an annual 13 ton NOx emission cap by 2026, which was included in the 2018 amendment. Staff will assess the costs and associated socioeconomic impacts to the affected facility on Santa Catalina Island when rule development for Rule 1135 is initiated to revisit the 13 ton annual NOx emission cap provision and further evaluate zero-emission and near-zero emission technologies.

### **AQMP and Legal Mandates**

Pursuant to Health and 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. PAR 1135 and PR 429.2 are part of a control measure (CMB-05) in the 2016 AQMP and will reduce NOx emissions and facilitate the transition of the NOx RECLAIM program to a command-and-control regulatory structure.

### **Implementation and Resource Impacts**

Existing staff resources are adequate to implement the proposed amendments.

### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1135
- G. Proposed Rule 429.2
- H. Final Staff Report with Socioeconomic Impact Assessment
- I. Notice of Exemption from CEQA
- J. Board Meeting Presentation

## ATTACHMENT A

### SUMMARY OF PROPOSAL

#### **Proposed Amended Rule 1135 Emissions of Oxides of Nitrogen from Electricity Generating Facilities**

##### Emissions Limits

- Removes ammonia emission limits
- Removes startup and shutdown provisions that will be addressed in Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities

##### Engines at Santa Catalina Island

- Removes option allowing replacement of existing diesel engines on Santa Catalina Island with new diesel engines and establishes a two-step process to reduce NOx emissions from all electric generating units on the island as follows:
  1. Meet an initial NOx emission cap of 50 tons per year in 2024, then lower the cap to 45 tons per year in 2025 (Represents replacing two or three diesel engines with Tier 4 Final engines); and
  2. Meet a final NOx emission cap of 13 tons per year beginning in 2026
- New diesel engines to meet the BARCT emissions limits in Table 2
- Revises the NOx concentration averaging period for new diesel engines from one hour to three hours
- Prohibits installation of any new diesel engines on Santa Catalina Island on and after January 1, 2024

##### Monitoring, Recordkeeping, and Reporting

- Adds 218.2 – Continuous Emission Monitoring System: General Provisions and 218.3 – Continuous Emission Monitoring System: Performance Specification for former RECLAIM and non-RECLAIM facilities
- Allows backup units until July 1, 2026 to source test in lieu of complying with Rules 218.2 and 218.3

##### Exemptions

- Adds a sunset date of December 31, 2029 for electric generating units subject to the State Water Resources Control Board's Once-Through-Cooling Policy to be exempt from Rule 1135 emission limits

**Proposed Rule 429.2**  
**Startup and Shutdown Exemption Provisions for Oxides of Nitrogen**  
**from Electricity Generating Facilities**

Applicability

- Applies to electric generating units subject to Rule 1135

Requirements

- Exempts electric generating units from Rule 1135 NO<sub>x</sub> concentration limits during startup and shutdown events for specific time durations
- Establishes two sets of startup and shutdown time duration limits for each equipment type based on the date of equipment installation
- Requires startup period to end once the electric generating unit reaches stable conditions, NO<sub>x</sub> post-combustion control equipment reaches minimum operating temperature, and all NO<sub>x</sub> post-combustion controls are fully deployed
- Limits the number of scheduled startups to 12 events per year for electric generating units not permitted to perform distillate fuel oil readiness testing and 64 events per year for electric generating units permitted to perform distillate fuel oil readiness testing
- Includes best management practices to minimize emissions during startup and shutdown events

Recordkeeping and Reporting

- Maintain records of time, date, and duration for each startup and shutdown, reason and any date and time changes for each scheduled startup, and NO<sub>x</sub> emission data during each startup and shutdown
- Maintain on-site documentation of minimum operating temperature of NO<sub>x</sub> post-combustion control equipment unless already specified in permit

Exemptions

- Until December 31, 2029, exempts electric generating units subject to the State Water Resources Control Board's Once-Through-Cooling Policy (OTC Policy) from startup and shutdown duration limits, limits to number of scheduled startups, and installation of a temperature measuring device

**ATTACHMENT B**

**KEY ISSUES AND RESPONSES**

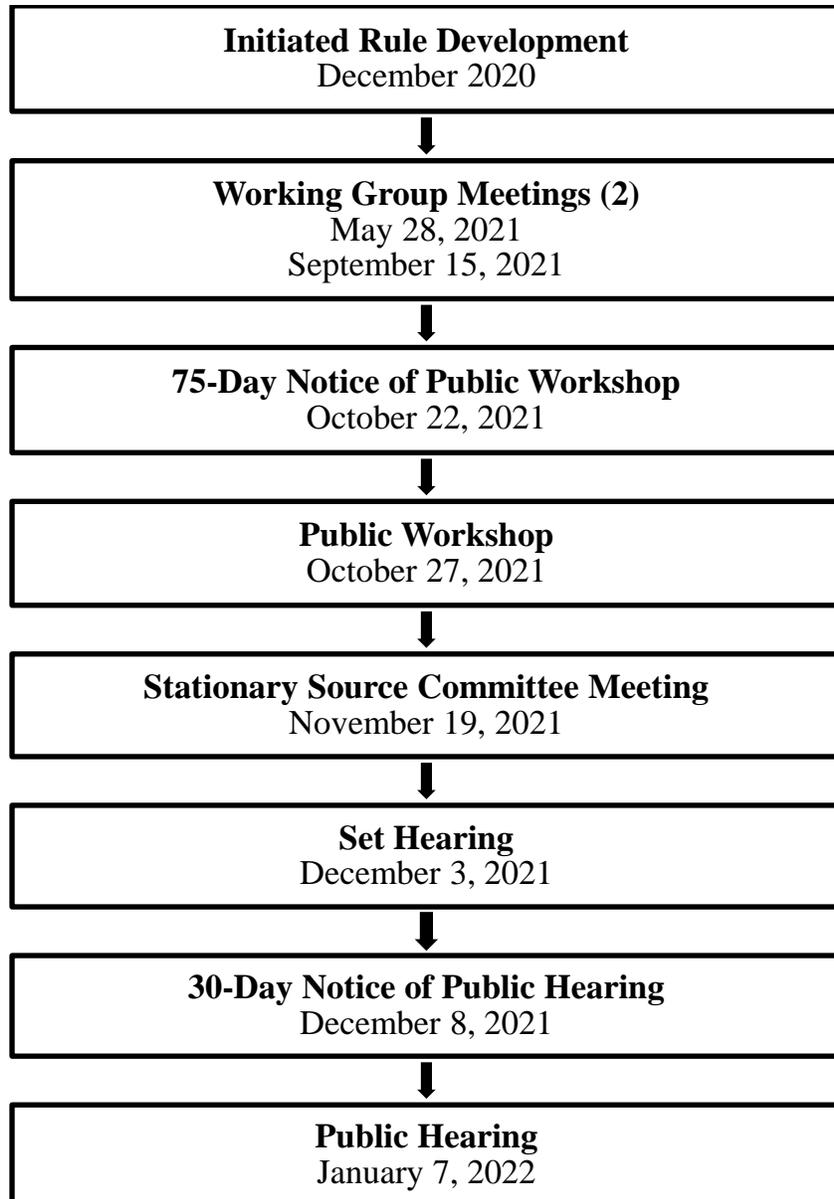
**Proposed Amended Rule 1135  
Emissions of Oxides of Nitrogen from Electricity Generating Facilities**

**Proposed Rule 429.2  
Startup and Shutdown Exemption Provisions for Oxides of Nitrogen  
from Electricity Generating Facilities**

Staff has worked with stakeholders to resolve all issues. Staff is not aware of any remaining key issues.

**ATTACHMENT C**  
**RULE DEVELOPMENT PROCESS**

**Proposed Amended Rule 1135**  
**Emissions of Oxides of Nitrogen from Electricity Generating Facilities**  
**Proposed Rule 429.2**  
**Startup and Shutdown Exemption Provisions for Oxides of Nitrogen**  
**from Electricity Generating Facilities**



**Thirteen (13) months spent in rule development**  
**One (1) Public Workshop**  
**One (1) Stationary Source Committee Meeting**  
**Two (2) Working Group Meetings**

**ATTACHMENT D**  
**KEY CONTACTS LIST**

**Proposed Amended Rule 1135**  
**Emissions of Oxides of Nitrogen from Electricity Generating Facilities**

**Proposed Rule 429.2**  
**Startup and Shutdown Exemption Provisions for Oxides of Nitrogen**  
**from Electricity Generating Facilities**

|  |  |
|--|--|
| AES Corporation                                | Los Angeles Department of Water & Power                                |
| Burbank Water and Power                        | Montrose Environmental Solutions                                       |
| California Air Resources Board                 | National Fuel Cell Research Center at University of California, Irvine |
| California Public Utilities Commission         | NRG Energy   |
| California State Water Resources Control Board | Pasadena Water and Power   |
| City of Glendale                               | Riverside Public Utilities   |
| Community Environmental Services               | Southern California Edison   |
| Doosan Fuel Cell America                       | U.S. Environmental Protection Agency                                   |
| Environmental Management Professionals         | Vernon Public Utilities  |
| FuelCell Energy                                |  |

**ATTACHMENT E**

**RESOLUTION NO. 22-\_\_\_\_**

**A Resolution of South Coast Air Quality Management District (South Coast AQMD) Governing Board determining that Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities (Proposed Amended Rule 1135) and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities (Proposed Rule 429.2) are exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board amending Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and adopting Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1135 and Proposed Rule 429.2 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 Proposed Amended Rule 1135 and Proposed Rule 429.2 pursuant to such program (South Coast AQMD Rule 110); and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that Proposed Amended Rule 1135 and Proposed Rule 429.2 are exempt from CEQA; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that, it can be seen with certainty that there is no possibility that Proposed Amended Rule 1135 and Proposed Rule 429.2 may have any significant adverse effects on the environment, and are therefore exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

**WHEREAS**, the South Coast AQMD staff has prepared a Notice of Exemption for Proposed Amended Rule 1135 and Proposed Rule 429.2 that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

**WHEREAS**, Proposed Amended Rule 1135, Proposed Rule 429.2, and supporting documentation, including but not limited to, the Notice of Exemption, the Board Letter, and the Final Staff Report, 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 proposed project; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (codified as Section 30.5(4)(D)(i) of the Administrative Code), that the modification made to Proposed Amended Rule 1135 since the Notice of Public Hearing was published is a clarification that meets the same air quality objective and is not so substantial as to significantly affect the meaning of the proposed amended rule within the meaning of Health and Safety Code Section 40726 because the change to subparagraph (d)(4)(A) corrects a reference and: (a) the change does not impact emission reductions, (b) the change does not affect the number or type of sources regulated by the rule, (c) the change is not inconsistent 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**, 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 429.2 since the Notice of Public Hearing was published; and

**WHEREAS**, Proposed Amended Rule 1135 and Proposed Rule 429.2 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 1135 to revise the requirements for diesel internal combustion engines, update provisions, and provide other clarifications; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that a need exists to adopt Rule 429.2 to regulate startup and shutdown events pursuant to the U.S. EPA Startup, Shutdown, and Malfunction Policy issued on June 12, 2015 (80 Federal Register 33840); and

**WHEREAS**, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Health and Safety Code Sections

39002, 39616, 40000, 40001, 40440, 40702, 40725 through 40728, 40920.6, and 41508, as well as the Clean Air Act; and

**WHEREAS**, the South Coast AQMD Governing Board finds that there is an ozone problem that Proposed Amended Rule 1135 and Proposed Rule 429.2 will alleviate and that the proposed amended rule and proposed rule will promote the attainment or maintenance of state or federal ambient quality standards; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1135 and Proposed Rule 429.2 are written and displayed so that the meaning can be easily understood by the persons directly affected by them; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1135 and Proposed Rule 429.2 are in harmony with and not in conflict with, or contradictory to, existing statutes, court decisions, or state or federal regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1135 and Proposed Rule 429.2 will not impose the same requirements as any existing state or federal regulations, and the proposed amended rule and proposed rule are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

**WHEREAS**, the South Coast AQMD Governing Board, in amending Rule 1135 and adopting Rule 429.2, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5, and Clean Air Act Section 110; and

**WHEREAS**, Health and Safety Code Section 40727.2 requires that 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 that the South Coast AQMD's comparative analyses of Proposed Amended Rule 1135 and Proposed Rule 429.2 are included in the Final Staff Report; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment is not required, pursuant to Health and Safety Code Section 40440.8 or 40728.5, because Proposed Amended Rule 1135 and Proposed Rule 429.2 will not have a significant impact on air quality or emissions limitations; and

**WHEREAS**, the South Coast AQMD staff conducted a Public Workshop regarding Proposed Amended Rule 1135 and Proposed Rule 429.2 on October 27, 2021; and

**WHEREAS**, a 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 state and federal law; and

**WHEREAS**, the South Coast AQMD specifies that the Planning and Rules Manager of Proposed Amended Rule 1135 and Proposed Rule 429.2 is the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of Proposed Amended Rule 1135 and Proposed Rule 429.2 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**, the South Coast AQMD Governing Board directs staff to initiate a rule development process in the first quarter of 2022 that includes a revised BARCT assessment for the electric generating units on Santa Catalina Island with a specific focus on non-diesel alternatives and zero-emission and near-zero emission technologies; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 1135 and Proposed Rule 429.2 are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information has been presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on Proposed Amended Rule 1135 and Proposed Rule 429.2; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board does hereby, pursuant to the authority granted by law, amend Rule 1135 and adopt Rule 429.2 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 Amended Rule 1135 and Proposed Rule 429.2 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, Proposed Amended Rule 1135, and Proposed Rule 429.2 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

(Adopted August 4, 1989)(Amended December 21, 1990)(Amended July 19, 1991)  
(Amended November 2, 2018)(PAR 1135 January 7, 2022)

**PROPOSED AMENDED RULE 1135. EMISSIONS OF OXIDES OF NITROGEN FROM ELECTRICITY GENERATING FACILITIES**

[Rule index to be included after amendment]

(a) Purpose

The purpose of this rule is to reduce emissions of oxides of nitrogen (NO<sub>x</sub>) from electric generating units at electricity generating facilities.

(b) Applicability

This rule shall apply to electric generating units at electricity generating facilities.

(c) Definitions

(1) ANNUAL CAPACITY FACTOR means the ratio between the measured heat input (in ~~MMBTU~~MMBtu) from fuel consumption to an electric generating unit during a calendar year and the potential heat input (in ~~MMBTU~~MMBtu) to the electric generating unit had it been operated for 8,760 hours during a calendar year at the permitted heat input rating, expressed as a percent. Annual capacity factor does not include heat input of the electric generating unit during ~~the~~an Emergency Phase of the California Energy Commission Energy Emergency Response Plan or a Governor-~~declared~~Declared State of Emergency or Energy Emergency.

(2) BACKUP UNIT means any NO<sub>x</sub> emitting turbine which is used intermittently to produce energy on a demand basis, does not operate more than 1,300 hours per year, is not subject to 40 CFR Part 72, and was a NO<sub>x</sub> process unit prior to the facility becoming a former RECLAIM NO<sub>x</sub> facility.

(23) BOILER means any combustion equipment fired with liquid and/or gaseous fuel, which is primarily used to produce steam that is expanded in a turbine generator used for electric power generation.

(34) COGENERATION TURBINE means ~~any~~a gas turbine which is designed to generate electricity and useful heat energy at the same time (combined heat and power).

- (45) COMBINED CYCLE GAS TURBINE means ~~any~~ a gas turbine that recovers heat from the gas turbine exhaust gases for use in a heat recovery steam generator to generate additional electricity.
- (56) DAILY means a calendar day starting at 12 midnight and continuing through 11:59 p.m.
- (67) DUCT BURNER means a device located in the heat recovery steam generator of a gas turbine that combusts fuel and adds heat energy to the turbine exhaust to increase the output of the heat recovery steam generator.
- (78) ELECTRIC GENERATING UNIT means a boiler that generates electric power, a gas turbine that generates electric power with the exception of cogeneration turbines, or a diesel internal combustion engine that generates electric power and is located on Santa Catalina Island with the exception of emergency internal combustion engines and portable engines registered under the California Air Resources Board Statewide Portable Equipment Registration Program (PERP).
- (89) ELECTRICITY GENERATING FACILITY means a facility that is owned or operated by an investor-owned electric utility; ~~is owned or operated by~~ or a publicly owned electric utility and has one or more electric generating units; or has electric generating units with a combined generation capacity of 50 megawatts or more of electrical power for distribution in the state or local electrical grid system. Electricity generating facility does not include ~~landfills, petroleum refineries, or publicly owned treatment works~~ facilities subject to South Coast AQMD Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations, South Coast AQMD Rule 1150.3 – Emissions of Oxides of Nitrogen from Combustion Equipment at Landfills, or South Coast AQMD Rule 1179.1 – Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities.
- (10) EMISSION CAP is calculated as the total daily NO<sub>x</sub> emissions in pounds from all boilers at an electricity generating facility, expressed in pounds of NO<sub>x</sub>.
- (11) EMISSION RATE is calculated as the total daily NO<sub>x</sub> emissions in pounds from all boilers at an electricity generating facility, divided by the total daily net electric power generated and/or obtained in Megawatt-Hours from all boilers at an electricity generating facility, expressed in pounds of NO<sub>x</sub> per Megawatt-Hour.

- (912) FORCE MAJEURE NATURAL GAS CURTAILMENT means:
- (A) ~~A~~an interruption in natural gas service due to unavoidable or unforeseeable failure, malfunction, or natural disaster, not resulting from an intentional or negligent act or omission on the part of the owner or operator of an electric generating unit; or
  - (B) ~~a~~A supply restriction resulting from the application of a California Public Utilities Commission—(CPUC) priority allocation system of Southern California Gas Company Tariff Rule 23, such that the daily fuel needs of an electric generating unit cannot be met with the natural gas available.
- ~~(1013)~~ FORMER RECLAIM NO<sub>x</sub> SOURCE-FACILITY for the purpose of this rule means a ~~n~~ electric generating unit located at an electricity generating facility or any of its successors that was in the NO<sub>x</sub> Regional Clean Air Incentives Market (RECLAIM) as of January 5, 2018, as established in Regulation XX – Regional Clean Air Incentives Market (RECLAIM) (Regulation XX), that has received a final determination notification ~~from the Executive Officer or the owner or operator opt-~~ out of RECLAIM, and is no longer in the NO<sub>x</sub> RECLAIM program.
- ~~(1114)~~ INTERNAL COMBUSTION ENGINE means a reciprocating type engine in which the combustion of a fuel occurs with an oxidizer (usually air) in a combustion chamber to produce mechanical energy.
- ~~(1215)~~ INVESTOR-OWNED ELECTRIC UTILITY means a business organization managed as a private enterprise that operates electric generating unit(s) for electric power distribution primarily in the grid system overseen by the California Public Utilities Commission.
- ~~(13)~~ LANDFILL ~~means an entire disposal facility in a contiguous geographical space where solid waste is placed in or on land.~~
- ~~(1416)~~ NON-RECLAIM NO<sub>x</sub> SOURCE-FACILITY for the purpose of this rule means a ~~n~~ electric generating unit located at an electricity generating facility or any of its successors that was not in the NO<sub>x</sub> RECLAIM as of January 5, 2018, as established in Regulation XX.
- ~~(1517)~~ OXIDES OF NITROGEN (NO<sub>x</sub>) EMISSIONS means the sum of nitric oxides and nitrogen dioxides emitted, collectively expressed as nitrogen dioxide emissions.
- ~~(16)~~ PETROLEUM REFINERY ~~means a facility identified by the North American Industry Classification System Code 324110, Petroleum Refineries.~~

- (1718) PUBLICLY OWNED ELECTRIC UTILITY means a special-purpose district or other jurisdiction, including municipal districts or municipalities, that operates electric generating unit(s) for electric power distribution, either partially or totally, to residents of that district or jurisdiction.
- ~~(18) PUBLICLY OWNED TREATMENT WORKS means wastewater treatment or reclamation plants owned and operated by a public entity, including all operations within the boundaries of the wastewater and sludge treatment plant.~~
- (19) RECLAIM NO<sub>x</sub> SOURCE FACILITY for the purpose of this rule means an electric generating unit located at an electricity generating facility or any of its successors that is in the NO<sub>x</sub> RECLAIM as of January 5, 2018, as established in Regulation XX and is still in RECLAIM on the relevant date.
- ~~(20) SCAQMD-WIDE DAILY LIMITS means the daily emissions limits applicable to any electricity generating facility consisting of an emissions cap and/or an emissions rate.~~
- ~~(A) EMISSIONS CAP is expressed in pounds of NO<sub>x</sub> and calculated as the total daily NO<sub>x</sub> emissions in pounds from all boilers at an electricity generating facility.~~
- ~~(B) EMISSIONS RATE is expressed in pounds of NO<sub>x</sub> per Megawatt-Hour and calculated as the total daily NO<sub>x</sub> emissions in pounds from all boilers at an electricity generating facility, divided by the total daily net electric power generated and/or obtained in Megawatt-Hours from all boilers at an electricity generating facility. NO<sub>x</sub> emissions during start-ups and shutdowns, up to a maximum of 12 hours for each event, shall not be included in the determination of the emissions rate for an electricity generating facility if five or fewer boilers are in operation during this period.~~
- ~~(2120) SHUTDOWN means the time period during which an electric generating unit begins reducing load and ending in a period of zero fuel flow or as otherwise defined in the SCAQMD permit is as defined in South Coast AQMD Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities (Rule 429.2).~~
- (2221) SIMPLE CYCLE GAS TURBINE means any stationary combustion turbine that does not recover heat from the combustion turbine exhaust gases to heat water or generate steam.

~~(2322)~~ START UP-STARTUP means the time period that begins when an electric generating unit begins combusting fuel after a period of zero fuel flow and ends when the electric generating unit generates electricity for sale over the grid for power distribution, or as otherwise defined in the SCAQMD permit is as defined in South Coast AQMD Rule 429.2.

~~(2423)~~ TUNING means adjusting, optimizing, rebalancing, or other similar operations to an electric generating unit or an associated control device or as otherwise defined in the SCAQMD ~~p~~Permit to Operate. Tuning does not include normal operations to meet load fluctuations.

(d) Emissions Limits

(1) Emissions Limits for Boilers and Gas Turbines

~~Notwithstanding the exemptions contained in Rule 2001—Applicability, subdivision (j)—Rule Applicability and its accompanying Table 1: Existing Rules Not Applicable to RECLAIM Facilities for Requirements Pertaining to NO<sub>x</sub> Emissions, o~~On and after January 1, 2024, ~~or when required by a permit to operate issued to effectuate the requirements in this rule, whichever occurs first,~~ the owner or operator of an electricity generating facility shall not operate a boiler or gas turbine in a manner that exceeds the NO<sub>x</sub> ~~and ammonia~~ emissions limits listed in Table 1: Emissions Limits for Boilers and Gas Turbines, where:

(A) Boilers and gas turbines for which the owner or operator has applied for ~~p~~Permits to eConstruct after November 2, 2018 shall average the NO<sub>x</sub> ~~and ammonia~~ emissions limits in Table 1 over a 60-minute rolling average.

(B) Boilers and gas turbines installed or for which the owner or operator has applied for ~~p~~Permits to eConstruct prior to November 2, 2018 shall:

- (i) Average the NO<sub>x</sub> ~~and ammonia~~ emissions limits in Table 1 over a 60-minute rolling average; or
- (ii) Retain the averaging time requirements specified ~~o~~n ~~in~~ the SCAQMD pPermit to Operate as of November 2, 2018.

**Table 1: Emissions Limits for Boilers and Gas Turbines**

| <b>Equipment Type</b>                                    | <b>NO<sub>x</sub> (ppmv)<sup>‡</sup></b> | <b>Ammonia<br/>(ppmv)</b> | <b>Oxygen<br/>Correction<br/>(%, dry)</b> |
|--|--|---------------------------|---|
| Boiler   | 5  | 5                         | 3   |
| Combined Cycle Gas Turbine<br>and Associated Duct Burner | 2  | 5                         | 15  |
| Simple Cycle Gas Turbine                                 | 2.5                                      | 5                         | 15  |

<sup>‡</sup> ~~The NO<sub>x</sub> emission limits in Table 1 shall not apply during start up, shutdown, and tuning.~~

**(2) Electric Generating Units Located on Santa Catalina Island**

The owner or operator of an electricity generating facility located on Santa Catalina Island with diesel internal combustion engines shall:

- (A) By January 1, 2024, meet a mass emission limit from all electric generating units of 50 tons of NO<sub>x</sub> annually, including mass emissions from startups and shutdowns;
- (B) Not install any new diesel internal combustion engines after January 1, 2024. A diesel internal combustion engine undergoing reconstruction as defined in 40 CFR Part 60.15 or Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines shall not be considered as a new diesel internal combustion engine installation for the purposes of this subparagraph;
- (C) By January 1, 2025, meet a mass emission limit from all electric generating units of 45 tons of NO<sub>x</sub> annually, including mass emissions from startups and shutdowns; and

- (D) On and after January 1, 2026, meet a mass emission limit from all electric generating units of 13 tons of NO<sub>x</sub> annually, including mass emissions from startups and shutdowns.
- (23) Emissions Limits for Diesel Internal Combustion Engines
- (A) ~~Notwithstanding the exemptions contained in Rule 2001—Applicability, subdivision (j)—Rule Applicability and its accompanying Table 1: Existing Rules Not Applicable to RECLAIM Facilities for Requirements Pertaining to NO<sub>x</sub> Emissions, on On and after January 1, 2024, or when required by a permit to operate issued to effectuate the requirements in this rule, whichever occurs first, ~~the~~ owner or operator of an electricity generating facility located on Santa Catalina Island shall not operate a new diesel internal combustion engine that is installed to meet the mass emission limits specified in subparagraphs (d)(2)(A), (d)(2)(C) and (d)(2)(D) in a manner that exceeds the NO<sub>x</sub>, ~~ammonia~~, carbon monoxide, volatile organic compounds, and particulate matter emissions limits listed in Table 2: Emissions Limits for Diesel Internal Combustion Engines.~~
- (B) Diesel internal combustion engines installed prior to November 2, 2018 may retain the averaging time requirements specified ~~on~~ in the SCAQMD ~~p~~Permit to Operate as of November 2, 2018.

**Table 2: Emissions Limits for Diesel Internal Combustion Engines**

| <b>NO<sub>x</sub><br/>(ppmv)<sup>1,4</sup></b> | <b><del>Ammonia</del><br/>(ppmv)<sup>1</sup></b> | <b>Carbon<br/>Monoxide<br/>(ppmv)<sup>2,4</sup></b> | <b>Volatile<br/>Organic<br/>Compounds<br/>(ppmv)<sup>3,4</sup></b> | <b>Particulate Matter<br/>(lbs/<del>mm</del>btu<u>MM</u>btu)<sup>4</sup></b> |
|--|--|---|--|--|
| 45   | <del>5</del>                                     | 250   | 30   | 0.0076   |

<sup>1</sup> – Corrected to 15% oxygen on a dry basis and averaged over a ~~60 minute three-~~hour rolling average using hourly averages computed in accordance with South Coast Rule 218.3 – Continuous Emission Monitoring System: Performance Specifications (Rule 218.3).

<sup>2</sup> – Corrected to 15% oxygen on a dry basis and averaged over 15 minutes

<sup>3</sup> – Measured as carbon, corrected to 15% oxygen on a dry basis, and averaged over sampling time required by the test method

<sup>4</sup>—The NO<sub>x</sub>, carbon monoxide, and volatile organic compounds emissions limits in Table 2 shall not apply during start up and shutdown

<sup>4</sup>— Applies to both filterable and condensable particulate matter

~~(3) Start-up, Shutdown, and Tuning Requirements~~

~~The owner or operator of an electricity generating facility shall meet start-up, shutdown, and tuning requirements in the SCAQMD permit for each electric generating unit. On and after January 1, 2024, the SCAQMD permit shall include limitations for duration, mass emissions, and number of start-ups, shutdowns, and, if applicable, tunings.~~

~~(4) Alternative Compliance Approach for Electric Generating Units Located on Santa Catalina Island~~

~~The owner or operator of an electricity generating facility located on Santa Catalina Island with diesel internal combustion engines that elects to meet a mass emission limit of 13 tons of NO<sub>x</sub> annually by January 1, 2026 in lieu of complying with paragraph (d)(2)(A) shall:~~

~~(A) On or before January 1, 2022, submit a written notification to the Executive Officer that specifies the decision to meet a mass emission limit of 13 tons of NO<sub>x</sub> annually by January 1, 2026; provide a description of the technologies that will be implemented to meet the emission limits; and provide a schedule of submittal of permits to the SCAQMD and any other approving agency, the timeframe to order equipment, and the timeframe for installation of equipment that will demonstrate the facility can meet a mass emission limit of 13 tons of NO<sub>x</sub> annually by January 1, 2026; and~~

~~(B) On or before January 1, 2022, submit an application for a permit condition that limits total annual emissions from the facility to no more than 13 tons of NO<sub>x</sub> emissions annually after December 31, 2025.~~

~~(54) Time Extensions~~

~~(A) The owner or operator of an electricity generating facility on Santa Catalina Island may submit a request to the Executive Officer for approval of an time extension of up to three years to meet the mass emissions limits specified in paragraphs (d)(2) or (d)(4) subparagraph (d)(2)(D): provided the owner or operator:~~

- ~~(i)~~ If electing to comply with paragraph (d)(2), a minimum of two units, excluding units exempt under paragraph (g)(3), shall meet the emissions limits in Table 2 by January 1, 2023; or
- ~~(ii)~~ If electing to comply with paragraph (d)(4), the facility shall meet a mass emission limit of 50 tons of NO<sub>x</sub> annually for compliance year 2022, and meet a mass emission limit of 40 tons of NO<sub>x</sub> annually for compliance year 2023.
- ~~(Bi)~~ The owner or operator that elects to submit a request for a time extension shall submit the request to the Executive Officer at least 365 days before the compliance deadline specified in subparagraph ~~(d)(2)(A)(d)(2)(D) or paragraph (d)(4);~~ and
- ~~(Cii)~~ The owner or operator that submits a request for a time extension request shall provide the following information to the Executive Officer: The request includes:
  - ~~(iA)~~ Identification of the electric generating units for which a time extension is needed;
  - ~~(iiB)~~ The reason(s) a time extension is needed;
  - ~~(iiiC)~~ Progress of replacing or retrofitting the electric generating units; and
  - ~~(D)~~ A description of the technology or technologies that will be used to achieve the mass emission limit; and
  - ~~(ivE)~~ The length of time requested.
- ~~(DB)~~ The Executive Officer will approve or disapprove the request for a time extension. Approval or disapproval will be based on the following criteria:
  - (i) The owner or operator prepared the request for a time extension in compliance with subparagraphs ~~(d)(5)(A) through (d)(5)(C)~~ (d)(4)(A); and
  - (ii) The owner or operator provided sufficient details identifying the reason(s) a time extension is needed that demonstrates to the Executive Officer that there are extenuating circumstances that necessitate additional time to complete implementation. Such a demonstration may include, but is not limited to, providing detailed schedules, engineering designs, construction plans, land acquisition contracts, permit applications, and purchase orders.

- (~~EC~~) If the Executive Officer approves the request for a time extension, the owner or operator shall:
- (i) ~~Submit an application at least 18 months before the new compliance deadline for a permit condition that limits total annual emission from the facility to no more than 13 tons of NO<sub>x</sub> emission annually on and after the new compliance deadline, if electing to comply with paragraph (d)(4); and~~
  - (ii) ~~Pay a mitigation fee within 30 days of the date of approval. The mitigation fee shall be \$100,000/year, or any portion of a year, after the compliance date specified in subparagraph (d)(2)(A)-(d)(2)(D) or paragraph (d)(4).~~

(5) Startup, Shutdown, and Tuning Requirements

The NO<sub>x</sub> emission limits in Table 1 and the NO<sub>x</sub>, carbon monoxide, and volatile organic compounds emissions limits in Table 2 shall not apply during startup and shutdown, pursuant to Rule 429.2, or tuning, if limitations for duration and number of tunings are included in the Permit to Operate.

(6) City of Glendale

- (A) Until compliance with the provisions pursuant to paragraph (d)(1) is achieved, the City of Glendale or any of its successors, shall not operate its boilers unless at least one of the following ~~SCAQMD-wide daily limits on emissions rate or emissions cap~~ is met:
- (i) Emissions rate of 0.20 pounds of NO<sub>x</sub> per net Megawatt-Hour, NO<sub>x</sub> emissions during startups and shutdowns of boilers, up to a maximum of 12 hours for each event, shall not be included in the determination of the emissions rate if five or fewer boilers are in operation during this period; or
  - (ii) Emissions cap of 390 pounds of NO<sub>x</sub> per day.
- (B) Until compliance with paragraph (d)(1) is achieved, the City of Glendale shall not emit total quantities of NO<sub>x</sub> from all boilers in excess of 35 tons of NO<sub>x</sub> per calendar year. If Grayson combined cycle gas turbine Unit 8BC cannot produce electricity because of a breakdown for 30 continuous days or more, the annual NO<sub>x</sub> emissions limit shall be increased by 65 pounds per day, up to a maximum of 41 tons per year.

- (C) A violation of any requirement specified in subparagraphs (d)(6)(A) or (d)(6)(B) shall constitute a violation of this rule for every applicable unit operating during the exceedance period.
- (76) On or before July 1, 2022, the owner or operator of an electricity generating facility RECLAIM NO<sub>x</sub> facility or former RECLAIM NO<sub>x</sub> facility, excluding the owner or operator of an electricity generating facility on Santa Catalina Island, shall submit an application for a change of permit conditions to reconcile their permit(s) with Rule 1135.
- (7) On or before January 1, 2023, the owner or operator of an electricity generating facility on Santa Catalina Island shall submit an application for a change of permit conditions to reconcile their permit(s) with Rule 1135 or for a Permit to Construct(s) to comply with paragraphs (d)(2) and (d)(3).
- (8) On or before January 1, 2023, the owner or operator a non-RECLAIM NO<sub>x</sub> facility shall submit an application for a change of permit conditions to reconcile their permit(s) with Rule 1135.
- (e) Monitoring, Recordkeeping, and Reporting
- (1) RECLAIM NO<sub>x</sub> Source Facility  
The owner or operator of each RECLAIM NO<sub>x</sub> source facility subject to Rule 1135 shall comply with South Coast AQMD Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions to demonstrate compliance with the NO<sub>x</sub> emissions limits of this rule.
- (2) Former RECLAIM NO<sub>x</sub> Source and Non-RECLAIM NO<sub>x</sub> Facilities  
The owner or operator of each former RECLAIM NO<sub>x</sub> source facility and non-RECLAIM NO<sub>x</sub> facility ~~subject to Rule 1135,~~ shall comply with South Coast AQMD Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions Rule 218 – Continuous Emission Monitoring, South Coast AQMD Rule 218.1 – Continuous Emission Monitoring Performance Specifications, South Coast AQMD Rule 218.2 – Continuous Emission Monitoring System: General Provisions, South Coast AQMD Rule 218.3 – Continuous Emission Monitoring System: Performance Specifications, and 40 CFR Part 75 to demonstrate compliance with the NO<sub>x</sub> emissions limits of this rule, ~~excluding the following:~~
- (A) ~~Paragraphs (e)(3) through (e)(8), reporting and Super Compliant facilities;~~

- ~~(B) Subparagraphs (d)(2)(B) through (d)(2)(E), reporting and emission factors;~~
  - ~~(C) Subdivision (e), NO<sub>x</sub> Process Units;~~
  - ~~(D) Paragraphs (g)(5) through (g)(8), reporting;~~
  - ~~(E) Paragraphs (h)(1), (h)(2), and (h)(4) through (h)(6), reporting and mass emissions;~~
  - ~~(F) Subdivisions (i), (k), and (l), Recordkeeping, Exemptions, and Appeals; and~~
  - ~~(G) Reported Data and Transmitting/Reporting Frequency requirements from Appendix A—“Protocol for Monitoring, Reporting and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions.”~~
- (3) Non-RECLAIM NO<sub>x</sub> Source

The owner or operator of a non-RECLAIM NO<sub>x</sub> source subject to Rule 1135 shall comply with the following provisions to demonstrate compliance with the NO<sub>x</sub> emissions limits of this rule:

- ~~(A) 40 CFR Part 75 and calculating NO<sub>x</sub> in ppmv pursuant to SCAQMD Rule 218—Continuous Emission Monitoring; or~~
- ~~(B) SCAQMD Rule 218—Continuous Emission Monitoring.~~

(3) Backup Units

Until July 1, 2026, the owner or operator of a backup unit is not subject to paragraph (e)(2), provided that the owner or operator, for each backup unit:

- (A) Install, maintain, and operate a totalizing fuel meter or any device approved by the Executive Officer to be equivalent in accuracy, reliability, reproducibility, and timeliness, to measure quarterly fuel usage;
- (B) Conduct annual source testing to demonstrate compliance with the NO<sub>x</sub> emission limits as specified on the Permit to Operate according to South Coast AQMD Method 100.1 – Instrumental Analyzer Procedures for Continuous Gaseous Emission Sampling, South Coast AQMD Method 7.1 – Determination of Nitrogen Oxide Emissions from Stationary Sources, U.S. EPA Method 20 – Nitrogen Oxides from Stationary Gas Turbines; or U.S. EPA Method 7E – Nitrogen Oxide - Instrumental Analyzer;
- (C) Conduct the initial source test pursuant to subparagraph (e)(3)(B) within six months from the time the facility becomes a former RECLAIM NO<sub>x</sub> facility or within one year from the date of the last source test, whichever is later;
- (D) Submit a source test protocol to the Executive Officer for written approval at least 60 days before the scheduled date of the source test(s) required in

subparagraphs (e)(3)(B) and (e)(3)(C). The source test protocol shall include the following:

- (i) Brief descriptions of the unit to be tested and process;
  - (ii) Operating conditions under which the test(s) will be conducted;
  - (iii) Planned sampling parameters, including a process schematic diagram showing the ports and sampling locations, with the dimensions of ducts and stacks at the sampling locations and distances of flow disturbances from the sampling locations;
  - (iv) Brief description of test, sampling, and analytical methods used to measure pollutant, temperature, flow rates, and moisture;
  - (v) Description of calibration and quality assurance procedures; and
  - (vi) Information on equipment, logistics, personnel, and other resources necessary to conduct an efficient and coordinated source test;
- (E) In lieu of subparagraph (e)(3)(D), a previously approved source test protocol may be used if:
- (i) The unit has not been altered in a manner that requires a permit modification;
  - (ii) The permit emission factors or concentration limits or equipment-specific or category-specific emission rates have not changed since the previous test;
  - (iii) The approved source test protocol is representative of the operation and configuration of the unit;
  - (iv) The approved source test protocol meets the requirements in clauses (e)(3)(D)(i) through (e)(3)(D)(vi); and
  - (v) The approved source test protocol references the test method(s) required in subparagraph (e)(3)(B);
- (F) Submit a report of quarterly NO<sub>x</sub> mass emissions to the Executive Officer, using a format approved by the South Coast AQMD, as calculated using the emission factor specified in the Permit to Operate within 30 days after the end of the first three quarters and 60 days after the end of the fourth quarter of a compliance year;
- (G) Tune-up once a year to manufacturer's specifications;
- (H) Maintain the following records on-site for five years and make this information available to South Coast AQMD upon request:

- (i) Data collected and calibration records from the totalizing fuel meter or the Executive Officer-approved device as required by subparagraph (e)(3)(A);
- (ii) Source test protocols and reports as required by subparagraphs (e)(3)(B) and (e)(3)(D) or (e)(3)(E);
- (iii) Quarterly NO<sub>x</sub> mass emission reports as required by subparagraph (e)(3)(F), including data used to calculate the NO<sub>x</sub> mass emissions; and
- (iv) Record of each tune-up as required by subparagraph (e)(3)(G); and
- (I) Within six months of becoming a former RECLAIM NO<sub>x</sub> facility, submit a permit application that limits total annual operation time to no more than 1,300 hours per calendar year.

(4) City of Glendale

The City of Glendale or any of its successors shall demonstrate compliance with paragraph (d)(6) and calculate NO<sub>x</sub> emissions rate in pounds of NO<sub>x</sub> per net Megawatt-Hour or NO<sub>x</sub> emissions cap in pounds of NO<sub>x</sub> per day and tons of NO<sub>x</sub> per calendar year as established in their approved Continuous Emission Monitoring System (CEMS) Plan.

(5) Diesel Internal Combustion Engines

The owner or operator of each diesel internal combustion engine electric generating unit shall comply with the following provisions:

- (A) Demonstrate compliance with the carbon monoxide and volatile organic compound emissions limits of this rule pursuant to South Coast AQMD Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines subdivisions (f) – Monitoring, Testing, Recordkeeping and Reporting and (g) – Test Methods; and
- (B) Conduct yearly source test for particulate matter emissions according to South Coast AQMD Method 5.1 – Determination of Particulate Matter Emissions from Stationary Sources Using a Wet Impingement Train or South Coast AQMD Method 5.2 – Determination of Particulate Matter Emissions from Stationary Sources ~~u~~Using Heated Probe and Filter to demonstrate compliance with the particulate matter emission limit. The yearly emission limit shall be defined as a period of ~~twelve~~ 12 consecutive

months determined on a rolling basis with a new ~~twelve~~-12-month period beginning on the first day of each calendar month;

- (C) Submit a source test protocol to the Executive Officer for written approval at least 60 days before the scheduled date of the source test(s) required in subparagraph (e)(5)(B). The source test protocol shall include the information specified in clauses (e)(3)(D)(i) through (e)(3)(D)(vi); and
  - (D) In lieu of subparagraph (e)(5)(C), a previously approved source test protocol may be used if the approved source test protocol meets all the criteria specified in clauses (e)(3)(E)(i) through (e)(3)(E)(v).
- (6) Catalytic and Non-Catalytic Control Devices with Ammonia Injection Emissions Limits
- (A) The owner or operator of each electric generating unit with a catalytic or non-catalytic control devices with ammonia injection shall conduct quarterly source tests to demonstrate compliance with the ammonia emission limit specified in the Permit to Operate according to South Coast AQMD Method 207.1 – Determination of Ammonia Emissions from Stationary Sources during the first ~~twelve~~-12 months of operation of the electric generating unit with a catalytic or non-catalytic control device with ammonia injection and annually thereafter when four consecutive quarterly source tests demonstrate compliance with the ammonia emission limit specified in the Permit to Operate. If an annual test is failed, the owner or operator shall conduct four consecutive quarterly source tests ~~must to~~ demonstrate compliance with the ammonia emissions limits specified in the Permit to Operate prior to resuming annual source tests.
  - (B) In lieu of complying with subparagraph (e)(6)(A), the owner or operator of each ~~an~~ electric generating unit with a catalytic or non-catalytic control device with ammonia injection may utilize ammonia CEMS certified under an approved South Coast AQMD protocol to demonstrate compliance with the ammonia emission limit specified in the Permit to Operate.
- (7) The owner or operator of each former RECLAIM NO<sub>x</sub> source facility and non-RECLAIM NO<sub>x</sub> source facility shall maintain information pursuant to this subdivision at the facility for a period of five years, except that all data gathered or

computed for intervals of less than 15 minutes shall be maintained for a minimum of 48 hours, and made available to South Coast AQMD upon request.

(8) Operating Log/Operations Recordkeeping

The owner or operator of each former RECLAIM NO<sub>x</sub> ~~source~~-facility and non-RECLAIM NO<sub>x</sub> ~~source~~-facility shall maintain records, ~~in a manner approved by the SCAQMD, in an operating log~~ on a daily basis, for the following parameter(s) or item(s):

- (A) Time and duration of ~~start-ups~~startups and shutdowns;
- (B) Total hours of operation;
- (C) Quantity of fuel consumption;
- (D) Cumulative hours of operation to date for the calendar year;
- (E) Megawatt-hours of electricity produced; and
- (F) Net megawatt-hours electricity produced.

(f) Use of Liquid Petroleum Fuel

(1) Force Majeure Natural Gas Curtailment

The owner or operator of an electric generating unit shall not be subject to the NO<sub>x</sub> emissions limits specified in subdivision (d) shall not apply to an electric generating unit during force majeure natural gas curtailment when the use of liquid petroleum fuel is required and the electric generating unit may burn liquid petroleum fuel, provided that:

- (A) Within 15 days of each occurrence, the owner or operator of each electricity generating facility submits an affidavit signed by a corporate officer affirming that liquid petroleum fuel was burned due to force majeure natural gas curtailment; and
- (B) Each electric generating unit, when it burns liquid petroleum fuel, emits NO<sub>x</sub> at no more than the applicable unit-specific liquid petroleum fuel NO<sub>x</sub> emission limit specified in the ~~SCAQMD~~ Permit to Operate.

(2) Distillate Fuel Oil Readiness Testing

The owner or operator of an electric generating unit shall not be subject to the NO<sub>x</sub> emissions limits specified in subdivision (d) shall not apply to an electric generating unit during distillate fuel oil readiness testing and the electric generating unit may burn liquid petroleum fuel, provided that:

- (A) Distillate Fuel oil readiness testing does not exceed ~~sixty~~ 60 minutes per week;
  - (B) Each electric generating unit, when it burns liquid petroleum fuel, emits NO<sub>x</sub> at no more than the applicable unit-specific liquid petroleum fuel NO<sub>x</sub> emission limit specified in the ~~SCAQMD~~ Permit to Operate;
  - (C) The owner or operator conducts distillate Fuel oil readiness testing ~~shall only occur~~ after the equipment has reached the emissions limits specified in paragraph (d)(1) while firing on natural gas and ~~shall commence~~ no later than ~~sixty~~ 60 minutes after achieving emissions limits specified in paragraph (d)(1) while firing on natural gas; and
  - (D) Each distillate fuel oil readiness test ~~shall commence~~ with the equipment switching from natural gas to liquid petroleum fuel and ~~concludes~~ with the equipment switching from liquid petroleum fuel to natural gas.
- (3) Source Testing and Fuel Flow Meter Calibration  
The owner or operator of an electric generating unit shall not be subject to the NO<sub>x</sub> emissions limits specified in subdivision (d) shall not apply to an electric generating unit when it burns liquid petroleum fuel during emissions source testing or annual fuel flow meter calibration, and the electric generating unit may burn liquid petroleum fuel for emissions source testing or annual fuel flow meter calibration as specified by South Coast AQMD rules or the Permit to Operate, including initial certifications of Continuous Emissions Monitoring Systems (CEMS) and semi-annual Relative Accuracy Test Audits (RATAs). The owner or operator shall only conduct RATA tests and annual fuel flow calibration shall only be conducted concurrently with distillate fuel oil weekly readiness testing or during force majeure natural gas curtailment when the use of liquid petroleum fuel is required.
- (g) Exemptions
- (1) Combined Cycle Gas Turbines  
The owner or operator of a combined cycle gas turbine installed prior to November 2, 2018 shall not be subject to paragraph (d)(1) for that combined cycle gas turbine, provided that:

- (A) The ~~SCAQMD~~ Permit to Operate as of November 2, 2018 includes a condition limiting the NO<sub>x</sub> concentration to 2.5 ppmv NO<sub>x</sub> or less averaged over 60 minutes at 15% ~~percent~~ oxygen on a dry basis; and
  - (B) The NO<sub>x</sub> and ammonia limits, averaging times, and ~~start-up~~ startup, shutdown, and, if applicable, tuning requirements specified on the ~~SCAQMD~~ Permit to Operate as of November 2, 2018 are retained.
- (2) Once-Through-Cooling Electric Generating Units to Be Retired  
Until December 31, 2029, ~~The~~ the owner or operator of an electric generating unit subject to the Clean Water Act Section 316(b) shall not be subject to paragraph (d)(1) for that electric generating unit, provided that:
- (A) The owner or operator retires the electric generating unit on or before the compliance date set forth in Table 1 of Section 2(B) of the State Water Resources Control Board's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling (Once-Through-Cooling Policy) implementing Section 316(b) of the Clean Water Act;
  - ~~(AB)~~ The NO<sub>x</sub> and ammonia limits, averaging times, and ~~start-up~~ startup, shutdown, and, if applicable, tuning requirements specified on the ~~SCAQMD~~ Permit to Operate as of November 2, 2018 are retained;
  - ~~(BC)~~ On or before January 1, 2023, the owner or operator notifies South Coast AQMD of the compliance dates set forth in Table 1 of Section 2(B) of the ~~State Water Resources Control Board's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling (Once-Through-Cooling Policy) implementing Section 316(b) of the Clean Water Act;~~ and
  - ~~(CD)~~ Within 3 months of approval of an extension of the compliance date set forth in Table 1 of Section 2(B) of the Once-Through-Cooling Policy, the owner or operator notifies South Coast AQMD of the extension. This extension is not applicable to facilities that have utilized the Modeling and Offset Exemptions in Rule 1304 – Exemptions paragraph (a)(2) and the associated replacement electric generating unit is in operation; ~~and~~
  - ~~(D)~~ The owner or operator complies with the compliance date set forth in Table 1 of Section 2(B) of the Once-Through-Cooling Policy.

(3) Diesel Internal Combustion Engines

The owner or operator of a diesel internal combustion engine installed prior to November 2, 2018 shall not be subject to paragraph ~~(d)(2)~~(d)(3) for that diesel internal combustion engine provided that:

- (A) The ~~SCAQMD~~ Permit to Operate as of November 2, 2018 includes a condition limiting the NO<sub>x</sub> concentration to 51 ppmv NO<sub>x</sub> or less averaged over 60 minutes at 15% ~~percent~~ oxygen on a dry basis; and
- (B) The NO<sub>x</sub>, ammonia, carbon monoxide, volatile organic compounds, and particulate matter limits, averaging times, and ~~start-up~~ startup and shutdown requirements specified on the ~~SCAQMD~~ Permit to Operate as of November 2, 2018 are retained.

(4) Low-Use

(A) Gas Turbines

The owner or operator of a gas turbine installed prior to November 2, 2018 shall not be subject to emissions limits specified under paragraph (d)(1) for that gas turbine, provided that the gas turbine:

- (i) Maintains an annual capacity factor of less than twenty-five percent each calendar year;
- (ii) Maintains an annual capacity factor of less than ten percent averaged over three consecutive calendar years on a rolling basis; and
- (iii) Retains the NO<sub>x</sub> and ammonia limits, averaging times, and ~~start-up~~ startup, shutdown, and, if applicable, tuning requirements specified on the ~~SCAQMD~~ Permit to Operate as of November 2, 2018.

(B) Boilers

The owner or operator of a boiler installed prior to November 2, 2018 shall not be subject to paragraph (d)(1) for that boiler, provided that the boiler:

- (i) Maintains an annual capacity factor of less than ~~two and one-half~~ two-and-one-half percent each calendar year;
- (ii) Maintains an annual capacity factor of less than one percent averaged over three consecutive calendar years on a rolling basis; and

(iii) Retains the NO<sub>x</sub> and ammonia limits, averaging times, and ~~start-up~~ startup and shutdown requirements specified on the ~~SCAQMD~~ Permit to Operate as of November 2, 2018.

(C) Initial Requirement for Low-Use Exemption

The owner or operator of an electricity generating facility that elects the low-use exemption pursuant to subparagraph (g)(4)(A) or (g)(4)(B) for a gas turbine or boiler shall submit permit applications by July 1, 2022 for each electric generating unit requesting the change of ~~SCAQMD~~ permit conditions to incorporate the low-use exemption.

(D) Eligibility for Low-Use Exemption

Eligibility of the low-use exemption shall be determined annually for each electric generating unit and reported to the Executive Officer no later than March 1 following each reporting year.

(E) Exceedance of Low-Use Exemption

(i) If an electric generating unit with a low-use exemption pursuant to subparagraph (g)(4)(A) or (g)(4)(B) exceeds the annual or three year average annual capacity factor limit, such exceedance shall be a violation of this rule and the owner or operator of that electric generating unit is subject to issuance of a notice of violation each year there is an exceedance for each annual and/or three-year exceedance.

(ii) If an electric generating unit with a low-use exemption pursuant to subparagraph (g)(4)(A) or (g)(4)(B) exceeds the annual or three-year average annual capacity factor limit, the owner or operator of that electric generating unit shall:

(A) Within six months of the date of reported exceedance of subparagraph (g)(4)(A) or (g)(4)(B), submit complete ~~SCAQMD~~ permit applications to repower, retrofit, or retire that electric generating unit;

(B) Submit a CEMS Plan within six months from the date of complete ~~SCAQMD~~ permit application submittal pursuant to subclause (g)(4)(E)(ii)(A); and

(C) Not operate that electric generating unit in a manner that exceeds the emissions limits listed in Table I after two years

from the date of the reported exceedance of subparagraph  
(g)(4)(A) or (g)(4)(B).

- (5) Internal combustion engines located on Santa Catalina Island are exempt from subdivision (f).

**PROPOSED RULE 429.2      STARTUP AND SHUTDOWN EXEMPTION  
PROVISIONS FOR OXIDES OF NITROGEN FROM  
ELECTRICITY GENERATING FACILITIES**

[Rule index to be included after amendment]

(a) Purpose

The purpose of this rule is to provide an exemption from Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities (Rule 1135) emission limits during periods when units regulated under Rule 1135 are starting up and shutting down and to establish requirements during startup and shutdown.

(b) Applicability

This rule shall apply to the owner or operator of electric generating units at electricity generating facilities subject to Rule 1135.

(c) Definitions

- (1) ELECTRIC GENERATING UNIT is as defined in Rule 1135 and includes boilers, combined cycle gas turbines, duct burners, simple cycle gas turbines, and internal combustion engines, as defined in Rule 1135.
- (2) ELECTRICITY GENERATING FACILITY is as defined in Rule 1135.
- (3) MINIMUM OPERATING TEMPERATURE means the minimum operating temperature specified by the manufacturer, or as otherwise defined in the South Coast AQMD Permit to Construct or Permit to Operate.
- (4) NO<sub>x</sub> POST-COMBUSTION CONTROL EQUIPMENT means air pollution control equipment which eliminates, reduces, or controls the issuance of NO<sub>x</sub> downstream of combustion.
- (5) OXIDES OF NITROGEN (NO<sub>x</sub>) EMISSIONS is as defined in Rule 1135.
- (6) SCHEDULED STARTUP means a planned startup that is specified by January 1 of each year. A scheduled startup does not include a startup to meet energy demand, perform unplanned maintenance, or correct equipment failure, breakdown, or malfunction.

- (7) SHUTDOWN means the time period that begins when an electric generating unit begins reducing load in advance of terminating fuel flow and ends in a period of zero fuel flow. For dual fuel electric generating units, a shutdown does not include the time period when the unit transitions from one fuel to another.
  - (8) STABLE CONDITIONS means that the fuel flow to an electric generating unit is consistent and allows for normal operations.
  - (9) STARTUP means the time period beginning when an electric generating unit begins combusting fuel after a period of zero fuel flow.
- (d) Requirements
- (1) An owner or operator of an electric generating unit is not subject to the Rule 1135 paragraphs (d)(1) and (d)(3) emission limits during startup and shutdown for the time duration allowed pursuant to paragraph (d)(2).
  - (2) On and after January 1, 2024, an owner or operator of an electric generating unit installed prior to [DATE OF ADOPTION] shall limit the duration of startups and shutdowns to the times specified in Table 1: Startup and Shutdown Duration Limits for Electric Generating Units Installed Prior to [DATE OF ADOPTION] or the times specified in the Permit to Construct or Permit to Operate, whichever is more stringent.

**Table 1: Startup and Shutdown Duration Limits for Electric Generating Units Installed Prior to [DATE OF ADOPTION]**

| Equipment Type  | Time Allowance |            |
|---|----------------|------------|
|   | Startup        | Shutdown   |
| Boiler  | 20 hours       | 12 hours   |
| Combined Cycle Gas Turbine and Associated Duct Burner | 6 hours        | 2 hours    |
| Simple Cycle Gas Turbine                              | 1 hour         | 45 minutes |
| Diesel Internal Combustion Engines                    | 1 hour         | 30 minutes |

- (3) An owner or operator of an electric generating unit installed on or after [DATE OF ADOPTION] shall limit the duration of startups and shutdowns to the times specified in Table 2: Startup and Shutdown Duration Limits for Electric Generating Units Installed On or After [DATE OF ADOPTION] or the times specified in the Permit to Construct or Permit to Operate, whichever is more stringent.

**Table 2: Startup and Shutdown Duration Limits for Electric Generating Units Installed On or After [DATE OF ADOPTION]**

| Equipment Type  | Time Allowance |            |
|---|----------------|------------|
|   | Startup        | Shutdown   |
| Combined Cycle Gas Turbine and Associated Duct Burner | 60 minutes     | 30 minutes |
| Simple Cycle Gas Turbine                              | 15 minutes     | 10 minutes |
| Diesel Internal Combustion Engines                    | 30 minutes     | 30 minutes |

- (4) On and after January 1, 2024, an owner or operator of an electric generating unit shall not allow any startup to last longer than the time that is necessary to reach stable conditions and minimum operating temperature and full deployment of the NO<sub>x</sub> post-combustion control equipment, if applicable. If a unit reaches stable conditions and the NO<sub>x</sub> post-combustion control equipment reaches minimum operating temperature and full deployment of all post-combustion NO<sub>x</sub> control equipment, if applicable, before reaching the startup duration limit specified in paragraph (d)(2), paragraph (d)(3), the Permit to Construct, or the Permit to Operate, whichever is the most stringent startup duration limit, the startup period shall be considered over.
- (5) On and after January 1, 2024, an owner or operator of an electric generating unit not permitted to perform distillate fuel oil readiness testing shall not exceed twelve scheduled startups per calendar year for each electric generating unit.
- (6) On and after January 1, 2024, an owner or operator of an electric generating unit permitted to perform distillate fuel oil readiness testing shall not exceed 64 scheduled startups per calendar year for each electric generating unit.

- (7) An owner or operator of an electric generating unit shall take all reasonable and prudent steps to minimize emissions during startup and shutdown.
  - (8) On and after January 1, 2024, an owner or operator of an electric generating unit with NO<sub>x</sub> post-combustion control equipment shall install and maintain an annually calibrated temperature measuring device at the inlet of the NO<sub>x</sub> post-combustion control equipment.
  - (9) On and after January 1, 2024, an owner or operator of an electric generating unit with NO<sub>x</sub> post-combustion control equipment shall operate the NO<sub>x</sub> post-combustion control equipment, including, but not limited to, the injection of any associated chemical reagent(s), water, or steam into the exhaust stream to control NO<sub>x</sub>, if the temperature of the exhaust gas to the inlet of the NO<sub>x</sub> post-combustion control equipment is greater than or equal to the minimum operating temperature, the temperature of the exhaust gas is stable, and the injection of any associated chemical reagent(s) will not result in ammonia emissions in excess of concentration limits in the Permit to Operate or Permit to Construct.
- (e) Recordkeeping
- (1) On and after January 1, 2024, an owner or operator of an electric generating unit shall maintain the following records on-site for a period of five years, except that all data gathered or computed for intervals of less than 15 minutes shall be maintained for a minimum of 48 hours, and make this information available to South Coast AQMD upon request:
    - (A) A list of scheduled startups, including date, time, duration, and reason of the scheduled startup and any change(s) to the date and time of the scheduled startup;
    - (B) A list of each startup, excluding scheduled startups, and shutdown, which contains the date, time, and duration; and
    - (C) NO<sub>x</sub> emissions data collected with a certified Continuous Emissions Monitoring System (CEMS) pursuant to Rule 1135 subdivision (e) for each startup and shutdown.

- (2) On and after January 1, 2024, an owner or operator of an electric generating unit with NO<sub>x</sub> post-combustion control equipment shall maintain on-site documentation from the manufacturer of the minimum operating temperature of the NO<sub>x</sub> post-combustion control equipment and make this information available to the South Coast AQMD upon request, unless the Permit to Construct or Permit to Operate specifies the required minimum operating temperature of the NO<sub>x</sub> post-combustion control equipment.
  
- (f) Exemptions
  - (1) **Once-Through-Cooling Electric Generating Units to Be Retired**  
Until December 31, 2029, the owner or operator of an electric generating unit subject to the Clean Water Act Section 316(b) that will retire the unit on or before the compliance date set forth in Table 1 of Section 2(B) of the State Water Resources Control Board's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling implementing Section 316(b) of the Clean Water Act, shall not be subject to paragraphs (d)(2), (d)(5), and (d)(8), for that electric generating unit, provided that the owner or operator meets the requirements specified in Rule 1135 paragraph (g)(2).

# ATTACHMENT H

## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

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### Final Staff Report

#### Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities

#### Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities

January 2022

#### Deputy Executive Officer

Planning, Rule Development, and Area Sources  
Sarah L. Rees, Ph.D.

#### Assistant Deputy Executive Officer

Planning, Rule Development, and Area Sources  
Susan Nakamura

#### Planning and Rules Manager

Planning, Rule Development, and Area Sources  
Michael Morris

---

Author: Charlene Nguyen – Air Quality Specialist

Contributors: Jason Aspell – Deputy Executive Officer  
Al Baez – Program Supervisor  
Ryan Bañuelos – Air Quality Specialist  
Rizaldy Calungcagin – Supervising Air Quality Engineer  
Li Chen – Senior Air Quality Engineer  
Shah Dabirian – Program Supervisor  
Vicky Lee – Air Quality Engineer II  
Thomas Liebel – Senior Air Quality Engineering Manager  
Chris Perri – Air Quality Engineer II  
Barbara Radlein – Program Supervisor  
Kendra Reif – Air Quality Specialist  
Jillian Wong – Assistant Deputy Executive Officer

Reviewed By: Uyen-Uyen Vo – Program Supervisor  
Mary Reichert – Principal Deputy District Counsel

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

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

Vice Chair: VANESSA DELGADO  
Senate Rules Committee Appointee

**MEMBERS:**

LISA BARTLETT  
Supervisor, Fifth District  
County of Orange

JOE BUSCAINO  
Council Member, 15<sup>th</sup> District  
City of Los Angeles Representative

MICHAEL A. CACCIOTTI  
Mayor, South Pasadena  
Cities of Los Angeles County/Eastern Region

GIDEON KRACOV  
Governor's Appointee

SHEILA KUEHL  
Supervisor, Third District  
County of Los Angeles

LARRY MCCALLON  
Mayor, Highland  
Cities of San Bernardino County

VERONICA PADILLA-CAMPOS  
Speaker of the Assembly Appointee

V. MANUEL PEREZ  
Supervisor, Fourth District  
County of Riverside

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

CARLOS RODRIGUEZ  
Mayor, Yorba Linda  
Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

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## **CHAPTER 1: BACKGROUND**

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**INTRODUCTION**

**REGULATORY BACKGROUND**

**U.S. EPA'S POLICY ON STARTUP, SHUTDOWN, AND MALFUNCTION**

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**PUBLIC PROCESS**

## INTRODUCTION

Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities (Rule 1135) applies to RECLAIM NO<sub>x</sub>, former RECLAIM NO<sub>x</sub>, and non-RECLAIM NO<sub>x</sub> electricity generating facilities that are investor-owned electric utilities, publicly owned electric utilities, or have a generation capacity of at least 50 megawatts of electrical power. Rule 1135 is needed for the transition of electricity generating facilities from NO<sub>x</sub> REgional CLean Air Incentives Market (RECLAIM) program to a command-and-control regulatory structure and implements Best Available Retrofit Control Technology (BARCT) for electric generating units.

Proposed amendments to Rule 1135 are needed to remove ammonia emission limits that will be addressed during permitting and remove startup and shutdown provisions that will be addressed in Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen at Electricity Generating Facilities (PR 429.2), consistent with other source-specific rules. Additionally, Rule 1135 needs to be amended to reference the recently amended and adopted Rule 218-series rules for continuous emission monitoring systems (CEMS) requirements and modify NO<sub>x</sub> emission limits for diesel internal combustion engines on Catalina Island.

PR 429.2 is a companion rule to Rule 1135 and will provide exemptions from NO<sub>x</sub> concentration limits during startup and shutdown events to align with United States Environmental Protection Agency (U.S. EPA) policies for startup, shutdown, and malfunction events. Provisions in PR 429.2 will exempt electric generating units from Rule 1135 NO<sub>x</sub> emission limits and applicable rolling average provisions during startup and shutdown events and limit the duration of startup and shutdown events and the frequency of scheduled startups. Additionally, PR 429.2 establishes best management practices for startup and shutdown events as well as recordkeeping requirements.

## REGULATORY BACKGROUND

Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities Rule 1135 was adopted in 1989 and applied to electric power generating steam boiler systems, repowered units, and alternative electricity generating sources. A NO<sub>x</sub> system-wide average emission limit and a daily NO<sub>x</sub> emissions cap was established for each utility system. Additionally, Rule 1135 required Emission Control Plans and continuous emissions monitoring systems (CEMS).

Rule 1135 was amended in December 1990 to resolve implementation and enforceability issues raised by the California Air Resource Board. This amendment included accelerated retrofit dates for emission controls, unit-by-unit emission limits, modified compliance plan and monitoring requirements, computerized telemetering, and an amended definition of alternative resources. Rule 1135 was amended again July 1991 to address additional staff recommendations regarding system-wide emission rates, daily emission caps, annual emission caps, oil burning, and cogeneration, along with outstanding issues related to modeling and BARCT analysis. U.S. EPA approved Rule 1135 into the State Implementation Plan (SIP) on August 11, 1998.

In 2018, Rule 1135 was amended to establish BARCT NO<sub>x</sub> limits which are needed to transition electricity generating facilities in the NO<sub>x</sub> RECLAIM program to a command-and-control regulatory structure and to implement Control Measure CMB-05 of the 2016 AQMP and AB 617. The 2018 amendment expanded Rule 1135 applicability to all electric generating units at RECLAIM NO<sub>x</sub>, former RECLAIM NO<sub>x</sub>, and non-RECLAIM NO<sub>x</sub> electricity generating

facilities. The amendment updated emission limits to reflect current BARCT levels and to provide implementation timeframes for boilers, gas turbines, internal combustion engines located on Santa Catalina Island. Additionally, the amendment established provisions for monitoring, reporting, and recordkeeping, and exemptions from specific provisions.

### ***Electricity Generating Facilities and RECLAIM***

When RECLAIM was adopted in 1993, pursuant to Rule 2001 electricity generating facilities were initially included in NO<sub>x</sub> RECLAIM and could opt-in to SO<sub>x</sub> RECLAIM. In June 2000, RECLAIM program participants experienced a sharp and sudden increase in NO<sub>x</sub> RECLAIM trading credit (RTC) prices for both the 1999 and 2000 compliance years. Based on the 2000 RECLAIM Annual Report, electricity generating facilities reported approximately 4,400 tons per year over their initial allocation. This was primarily due to an increased demand for power generation and delayed installation of controls by electricity generating facilities. The electric power generating industry purchased a large quantity of RTCs, which depleted the available RTCs. This situation was compounded because few RECLAIM facilities added control equipment. As a result, in May 2001, the Board adopted Rule 2009 – Compliance Plan for Power Producing Facilities (Rule 2009). Rule 2009 required installation of BARCT through compliance plans at electricity generating facilities.

Between 2001 and 2005, more than 35 simple and combined cycle gas turbines were repowered to BARCT levels or below. Despite the increase in NO<sub>x</sub> RTC demand, emissions from electricity generating facilities fell from 26 tons per day of NO<sub>x</sub> emissions in 1989 to less than 10 tons per day of NO<sub>x</sub> emissions by 2005. By 2017, with equipment replacement and increased reliance on renewable sources, NO<sub>x</sub> emissions had further decreased to less than 4 tons per day. With the most recent amendment to Rule 1135, NO<sub>x</sub> emissions from electricity generating facilities is expected to be 1.8 tons per day by January 1, 2024.

As part of the series of command-and-control rules to establish BARCT NO<sub>x</sub> emission limits and to facilitate the transition of the NO<sub>x</sub> RECLAIM program, several rules included an ammonia slip limit of 5 ppm for equipment with selective catalytic reduction (SCR) and selective non-catalytic reduction (SNCR): 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines (Rule 1134), 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters (Rule 1146). Subsequently, staff decided that addressing ammonia limits during permitting is more appropriate to prevent conflicts with implementing Regulation XIII – New Source Review. South Coast AQMD Rule 1303 – Requirements requires Best Available Control Technology (BACT) for ammonia emissions if pollution control equipment, such as selective SCR or NSCR, is installed to meet a BARCT NO<sub>x</sub> limit and results in increased ammonia emissions of one pound per day or more. During permitting, the ammonia limit can be evaluated relative to the NO<sub>x</sub> limit in the rule and established at an achievable level for the equipment on a case-by-case basis.

### ***Startup and Shutdown***

Under the RECLAIM program, facilities are required to hold sufficient RECLAIM Trading Credits (RTCs) to reconcile actual emissions at the end of each annual compliance cycle, including the emissions that occur during startup and shutdown. A unit and/or associated control equipment is

not operating under steady-state conditions during startup or shutdown, which may result in greater emissions. For example, during startup and shutdown of combustion equipment, the temperature of the unit and/or associated controls is in transition and requires the addition of excess air. This process results in increased NO<sub>x</sub> formation.

Under a command-and-control regulatory structure, an owner or operator is required to meet emission limits on each individual piece of equipment on a continuous basis. Consequently, units that can otherwise meet lower NO<sub>x</sub> emission limits during steady-state conditions, may be unable to do so during periods of startup and shutdown. Therefore, provisions are needed to exclude emissions that occur during startup and shutdown from compliance determination with rule emission limit(s). Currently, Rule 1135 exempts startup and shutdown from the NO<sub>x</sub> emission limits and requires each electric generating unit to include permit limits for duration, mass emissions, and number of start-ups, shutdowns by January 1, 2024. Additionally, many existing electric generating units currently have requirements for startup and shutdown in their permits. Startup, shutdown, and tuning are unique to each unit and evaluated during the permitting process. However, U.S. EPA recommended that startup and shutdown requirements be included in Rule 1135 to facilitate enforceability and ensure SIP approval.

## **U.S. EPA POLICY ON STARTUP, SHUTDOWN, AND MALFUNCTION**

U.S. EPA issued startup, shutdown, and malfunction (SSM) policies in 2015 and 2020, which provided differing guidance on the requirements necessary for SIP approval. On September 30, 2021, U.S. EPA withdrew the 2020 policy and reinstated their prior 2015 policy, citing that the 2015 policy is more consistent with the Clean Air Act and relevant case law<sup>1</sup>.

### ***2015 Startup, Shutdown, and Malfunction State Implementation Plan Policy***

In 2015, U.S. EPA issued a SSM SIP Policy (80 FR 33840; June 12, 2015) which stated that exemptions from emission limitations during startup and shutdown events and affirmative defense provisions were inconsistent with the federal Clean Air Act (CAA)<sup>2</sup>. U.S. EPA asserted that an emission limitation must be applicable to the source continuously to be permissible in a SIP pursuant to CAA section 302(k). U.S. EPA's 2015 SSM SIP Policy stated that SIP emission limitations do not need to be numerical in format, do not have to apply the same limitation (e.g. numerical level) at all times, and may include alternative numerical limitations, other technological control requirements, or work practice requirements during startup and shutdown events, so long as those components of the emission limitations meet applicable federal CAA requirements.

## **AFFECTED FACILITIES AND EQUIPMENT**

There are 133 electric generating units at 32 electricity generating facilities that are potentially impacted by PAR 1135 and PR 429.2. Table 1-1 contains the equipment affected by PAR 1135 and PR 429.2.

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<sup>1</sup> <https://www.epa.gov/system/files/documents/2021-09/oar-21-000-6324.pdf>

<sup>2</sup> <https://www.govinfo.gov/content/pkg/FR-2015-06-12/pdf/2015-12905.pdf#page=2>

**Table 1-1: PAR 1135 and PR 429.2 Affected Equipment**

| <b>Equipment Type</b>                              | <b>Number of Units</b> |
|--|------------------------|
| Boilers  | 17                     |
| Combined Cycle Gas Turbines                        | 26                     |
| Combined Cycle Gas Turbine-Associated Duct Burners | 11                     |
| Diesel Internal Combustion Engines                 | 6                      |
| Simple Cycle Gas Turbines                          | 73                     |

**PUBLIC PROCESS**

Development of PAR 1135 and PR 429.2 was conducted through a public process. South Coast AQMD held two remote Working Group Meetings on May 28, 2021 and September 15, 2021. The Working Group is composed of representatives from affected facilities, environmental groups, public agencies, and consultants. The purpose of the Working Group Meetings is to discuss proposed concepts and work through the details of staff's proposals. A Public Workshop was held on October 27, 2021. Additionally, staff met individually with several facility operators.

**CHAPTER 2: SUMMARY OF PROPOSAL FOR PROPOSED AMENDED  
RULE 1135**

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**INTRODUCTION**

**PROPOSED AMENDED RULE 1135**

## INTRODUCTION

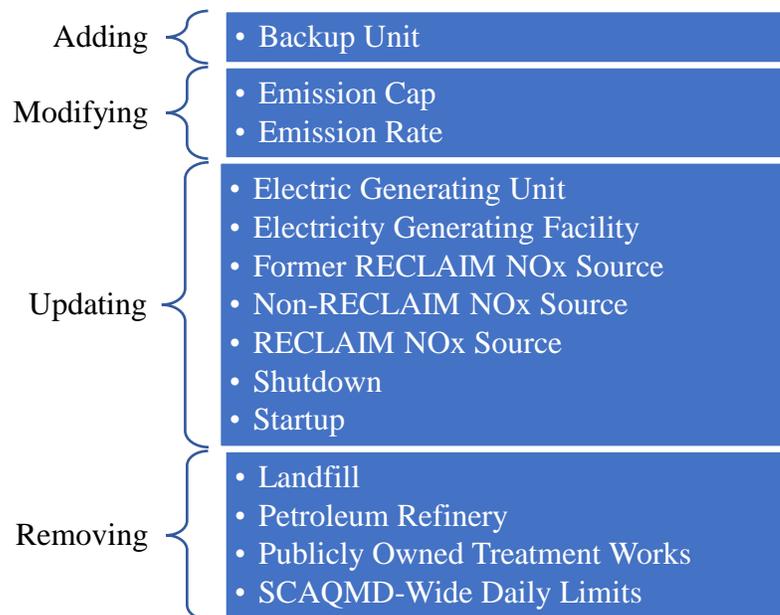
Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities (PAR 1135) will remove ammonia emission limits and move startup and shutdown provisions to Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen at Electricity Generating Facilities (PR 429.2) to be consistent with policy changes that have been implemented after the last amendment of Rule 1135. Additionally, PAR 1135 will reference the recently amended and adopted Rule 218-series rules for continuous emission monitoring systems (CEMS) requirements. PAR 1135 also proposes to revise the NO<sub>x</sub> emission limits for diesel internal combustion engines and include other amendments to provide additional clarifications.

## PROPOSED AMENDED RULE 1135

### *Definitions (Subdivision (c))*

PAR 1135 includes new, modified, updated, and removed definitions, as listed in Figure 2-1.

**Figure 2-1: Proposed Definition Revisions**



### *Backup Unit (paragraph (c)(2))*

PAR 1135 includes a provision, paragraph (e)(3), addressing monitoring, reporting, and recordkeeping requirements when NO<sub>x</sub> process units currently subject to Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions (Rule 2012) exit the RECLAIM program and become applicable to Rule 1135 monitoring, reporting, and recordkeeping requirements. A term for these units, “Backup Unit,” is added and is defined as:

*Any NOx emitting turbine which is used intermittently to produce energy on a demand basis, that does not operate more than 1,300 hours per year, is not subject to 40 CFR Part 72, and was a NOx process unit prior to the facility becoming a former RECLAIM NOx facility.*

This term is based on the definition of “NOx Process Unit” in Rule 2012 and “Peaking Unit” in Rule 2012 Attachment F – Definitions. Per Rule 2012 paragraph (e)(1) a “NOx Process Unit” is any NOx emitting equipment and includes “Peaking Units.” Rule 2012 Appendix E defines “Peaking Unit” as a turbine used intermittently to produce energy on a demand basis and does not operate more than 1,300 hours per year. In addition, 40 CFR Part 72 (Acid Rain Program) is added into the definition since units in the Acid Rain Program are required to follow specific monitoring, reporting, and recordkeeping requirements. Lastly, the definition requires that Backup Units were categorized as NOx process units when in the RECLAIM program, which is added to ensure that no units that currently have CEMS utilize paragraph (e)(3).

*Electric Generating Unit (paragraph (c)(8))*

For clarification, the definition “Electric Generating Unit” is revised to exclude portable engines registered under the California Air Resources Board (CARB) Statewide Portable Equipment Registration Program (PERP). These engines are registered with CARB and are not required to obtain individual permits from local air districts and do not produce electrical power for distribution in the state or local electrical grid system.

*Emission Cap, Emission Rate, and SCAQMD-Wide Daily Limits (paragraphs (c)(10) and (c)(11) and former paragraph (c)(20))*

To streamline the rule language in paragraph (d)(6) for City of Glendale where emissions caps or emissions rates are required, “SCAQMD-Wide Daily Limits” is removed and the terms embedded within that definition, “Emission Cap” and “Emission Rate,” are made their own definitions. In the “Emission Rate” definition, the provision regarding emissions from startup and shutdown is moved to the applicable requirement in clause (d)(6)(A)(i).

*Electricity Generating Facility, Landfill, Petroleum Refinery, and Publicly Owned Treatment Works (paragraph (c)(9) and former paragraphs (c)(13), (c)(16), and (c)(18))*

“Electricity Generating Facility” is updated to reference the applicable South Coast AQMD rules for landfills (Rule 1150.3 – Emissions of Oxides of Nitrogen from Combustion Equipment at Landfills), petroleum refineries (Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations), and publicly owned treatment works (Rule 1179.1 – Emission Reductions From Combustion Equipment at Publicly Owned Treatment Works Facilities) that are not applicable to Rule 1135. During the last amendment for Rule 1135, these rules were not yet adopted, so the rule language referenced the industry instead. With the updated “Electricity Generating Facility” definition, the definitions for “Landfill,” “Petroleum Refinery,” and “Publicly Owned Treatment Works” are obsolete and therefore removed.

Additionally, the definition of “Electricity Generating Facility” is clarified to say that only investor-owned electric utilities and publicly owned electric utilities with electric generating units falls under this definition. Electricity Generating Facilities do not include facilities that do not

generate power such as garages, laydown yards, office buildings, service centers, substations, or warehouses of investor-owned electric utilities and publicly owned electric utilities.

Former RECLAIM NO<sub>x</sub> Source, Non-RECLAIM NO<sub>x</sub> Source, and RECLAIM NO<sub>x</sub> Source (paragraphs (c)(13), (c)(16), and (c)(19))

The terms “Former RECLAIM NO<sub>x</sub> Source,” “Non-RECLAIM NO<sub>x</sub> Source,” and “RECLAIM NO<sub>x</sub> Source” replaced “Source” with “Facility” and were aligned with the definitions in Rule 1100 – Implementation Schedule for NO<sub>x</sub> Facilities for consistency.

Shutdown and Startup (paragraphs (c)(20) and (c)(22))

PAR 1135 moves startup and shutdown provisions to PR 429.2, which will regulate startup and shutdown events for electric generating units. The “Shutdown” and “Startup” definitions are revised to reference PR 429.2 for the definition.

**Emissions Limits (Subdivision (d))**

Reference to Rule 2001 (paragraphs (d)(1) and (d)(3))

Rule 2001 – Applicability was last amended in July 2019 and one of the amendments was to update Table 1. Therefore, the rule language referencing Rule 2001 in paragraphs (d)(1) and (d)(3) are now obsolete and removed from PAR 1135.

Removal of Ammonia Limits (Tables 1 and 2)

As mentioned in [Chapter 1](#), to align with policy changes regarding ammonia emissions, the ammonia emission limits in Table 1: Emissions Limits for Boilers and Gas Turbines and Table 2: Emissions Limits for Diesel Internal Combustion Engines are removed. Ammonia emission limits will now be addressed during permitting. For existing electric generating units, ammonia limits in their existing permits will be retained and will not be reassessed.

Electric Generating Units Located on Santa Catalina Island (paragraphs (d)(2) through (d)(4) and former paragraph (d)(4))

Southern California Edison (SCE) currently provides electric generation for Santa Catalina Island using six diesel internal combustion engines, with diesel fuel barged in from the mainland to the island as there is no infrastructure for natural gas. Currently Rule 1135 provides two compliance options for the electric generating units on Santa Catalina Island: 1) Meet a mass emission limit of 13 tons of NO<sub>x</sub> per calendar year annually by January 1, 2026 with an option of an extension up to three years, to be achieved by implementing near-zero or zero-emission technologies (former paragraph (d)(4)), or 2) If the first option is not feasible, meet the emission limits for diesel internal combustion engines in Table 2 by January 1, 2024 with an option of an extension up to three years.

After the adoption of the 2018 amendments to Rule 1135, SCE conducted a feasibility study<sup>3</sup> that evaluated near-zero and zero-emission technology options, which included renewable energy

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<sup>3</sup> “Santa Catalina Island Repower Feasibility Study,” authored by consulting group NV5 in partnership with the National Renewable Energy Laboratory and U.S. Environmental Protection Agency.  
<https://www.sce.com/about-us/reliability/upgrading-transmission/catalina-repower>

technologies (i.e., solar, wind turbines, wave power) and power supply from the mainland via an undersea cable. Due to limited fuel infrastructure, space, permitting, and land ownership considerations on the island, the feasibility study concluded that replacement of the engines with new U.S. EPA Tier 4 Final-Certified diesel engines was the most feasible option, which would allow SCE to meet the Rule 1135 emission limits in the near-term and to possibly integrate zero-emission technologies in the long-term.

At the Public Workshop held on October 27, 2021, staff presented that the NO<sub>x</sub> emission limit for diesel internal combustion engines would be maintained, but the rolling average would be revised from 60-minutes to 3-hours. A stakeholder commented that Rule 1135 requirements for diesel engines need to be re-evaluated and require a near-zero or zero-emission technology (e.g. fuel cells) as BARCT. The current Rule 1135 compliance options for diesel engines were based on the BARCT assessment conducted during the 2018 rule amendment, and thus, do not consider currently available zero-emission technologies, which have progressed since then. Staff is including a Resolution to conduct an updated BARCT assessment as soon as practicable for the electricity generating units on Santa Catalina Island and to begin the rule development process in the first quarter of 2022 to amend Rule 1135 to reflect the revised BARCT assessment.

To facilitate a pathway for SCE to evaluate and implement near-zero or zero-emission technologies on Santa Catalina Island, PAR 1135 makes the alternative compliance approach of meeting an annual mass emission limit from all electric generating units of 13 tons of NO<sub>x</sub> by January 1, 2026 in former paragraph (d)(4) the primary compliance approach. Paragraph (d)(2) will require the electricity generating facility on Santa Catalina Island to meet a mass emission limit from all electric generating units of 50 tons of NO<sub>x</sub> annually by January 1, 2024 (subparagraph (d)(2)(A)), not install or replace any diesel internal combustion engines after January 1, 2024 ((subparagraph (d)(2)(B)), meet a mass emission limit from all electric generating units of 45 tons of NO<sub>x</sub> annually by January 1, 2025 (subparagraph (d)(2)(C)), and meet a mass emission limit from all electric generating units of 13 tons of NO<sub>x</sub> annually on and after January 1, 2026 (subparagraph (d)(2)(D)). Currently, the definition for electric generating units does not include the new technology that will replace the engines, but the mass emissions will include emissions from these units. Once the new technology is determined, it will be integrated into the definition of electric generating unit. The annual mass emission limits of 50 and 45 tons of NO<sub>x</sub> are interim limits that allows the facility to achieve emission reductions upfront with feasibly-determined near-term solutions, which can include engine replacement, as the facility evaluates options to achieve near-zero or zero-emission technology to power the island by January 1, 2026. Additionally, to ensure that near-zero or zero-emission technology will be installed on the island, subparagraph (d)(2)(B) will prohibit the installation of any new diesel internal combustion engines after January 1, 2024. This prohibition refers to electric generating units and does not include emergency diesel internal combustion engines or portable engines registered under PERP. Additionally, this prohibition does not include diesel internal combustion engines that are undergoing reconstruction as defined in 40 CFR Part 60.15 or Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines; all other existing reconstruction requirements are still applicable. The mass emission limits from all electric generating units in subparagraph (d)(2)(A), (d)(2)(C), and (d)(2)(D) include mass emissions from startups and shutdowns. Paragraph (d)(3) requires the mass emissions limits in Table 2 on and after January 1, 2024 for new diesel internal combustion

engines that are installed to comply with mass emission limits in subparagraph (d)(2)(A), (d)(2)(C), and (d)(2)(D).

Current Table 2 specifies that diesel internal combustion engines meet a NO<sub>x</sub> emission limit of 45 ppmv at 15 percent oxygen, averaged over a 60-minute rolling average. This limit was derived from the U.S. EPA's Regulation for Emissions from Heavy Equipment with Compression-Ignition (Diesel) Engines Tier 4 Final emission standard of 0.67 g/kWh or 0.50 g/bhp-hr with an assumed engine efficiency of 40 percent. To determine an engine's NO<sub>x</sub> emissions, the Tier 4 Final certification test measures the NO<sub>x</sub> emissions at five different operating loads (10, 25, 50, 75, and 100 percent) and then averages those results.

Based on discussions with SCE, the replacement engines planned for installation, if they were to meet the compliance option of all diesel engines meeting the emissions limits in the current Table 2 by January 1, 2024, are three different engine sizes: 1) 2,200 bhp engine driving a 1,365 kW generator, 2) 3,280 bhp engine driving a 1,825 kW generator, and 3) 4,060 bhp engine driving a 2,500 kW generator.

The replacement engines meet the emissions limits in Table 2 of the rule except for the 45 ppmv NO<sub>x</sub> emission limit at certain loads. Based on test data provided by the manufacturer, these replacement engines cannot meet NO<sub>x</sub> emission limit under two test loads. The first is for the 2,200 bhp engine driving a 1,365 kW generator and 3,280 bhp engine driving a 1,825 kW generator, at 10 percent load. The second is for the 4,060 bhp engine driving a 2,500 kW generator at 100 percent load. However, the manufacturer indicated that these replacement engines can meet 45 ppmv NO<sub>x</sub> at all other tested loads. Since the engines do not normally operate at loads below 10 percent or at 100 percent load, there are only short periods of time when the engine would have higher emissions.

Paragraph (d)(3) requires that engines meet the 45 ppmv NO<sub>x</sub> emission limit on a continuous basis averaged over 60 minutes. To address this issue of the two instances where the replacement engines cannot meet 45 ppmv NO<sub>x</sub>, PAR 1135 revises the rolling average period for the 45 ppmv NO<sub>x</sub> emission limit from 60 minutes to three hours. The shorter averaging period could result in excessive restarting of the new engines when the NO<sub>x</sub> emissions start to approach the emission limit and consequently result in higher NO<sub>x</sub> emissions and make providing continuous power to Santa Catalina Island challenging. As the limit is still 45 ppmv at 15 percent oxygen, no NO<sub>x</sub> emission increases are expected.

For clarification of the emission averaging methods to be used to demonstrate compliance with the NO<sub>x</sub> emission limit, Footnote 1 in Table 2 specifies that the three-hour rolling average be calculated using hourly averages computed in accordance with Rule 218.3 – Continuous Emission Monitoring System: Performance Specifications (Rule 218.3). Emission data averaging methods for compliance demonstration for intervals greater than one hour are specified in Rule 218.3 (March 5, 2021) subparagraphs (i)(4)(A) and (i)(4)(C).

Lastly, for consistency with the test methods required to certify diesel engines to the Tier 4 Final particulate matter (PM) emission standard pursuant to 40 CFR Part 1065 – Engine-Testing Procedures and the required test methods pursuant subparagraph (e)(5)(B), PAR 1135 adds a footnote to Table 2 clarifying that the 0.0076 lbs/MMbtu particulate matter emission limit applies to both filterable and condensable particulate matter.

Due to PAR 1135 making the annual mass emission limit of 13 tons of NOx by January 1, 2026 the primary compliance approach, former paragraph (d)(4) is removed.

Paragraph (d)(4) retains the option to request a time extension up to three years for the annual mass emission limit of 13 tons of NOx, but removes that option for all engines to meet the emissions limits in Table 2 as this requirement is no longer a compliance option. All references to former paragraph (d)(2) are removed in this paragraph. Now that PAR 1135 requires the facility on Santa Catalina Island to meet the 50-ton annual mass emission limit by January 1, 2024, the 45 ton annual mass emission limit by January 1, 2025, and the 13-ton annual mass emission limit by January 1, 2026, phased emission reductions required in clauses (d)(4)(A)(i) and (d)(4)(A)(ii) to qualify for a time extension and clause (d)(4)(E)(i), which requires an application to be submitted for a permit condition if the facility elects to comply with the 13-ton annual mass emission limit, are no longer needed and are removed. Subclause (d)(4)(A)(ii)(D) adds a requirement for the time extension request to include a description of the technologies that will be used to achieve the 13-ton annual mass emission limit.

*Start-up, Shutdown, and Tuning Requirements (former paragraph (d)(3))*

PAR 1135 removes startup and shutdown provisions in paragraph (d)(3) which will now be addressed in PR 429.2.

*Startup, Shutdown, and Tuning Requirements (paragraph (d)(5))*

The provision now states that NOx emission limits from Table 1 and NOx, carbon monoxide, and volatile organic compounds emissions limits in Table 2 do not apply during startup and shutdown, but instead are applicable to Rule 429.2. Additionally, tuning will not be subject to Rule 1135 limits if the unit's Permit to Operate has limits for duration and number of tunings.

*City of Glendale (paragraph (d)(6))*

The provision regarding startup and shutdown emissions in the "Emissions Rate" definition (former subparagraph (c)(20)(B)) is moved to the emission rate requirement in clause (d)(6)(A)(i).

*Permit Application Submittals (paragraphs (d)(6) through (d)(8))*

The Rule 1135 permit application requirement in paragraph (d)(6) is amended to be applicable to only RECLAIM and former RECLAIM NOx facilities, excluding the electricity generating facility on Santa Catalina Island. Paragraph (d)(7) will be the permit application requirement for non-RECLAIM facilities, which will require submittals by January 1, 2023; this extended date is for permit submittals only and does not extend the Table 1 compliance date. One Rule 1135 non-RECLAIM facility is waiting for their city council to approve their repower project, which is anticipated to occur approximately at the end of January 2022. The permit application submittal date extension allows the facility enough time to submit their applications after a decision is made. Paragraph (d)(8) adds a new permit submittal deadline for Santa Catalina Island and requires applications for a change in permit conditions or for a Permit to Construct by January 1, 2023. Due dates for permit application submittals will ensure that South Coast AQMD staff will have enough time to process the permits before the Table 1 and Table 2 compliance dates. Permit application submittals required in paragraphs (d)(6) through (d)(8) pertain to changes to permit conditions that are needed to align with Rule 1135 requirements (e.g. equipment modifications, revising the permit

NOx emission limit of a boiler from 7 ppmv to 5 ppmv to be effective January 1, 2024, ~~referencing specific Rule 1135 provisions for monitoring, recordkeeping, and reporting requirements~~. A facility does not need to submit a permit application for reconciliation if the current permit is already reconciled with Rule 1135.

***Monitoring, Recordkeeping, and Reporting (Subdivision (e))***

*Former RECLAIM NOx and Non-RECLAIM NOx Facilities (paragraph (e)(2) and former paragraph (e)(3))*

In March 2021, South Coast AQMD Rule 218-series rules addressing Continuous Emissions Monitoring Systems (CEMS) were amended and adopted to align CEMS requirements for former RECLAIM and non-RECLAIM facilities. As RECLAIM facilities exit the RECLAIM program, these facilities will be transitioned from South Coast AQMD Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions (Rule 2012) to Rules 218.2 – Continuous Emission Monitoring System: General Provisions (Rule 218.2) and 218.3 – Continuous Emissions Monitoring System: Performance Specifications (Rule 218.3). Additionally, non-RECLAIM facilities will be transitioned from Rules 218 – Continuous Emission Monitoring (Rule 218) and 218.1 – Continuous Emission Monitoring Performance Specifications (Rule 218.1) to Rules 218.2 and 218.3. Paragraph (e)(2) now specifies that former RECLAIM NOx and non-RECLAIM NOx facilities follow Rules 218.2 and 218.3 and removes all Rule 2012 references. Former paragraph (e)(3) containing CEMS requirements for non-RECLAIM NOx sources is also removed. Rules 218.2 and 218.3 provide an implementation schedule for facilities operating CEMS previously certified to Rules 218 and 218.1 or Rule 2012. Therefore, requirements to follow 40 CFR Part 75 – Continuous Emission Monitoring and Rules 218 and 218.1 are retained and moved to paragraph (e)(2) until the applicable implementation dates set forth in Rules 218.2 and 218.3.

*Backup Units (paragraph (e)(3))*

Staff has identified one RECLAIM NOx facility that operates two turbines, which are currently NOx process units in the facility’s RECLAIM/Title V Permit. Rule 2012 does not require process units to have a CEMS installed. Furthermore, the two units are simple cycle turbines each rated less than 25 megawatts and installed before November 15, 1990, making them not subject to the Acid Rain Program under 40 CFR Part 72 – Permits Regulation, which requires electric generating units to conduct continuous emission monitoring pursuant to 40 CFR Part 75.

Currently, Rule 1135 requires CEMS for all electricity generating units at former RECLAIM NOx and non-RECLAIM NOx facilities. Once a facility exits RECLAIM, units that were RECLAIM NOx process units, referred to as “Backup Units” in PAR 1135, will be required to have a CEMS. PAR 1135 maintains this requirement and will require former RECLAIM NOx facilities to follow Rule 218-series rules and operate CEMS. To allow sufficient time to implement Rule 218-series rules for the backup units after exiting RECLAIM, PAR 1135 will allow the backup units until July 1, 2026 to install CEMS, provided that the owner or operator does the following for each backup unit:

- 1) (subparagraph (e)(3)(A)) Measure quarterly fuel usage by installing, maintaining, and operating a totalizing fuel meter or any device approved by Executive Officer to be

equivalent in accuracy, reliability, reproducibility, and timeliness. Fuel usage is necessary to calculate the NO<sub>x</sub> emissions by multiplying the fuel usage by the emission factor specified in the Permit to Operate;

- 2) (subparagraph (e)(3)(B)) Demonstrate compliance with permit limits by conducting annual source testing using the following test methods: South Coast AQMD Method 100.1 – Instrumental Analyzer Procedures for Continuous Gaseous Emission Sampling, South Coast AQMD Method 7.1 – Determination of Nitrogen Oxide Emissions from Stationary Sources, U.S. EPA Method 20 – Nitrogen Oxides from Stationary Gas Turbines, or U.S. EPA Method 7E – Nitrogen Oxide – Instrumental Analyzer;
- 3) (subparagraph (e)(3)(C)) Conduct the first source test either within six months from the time the facility becomes a former RECLAIM NO<sub>x</sub> facility or within one year from the date of the last source test, whichever is later;
- 4) (subparagraph (e)(3)(D)) At least 60 days before the scheduled source test date, submit a source test protocol to the Executive Officer for written approval. Source test protocols establish procedures to ensure results are accurate and representative of a source's emissions. The source test protocol must contain:
  - a. Descriptions of the unit to be tested and process, including maximum and normal operating temperatures, pressures, and throughput;
  - b. Operating conditions, such as operating turbine loads and test duration at each load, under which the source test will be conducted;
  - c. Planned sampling parameters, including a process schematic diagram showing the ports and sampling locations, with the dimensions of ducts and stacks at the sampling locations and distances of flow disturbances (e.g. elbows, tees, fans, dampers) from the upstream and downstream sampling locations;
  - d. Description of test, sampling, and analytical methods used to measure NO<sub>x</sub>, temperature, flow rates, and moisture;
  - e. Description of calibration and quality assurance procedures; and
  - f. Information on equipment, logistics, personnel, and other resources necessary to conduct an efficient and coordinated source test;
- 5) (subparagraph (e)(3)(E)) In lieu of submitting a source test protocol, the facility may use a previously approved source test protocol if: the unit has not been altered to where a permit modification is required; the permit NO<sub>x</sub> emission factors or concentration limits or equipment-specific or category-specific NO<sub>x</sub> emission rates have not changed since the previous test; and the approved source test protocol is representative of the operation and configuration of the unit, meets the source test protocol requirements provided in subparagraph (e)(3)(D), and references the test method required in subparagraph (e)(3)(B);
- 6) (subparagraph (e)(3)(F)) Within 30 days after the end of the first three quarters and 60 days after the end of the fourth quarter of the compliance year, submit a quarterly report of NO<sub>x</sub> mass emissions to the Executive Office, using a South Coast AQMD-approved format, as calculated using the emission factor specified in the Permit to Operate;
- 7) (subparagraph (e)(3)(G)) Annually tune-up according to the manufacturer's specifications;
- 8) (subparagraph (e)(3)(H)) Maintain records on-site for 5 years and make available to South Coast AQMD upon request: data collected and calibration records from the totalizing fuel meter or the South Coast AQMD-approved device; source test protocols and reports;

quarterly NOx mass emission reports, including the data used to calculate the NOx mass emissions; and each tune-up; and

- 9) (subparagraph (e)(3)(I)) Within six months of becoming a former RECLAIM NOx facility, submit a permit application to limit the total annual operation time of the backup unit to no more than 1,300 hours per year to ensure only backup units, as defined in PAR 1135, can utilize this provision.

The proposed requirements for backup units in lieu of installing and operating CEMS are the current monitoring, recordkeeping, and reporting requirements for these units. The requirements are specified in the facility's current Title V/RECLAIM permit and are pursuant to Rule 2012 subdivision (e) – NOx Process Unit.

#### *Diesel Internal Combustion Engines (paragraph (e)(5))*

Submitting a source test protocol for South Coast AQMD approval is the first step of source testing. For consistency with paragraph (e)(3), PAR 1135 paragraph (e)(5) adds source test protocol submittal requirements for source testing of diesel internal combustion engines. Subparagraph (e)(5)(C) references subparagraph (e)(3)(D) for the information to be included in the source test protocol. Subparagraph (e)(5)(D) references subparagraph (e)(3)(E) for the option to use a previously approved source test protocol in lieu of submitting a new protocol.

#### *Catalytic and Non-Catalytic Control Devices with Ammonia Injection (paragraph (e)(6))*

Currently, Rule 1135 only refers to source testing or continuous monitoring of ammonia for catalytic control devices. PAR 1135 paragraph (e)(6) adds non-catalytic control devices with ammonia injection to ensure source testing or continuous monitoring of ammonia emissions requirements apply to all electric generating units that emit ammonia.

#### *Operations Recordkeeping (paragraph (e)(8))*

Several stakeholders mentioned that this provision requires operators to keep multiple and redundant logs as operators are already required to keep logs of operating information by other rules or regulations. The provision is revised only to require records and does not require a separate operating log. Data generated by a Data Acquisition Handling System (DAHS) that sufficiently provides any of the information required in this paragraph can be used as records. Additionally, paragraph (e)(8) removes the provision that requires the records be maintained in a manner that is approved by the South Coast AQMD; approval will add additional burden on the facility and on the compliance inspector.

#### ***Use of Liquid Petroleum Fuel (Subdivision (f))***

##### *Distillate Fuel Oil Readiness Testing (paragraph (f)(2))*

References to “fuel oil” are changed to “distillate fuel oil” to capture both diesel and fuel oils.

##### *Source Testing and Fuel Flow Meter Calibration (paragraph (f)(3))*

Some Rule 1135 electric generating units are permitted to perform annual fuel flow meter calibration in lieu of Relative Accuracy Test Audits (RATAs) during distillate fuel oil readiness testing or force majeure natural gas curtailment when the use of liquid petroleum fuel is required. Therefore, paragraph (f)(3) includes annual fuel flow meter calibration as a circumstance in which

an electric generating unit is allowed to burn liquid petroleum fuel. Additionally, paragraph (f)(3) allows RATA tests and annual fuel flow calibration to be conducted concurrently with either distillate fuel oil readiness testing or during force majeure natural gas curtailment when the use of liquid petroleum fuel is required.

***Exemptions (Subdivision (g))***

***Once-Through-Cooling Electric Generating Units to Be Retired (paragraph (g)(2))***

Current Rule 1135 exempts once-through-cooling electric generating units that are subject to the Clean Water Act Section 316(b) from the emissions limits in paragraph (d)(1) under the conditions that the units keep their NOx and ammonia limits, startup, shutdown, and tuning requirements, and averaging times on the current permit and the units comply with their compliance dates established pursuant to Table 1 of Section 2(B) of the State Water Resources Control Board's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling (Once-Through-Cooling Policy) implementing Section 316(b) of the Clean Water Act. This exemption was included with the understanding that the electric generating units subject to the Once-Through-Cooling Policy were scheduled for shutdown or retirement by these compliance dates. However, industry representatives notified staff that some once-through-cooling electric generating units may no longer be retired and only have their once-through-cooling systems removed. PAR 1135 paragraph (g)(2) clarifies that the exemption from paragraph (d)(1) applies to once-through-cooling units to be retired and requires in subparagraph (g)(2)(A) that the owner or operator must retire the unit by the compliance date established in the Once-Through-Cooling Policy to qualify for the exemption. Former subparagraph (g)(2)(D), which states that the owner or operator just comply with the compliance date established in the Once-Through-Cooling Policy, is removed to minimize duplication with subparagraph (g)(2)(A). An owner or operator of a once-through-cooling unit that will just remove the once-through-cooling system to comply with the policy are expected to comply with the emissions limits in paragraph (d)(1). Additionally, the exemption will now have a sunset date of December 31, 2029. This provision limits the amount of time that these units are allowed operate with NOx emissions greater than the NOx emission limits in Table 1.

## **CHAPTER 3: SUMMARY OF PROPOSAL FOR PROPOSED RULE 429.2**

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**INTRODUCTION**

**PROPOSED RULE 429.2**

## INTRODUCTION

PR 429.2 will establish startup and shutdown provisions for Rule 1135 electricity generating facilities. PR 429.2 will exempt electric generating units from Rule 1135 NOx emission limits during startup and shutdown events and establish startup and shutdown duration and frequency provisions. Additionally, PR 429.2 establishes best management practices during startup and shutdown events and recordkeeping requirements.

## PROPOSED RULE 429.2

### *Purpose (Subdivision (a))*

The purpose of this rule is to provide an exemption from Rule 1135 emission limits during periods when electric generating units are starting up and shutting down and establish requirements during startup and shutdown events. PR 429.2 is needed to regulate startup and shutdown pursuant to U.S. EPA SSM SIP Policy (80 FR 33840; June 12, 2015) regulating startups, shutdowns, and malfunctions.

### *Applicability (Subdivision (b))*

PR 429.2 applies to an owner or operator of electric generating units subject to Rule 1135.

### *Definitions (Subdivision (c))*

PR 429.2 incorporates definitions from Rule 1135 and other South Coast AQMD startup and shutdown rules to be proposed or amended as well as new definitions specific to the proposed rule. Please refer to PR 429.2 subdivision (d) for each definition.

Proposed Definitions:

- Electric Generating Unit
- Electricity Generating Facility
- Minimum Operating Temperature
- NOx Post-Combustion Control Equipment
- Oxides of Nitrogen (NOx) Emissions
- Scheduled Startup
- Shutdown
- Stable Conditions
- Startup

### *Startup and Shutdown (paragraphs (c)(9) and (c)(7))*

To develop the definitions for startup and shutdown, staff modified “Startup” and “Shutdown” definitions in Rule 1135 to fit all equipment types subject to Rule 1135. Staff reviewed startup and shutdown definitions in current permits and worked with stakeholders to address concerns.

“Startup” is defined as:

*The time period beginning when an electric generating unit begins combusting fuel after a period of zero fuel flow.*

Combusting fuel after a period of zero fuel flow could mean initial firing of fuel in the gas turbine combustors or to the burner in a boiler, or when fuel is first sprayed into the hot compressed air at a measured rate to ignite the fuel in a diesel engine. Since PR 429.2 will limit the duration of startups in paragraphs (d)(2), (d)(3), and (d)(4), the ending of a startup will be imposed as when the time limit specified in these paragraphs is reached.

“Shutdown” is defined as:

*The time period that begins when an electric generating unit begins reducing load in advance of terminating fuel flow and ends in a period of zero fuel flow. For dual fuel electric generating units, a shutdown does not include the time period when the unit transitions from one fuel to another.*

Shutting down an electric generating unit starts by reducing load, which results in reduced combustion temperature, lower stack flow rate, and increased NO<sub>x</sub> formation. For units with NO<sub>x</sub> post-combustion control, the control equipment does not work when exhaust temperatures drop below minimum operating temperatures of the control equipment. Load reduction as a result of load fluctuation for power demand does not constitute the beginning of a shutdown. The ending of a shutdown is generalized as when there is a period of zero fuel flow, which means the unit is no longer combusting fuel. A period of zero fuel flow could mean cessation of firing in the gas turbine combustors, the fuel is shut off to the burner in a boiler or to the compressed air cylinder in a diesel engine, the flame signal of the gas turbine indicates the unit is offline, or the boiler is put into hot standby. Hot standby refers to when the igniters are on and fuel flow is minimal, but no electricity is being generated. For dual fuel electric generating units, when units are transitioning from one fuel to the other, there may be a short period of zero fuel flow. Therefore, the definition clarifies that this transition is not considered a shutdown.

*Scheduled Startup (paragraph (c)(6))*

PR 429.2 limits the frequency of scheduled startup events in paragraphs (d)(5) and (d)(6). Since electric generating units need to start up at any moment in time and may startup several times per day to meet energy demand without prior notice, only scheduled startups are limited in frequency. Staff modified the definition for “Scheduled Startup” from Rule 429 – Start-up and Shutdown Exemption Provisions for Oxides of Nitrogen to include types of startup events specific to electricity generating facilities that would not be considered scheduled and defined “Scheduled Startup” as:

*A planned startup that is specified by January 1 of each year. A scheduled startup does not include a startup to meet energy demand, perform unplanned maintenance, or correct equipment failure, breakdown, or malfunction.*

Scheduled startups include, but are not limited to, startups due to planned maintenance, turnaround (catalyst changeout), source testing, tuning, diesel readiness testing, system reliability testing, regulatory testing, or construction. A startup is only considered a scheduled startup if it is known and specified by January 1 of each year.

*NO<sub>x</sub> Post-Combustion Control Equipment (paragraph (c)(4))*

PR 429.2 proposes various requirements for NO<sub>x</sub> post-combustion control equipment and is defined as:

*Air pollution control equipment which eliminates, reduces, or controls the issuance of NOx downstream of combustion.*

This definition is modified from the Rule 102 – Definition of Terms definition of control equipment and made specific to NOx and post-combustion control equipment.

*Minimum Operating Temperature and Stable Conditions (paragraphs (c)(3) and (c)(8))*

PR 429.2 proposes various requirements to minimize emissions during startup and shutdown events. To provide clarification for the definition of shutdown (paragraph (c)(7)) and compliance determination with paragraphs (d)(4), (d)(9), and (e)(2), which ensure that NOx post-combustion control equipment are operating efficiently and effectively, a definition for “Minimum Operating Temperature” is defined as:

*The minimum operating temperature specified by the manufacturer, or as otherwise defined in the South Coast AQMD Permit to Construct or Permit to Operate.*

To provide clarification for compliance determination with paragraph (d)(4), which ensures that electric generating units no longer exceed Rule 1135 emission limits once stable conditions is reached, a definition for “Stable Conditions” is added and is defined as:

*The fuel flow to an electric generating unit is consistent and allows for normal operations.*

***Requirements (Subdivision (d))***

PR 429.2 establishes provisions for startup and shutdown duration, frequency of scheduled startups, and best management practices during startup and shutdown events. To synchronize these requirements with the current requirement in Rule 1135, PR 429.2 establishes an effective date of January 1, 2024 for many of the startup and shutdown provisions.

*Exemption from Rule 1135 (paragraph (d)(1))*

Paragraph (d)(1) specifies that Rule 1135 emission limits in Tables 1 and Table 2 do not apply during startup and shutdown. This exemption is necessary because NOx post-combustion control equipment cannot be utilized until an electric generating unit is at specific conditions and is stable. However, during startup and shutdown events, an owner or operator of an electric generating unit will be subject to the provisions in PR 429.2. For facilities with Rule 1135 mass emission limits, mass emissions from startups and shutdowns will be included when demonstrating the facility’s annual mass emission; facilities are only being exempt from the Rule 1135 NOx concentration limit during startup and shutdown.

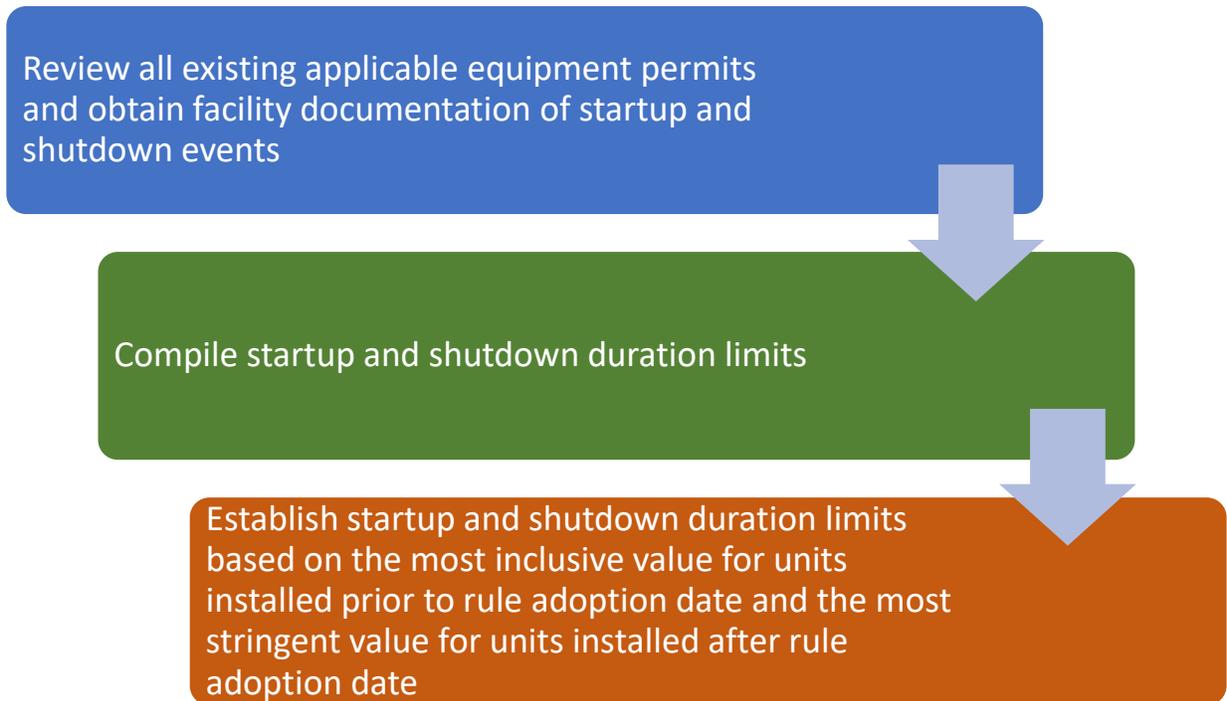
*Startup and Shutdown Duration Limits (paragraphs (d)(2), (d)(3), and (d)(4))*

To limit the exceedance of the Rule 1135 emissions limits during startup and shutdown, PR 429.2 requires that the startup and shutdown of an electric generating unit not exceed a time duration. PR 429.2 establishes two sets of startup and shutdown duration limits based on the date of installation of the electric generating unit.

To establish the duration limits, staff reviewed existing duration limits established in permits and any available facility data documenting startup and shutdown events. Staff then compiled these limits and established startup and shutdown duration limits for each equipment type based on two

types of values: the most inclusive value and the most stringent value. The most-inclusive duration limit would apply to existing units. The existing units in an equipment category have major variations or outliers for startup or shutdown duration, due to factors such as equipment age or complexity of the equipment configuration. The most-stringent duration limit would apply to new units and ensures that new units do not follow less stringent startup and shutdown duration limits. Figure 3-1 summarizes the approach for establishing startup and shutdown duration limits.

**Figure 3-1: Approach for Establishing Startup and Shutdown Duration Limits**



Effective January 1, 2024, paragraph (d)(2) establishes startup and shutdown duration limits for electric generating units installed prior to the rule adoption date. PR 429.2 Table 1 (Table 3-1 in Staff Report) contains the startup and shutdown duration limits for each equipment type.

**Table 3-1: Startup and Shutdown Limits for Electric Generating Units Installed Prior to Date of Rule Adoption**

| Equipment Type  | Time Allowance |            |
|---|----------------|------------|
|   | Startup        | Shutdown   |
| Boiler  | 20 hours       | 12 hours   |
| Combined Cycle Gas Turbine and Associated Duct Burner | 6 hours        | 2 hours    |
| Simple Cycle Gas Turbine                              | 1 hour         | 45 minutes |
| Diesel Internal Combustion Engines                    | 1 hour         | 30 minutes |

Effective upon rule adoption, paragraph (d)(3) establishes startup and shutdown duration limits for electric generating units installed on or after the rule adoption date. PR 429.2 Table 2 (Table 3-2 in Staff Report) contains more stringent startup and shutdown duration limits than Table 1 in paragraph (d)(2) for each equipment type since these units will be newer technology with faster startup and shutdown times. No startup or shutdown duration limits for boilers are proposed due to the expectation that there would be no new boilers as electricity generating facilities are choosing to repower old units with gas turbines, which have faster startup times, smaller footprints, and lower operating and maintenance costs. The duration limits for units installed on or after the rule adoption date are intended for natural gas fired equipment. If other fuels (e.g. hydrogen) were utilized, the limits would need to be reassessed in a future rule amendment.

**Table 3-2: Startup and Shutdown Limits for Electric Generating Units Installed On or After Date of Rule Adoption**

| Equipment Type  | Time Allowance |            |
|---|----------------|------------|
|   | Startup        | Shutdown   |
| Combined Cycle Gas Turbine and Associated Duct Burner | 60 minutes     | 30 minutes |
| Simple Cycle Gas Turbine                              | 15 minutes     | 10 minutes |
| Diesel Internal Combustion Engines                    | 30 minutes     | 30 minutes |

If a unit has permit conditions which specify more stringent startup or shutdown duration limits than PR 429.2, the unit must follow the limits in the permit conditions. Situations where the owner or operator of a unit has initiated a startup of a unit but then has to shut down the unit (i.e., an aborted startup) and start up the unit again, will be addressed in the permit conditions of the unit. Additionally, startup duration limits established in paragraphs (d)(2) and (d)(3) also apply to scheduled startups.

Effective January 1, 2024, to further limit exceedances of the Rule 1135 emission limits, paragraph (d)(4) requires that startup times cannot last longer than the time necessary to reach stable conditions and minimum operating temperature and full deployment of the NOx post-combustion control, if applicable; all three conditions need to be met in order for the startup period to be over. Stable conditions are only determined after all startup procedures for a unit are complete. If a unit reaches stable conditions, the minimum operating temperature of the NOx post-combustion control equipment is reached, and all post-combustion NOx control equipment and processes, including water injection and dry low-NOx technology, are fully deployed, if applicable, before reaching the startup duration limit specified in paragraphs (d)(2), (d)(3), the Permit to Construct, or the Permit to Operate, whichever is the most stringent startup duration limit, the startup period is considered to be over, and the unit is required to meet applicable Rule 1135 emission limits. Parameters for establishing stable conditions include, but are not limited to, ammonia injection, normal operating mode, normal burner firing pattern, minimum operating load, and specific equipment temperatures.

*Limit to the Number of Scheduled Startups (paragraphs (d)(5) and (d)(6))*

Effective January 1, 2024, paragraph (d)(5) limits the number of scheduled startups to 12 events per calendar year for each electric generating unit that is not permitted perform distillate fuel oil readiness testing. For electric generating units permitted to perform distillate fuel oil readiness

testing, paragraph (d)(6) limits the number of scheduled startups to 64 events per calendar year. The requirement to perform distillate fuel oil readiness testing can be up to one time per week, therefore, these units are allowed an additional 52 startups. Limitations to the number of scheduled startups is an existing requirement in Rule 429 and is carried forward into PR 429.2. Furthermore, limiting the frequency of scheduled startups provides additional bounds to the startup and shutdown provisions. Since electric generating units undergo much more frequent unscheduled startups than scheduled startups, the maximum number of scheduled startups is limited to twelve. Unscheduled startups are not limited by PR 429.2 because they may be driven by operational demand dependent on energy grid requirements, emergencies, or maintenance needs. The number of scheduled startups will count toward the number of total startups; The number of scheduled startups is not in addition to the number of total startups.

General Duty Requirements (paragraph (d)(7))

Upon rule adoption, paragraph (d)(7) requires that an owner or operator of an electric generating unit that exceeds applicable Rule 1135 emission limits during startup and shutdown events to take all reasonable and prudent steps to minimize emissions to meet applicable emission limits. This provision was modified from an existing Rule 429 provision. Reasonable and prudent steps to minimize emissions include, but are not limited to, equipment repairs and adjusting the temperatures of post-combustion controls.

Requirements for Units with NO<sub>x</sub> Post-Combustion Control Equipment (paragraphs (d)(8) and (d)(9))

Effective January 1, 2024, paragraph (d)(8) requires each electric generating unit with NO<sub>x</sub> post-combustion control equipment to install and maintain a temperature measuring device that is calibrated annually at the inlet of the NO<sub>x</sub> post-combustion control equipment. The operator is not required to install another temperature device and is only required to maintain the temperature device if one is already installed at the inlet of the NO<sub>x</sub> post-combustion control equipment. Temperature measuring devices include thermocouples and temperature gauges. Most existing units with NO<sub>x</sub> post-combustion control equipment are already equipped with temperature measuring devices. It is standard practice to include a temperature measuring device requirement for units with NO<sub>x</sub> post-combustion control equipment in South Coast AQMD permits, and any future units would be expected to install and maintain a temperature measuring device through the permitting process. A temperature measuring device is necessary to determine the temperature of the gas stream entering the NO<sub>x</sub> post-combustion control equipment and when the catalyst in the NO<sub>x</sub> post-combustion control equipment will effectively control NO<sub>x</sub> emissions.

Also effective January 1, 2024, paragraph (d)(9) requires the operation of NO<sub>x</sub> post-combustion control equipment during startup and shutdown events, including, but not limited to, the injection of any associated chemical reagent, water, or steam into the exhaust stream to control NO<sub>x</sub>, if the temperature of the gas to the inlet of the emission control system is greater than or equal to the minimum operating temperature, the temperature of the exhaust gas is stable, and the injection of any associated chemical reagent would not result in ammonia emissions in excess of permit conditions. This provision ensures that NO<sub>x</sub> emissions are controlled as soon as the post-combustion control is ready to effectively operate. It would not be prudent to continue injecting ammonia into the NO<sub>x</sub> post-combustion control system when it would not react to NO<sub>x</sub> even if

the inlet to the NOx post-combustion control system was at or above minimum operating temperature but the electric generating unit was shutting down.

***Recordkeeping (Subdivision (e))***

Records assist in verifying compliance with Rule 429.2. Paragraph (e)(1) provides recordkeeping requirements for owners and operators of electric generating units. Records are required to be maintained on-site for 5 years and made available to the South Coast AQMD upon request. For data that is collected or calculated for intervals of less than 15 minutes, then that data only needs to be maintained for 48 hours. The provision in subparagraph (e)(1)(A) requires a list of scheduled startups, including date, time, duration, and reason for the scheduled startup, and any changes to the original date and time. Scheduled startups may be considered confidential data by some entities. In those cases, the facility is allowed to keep a record of the planned number of scheduled startups by January 1 of each year, but not disclose non-public information (such as specific dates and times of the scheduled startups) until after they have occurred. Subparagraph (e)(1)(B) requires the owner or operator to maintain records containing the date, time, and duration of startups and shutdowns; scheduled startups are excluded as they are already required in subparagraph (e)(1)(A). Subparagraph (e)(1)(C) requires NOx emissions data collected pursuant to Rule 1135 for each startup and shutdown. Data generated by a Data Acquisition Handling System (DAHS) that sufficiently provides any of the information required in subparagraphs (e)(1)(A) through (e)(1)(C) can be used as records.

Paragraph (e)(2) requires an owner or operator of an electric generating unit with NOx post-combustion control equipment to maintain documentation from the manufacturer of the minimum operating temperature of the NOx post-combustion control equipment. Records are required to be on-site and made available to the South Coast AQMD upon request for compliance verification.

***Exemptions (Subdivision (f))***

Paragraph (g)(1) exempts Once-Through-Cooling Electric Generating Units from startup and shutdown duration limits, frequency of scheduled startups, and installation of a temperature measuring device for units that will retire the unit on or before the compliance date set forth in Table 1 of Section 2(B) of the State Water Resources Control Board's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling (Once-Through-Cooling Policy) implementing Section 316(b) of the Clean Water Act. Those units are scheduled to retire in a few years; therefore it is not cost-effective to alter the equipment. Additionally, the older equipment may require additional scheduled startups to address maintenance issues. The exemption will sunset December 31, 2029 to prevent indefinite extensions of the retirement date.

## **CHAPTER 4: IMPACT ASSESSMENTS**

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**INTRODUCTION**

**COSTS**

**EMISSION REDUCTIONS**

**COST-EFFECTIVENESS**

**INCREMENTAL COST-EFFECTIVENESS**

**SOCIOECONOMIC ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS**

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE  
SECTION 40727**

**COMPARATIVE ANALYSIS**

## INTRODUCTION

Impact assessments were conducted during PAR 1135 and PR 429.2 rule developments to assess the environmental and socioeconomic implications of PAR 1135 and PR 429.2. California Health & Safety Code (H&SC) requirements for cost-effectiveness analysis, incremental cost-effectiveness analysis, and a socioeconomic assessment were evaluated during rule development of PAR 1135 and PR 429.2. Staff prepared draft findings pursuant to H&SC 40727 and an assessment of emission reductions. Staff will prepare a California Environmental Quality Act (CEQA) analysis and a comparative analysis pursuant to H&SC 40727.2 at least 30 days prior to the South Coast AQMD Governing Board Hearing on PAR 1135 and PR 429.2, which is anticipated to be heard on January 7, 2022.

## COSTS

The provisions in PAR 1135 and PR 429.2 are not expected to impose any additional costs.

## EMISSION REDUCTIONS

There will not be additional emission reductions from electric generating units subject to PAR 1135 and PR 429.2.

## COST-EFFECTIVENESS

The H&SC Section 40920.6 requires a cost-effectiveness analysis when establishing BARCT requirements. The proposed rule does not include new BARCT requirements. Therefore, this provision does not apply to the proposed amended rule and proposed rule.

## INCREMENTAL COST-EFFECTIVENESS

H&SC Section 40920.6 requires an incremental cost-effectiveness analysis for BARCT rules or emission reduction strategies when there is more than one control option which would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SO<sub>x</sub>, NO<sub>x</sub>, and their precursors. The proposed rule does not include new BARCT requirements. Therefore, this provision does not apply to the proposed rule.

## SOCIOECONOMIC ASSESSMENT

PAR 1135 and PR 429.2 do not impose any additional costs to the affected facilities and do not result in any adverse socioeconomic impacts. Revisions to the requirements for diesel engines on Santa Catalina Island still allow the owner or operator to partially replace engines with Tier 4 Final engines to meet the initial NO<sub>x</sub> emission caps proposed by 2024 and 2025. Moreover, the proposed revisions retain the provision of meeting an annual 13-ton NO<sub>x</sub> emission cap by 2026, which was included in the 2018 amendment. Staff will assess the costs and associated socioeconomic impacts to the affected facility on Santa Catalina Island when rule development for Rule 1135 is initiated to revisit the 13-ton annual NO<sub>x</sub> emission cap provision and further evaluate the zero-emission and near-zero emission technologies.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT 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 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 State Clearinghouse of the Governor's Office of Planning and Research, and with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage.

### **DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727**

#### ***Requirements to Make Findings***

H&SC 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. The draft findings are as follows:

#### ***Necessity***

PAR 1135 is needed to revise emission limits for diesel internal combustion engines, update provisions, and provide other clarifications. PR 429.2 is needed to establish limits on duration and frequency of startup and shutdown events for electric generating units at electricity generating facilities when units exceed the applicable emission limits in Rule 1135.

#### ***Authority***

The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to H&SC Sections 39002, 39616, 40000, 40001, 40440, 40702, 40725 through 40728, 40920.6, and 41508, as well as the federal Clean Air Act.

#### ***Clarity***

PAR 1135 and PR 429.2 are written or displayed so that its meaning can be easily understood by the persons directly affected by them.

#### ***Consistency***

PAR 1135 and PR 429.2 are in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

#### ***Non-Duplication***

PAR 1135 and PR 429.2 will not impose the same requirements as any existing state or federal regulations. The proposed rules are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

***Reference***

In adopting these rules, the following statutes which the South Coast AQMD hereby implements, interprets or makes specific are referenced: H&SC Sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5, and the federal Clean Air Act.

**COMPARATIVE ANALYSIS**

H&SC Section 40727.2 requires a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal air pollution control requirements, existing or proposed South Coast AQMD rules and regulations, and all air pollution control requirements and guidelines which are applicable to the same equipment or source type. Comparative analyses are presented below in Tables 4-1 and 4-2.

**Table 4-1: PAR 1135 Comparative Analysis**

| <b>Rule Element</b>  | <b>PAR 1135</b>  | <b>Rule 1110.2</b>  | <b>Rule 2009</b>  | <b>RECLAIM</b>   | <b>40 CFR Part 60 Da</b>   | <b>40 CFR Part 60 GG</b>  | <b>40 CFR Part 60 KKKK</b>   | <b>40 CFR Part 72</b>  |
|----------------------|--|---|---|--|--|---|--|--|
| <b>Applicability</b> | Boilers, internal combustion engines, and turbines located at investor-owned electric utilities, publicly owned electric utilities, and facilities with combined generation capacity of $\geq 50$ MW   | Gaseous and liquid fueled internal combustion engines over 50 rated brake horsepower  | All NOx emitting equipment at a facility with at least 50 MW of generating capacity, in existence as of 5/11/01 and owned or operated by Southern California Edison, Los Angeles Dept. of Water and Power, City of Burbank, City of Glendale, City of Pasadena, or any their successors | All NOx emitting equipment at a facility subject to the NOx RECLAIM program (SCAQMD Reg. XX) | Electric utility steam generating units rated at 250 MMBtu/hr or greater and constructed, reconstructed, or modified after 9/18/78   | Gas turbines with heat input of $\geq 10$ MMBtu/hr constructed, reconstructed, or modified after 10/3/77 but before 2/18/2005             | Gas turbines with heat input of $\geq 10$ MMBtu/hr constructed, reconstructed, or modified on or after 2/18/2005   | Power generating units operated by a utility, or any non-utility cogeneration unit that supplies at least 2/3 of their power to a utility grid |
| <b>Requirements</b>  | Emission limits:<br><ul style="list-style-type: none"> <li>• Boiler: NOx 5 ppmv @ 3% O2</li> <li>• Combined Cycle Gas Turbine and Associated Duct Burner: NOx 2 ppmv @ 15% O2</li> <li>• Simple Cycle Gas Turbine: NOx 2.5 ppmv @ 15% O2</li> <li>• Internal Combustion Engine: NOx 45 ppmv @ 15% O2; CO 250 ppmv @ 15% O2; VOC 30 ppmv @ 15% O2; PM 0.0076 lbs/MMBtu</li> </ul> | Existing Internal Combustion Engine: NOx 11 ppmv @ 15% O2; CO 250 ppmv @ 15% O2; VOC 30 ppmv @ 15% O2; Engines regulated under RECLAIM are not subject to the NOx limit | Submit Compliance Plan to demonstrate BARCT by 2003/2004  | Provide RECLAIM Trading Credits to cover NOx emissions in a market based system              | Units constructed, reconstructed, or modified prior to 7/10/97: NOx 0.2 lb/MMBtu<br><br>After 7/9/97 and before 3/1/05 – constructed -1.6 lbs/MWh gross , reconstructed – - 0.15 lbs/mmbtu<br><br>After 2/28/05 and before 5/4/11 constructed - 1.0 lbs/MWh gross, reconstructed – 1.0 lbs/MWh gross or 0.11 | NOx limit @ 15% O2: $0.0075*(14.4/Y) + F$ where Y = manufacture’s rated heat input and F = NOx emission allowance for fuel-bound nitrogen | NOx limit for electric generating units (@ 15% O2):<br><ul style="list-style-type: none"> <li>• <math>\leq 50</math> MMBtu/hr – 42 ppm when firing natural gas</li> <li>• <math>50</math> MMBtu/hr and <math>\leq 850</math> MMBtu/hr – 15 ppm when firing natural gas</li> <li>• <math>&gt;850</math> MBtu/hr – 15 ppm when firing natural gas</li> <li>• <math>\leq 50</math> MMBtu/hr – 96 ppm when firing other fuel</li> <li>• <math>50</math> MMBtu/hr and <math>\leq 850</math> MMBtu/hr – 74 ppm when firing other fuel</li> </ul> | No limit for NOx   |

| Rule Element      | PAR 1135  | Rule 1110.2  | Rule 2009 | RECLAIM  | 40 CFR Part 60 Da  | 40 CFR Part 60 GG                                 | 40 CFR Part 60 KKKK  | 40 CFR Part 72   |
|-------------------|---|--|-----------|--|--|---|--|--|
|                   |   |  |           |  | <p>lbs/mmbtu, modified – 1.4 lbs/MWh gross or 0.15 lbs/mmbtu</p> <p>After 5/3/11 constructed or reconstructed – 0.70 lbs/MWh gross or 0.76 lbs/MWh net, modified – 1.1 lbs/MWh gross</p> |   | <ul style="list-style-type: none"> <li>• &gt;850 MBtu/hr – 42 ppm when firing natural gas</li> </ul>                                 |  |
| <b>Reporting</b>  | Annual reporting of NOx emissions   | Breakdowns, monthly portable engine logs   | None      | <ul style="list-style-type: none"> <li>• Daily electronic reporting for major sources</li> <li>• Quarterly Certification of Emissions Report and Annual Permit Emissions Program for all units</li> </ul>  | <p>Results of the performance tests</p> <p>Results of the CEMS performance evaluations</p> <p>Semiannual written reports or quarterly electronic reports of emission</p>                 | Excess emissions and CEMS downtime within 30 days | Excess emissions and CEMS downtime within 30 days; annual performance testing within 60 days   | 40 CFR 75 requirements for quarterly reports of information and hourly data from CEMS monitors, and calibration                              |
| <b>Monitoring</b> | <ul style="list-style-type: none"> <li>• A continuous in-stack NOx monitor</li> </ul> | <ul style="list-style-type: none"> <li>• A continuous in-stack NOx-dilutant monitor or alternative monitoring device for engines ≥ 1,000 bhp and operating more than two million bhp-hr per calendar year or for facilities with engines subject to paragraph (d)(1),</li> </ul> | None      | <ul style="list-style-type: none"> <li>• A continuous in-stack NOx monitor, a continuous dilutant monitor or a stack flow monitor for major sources</li> <li>• A fuel meter</li> <li>• For turbines, boilers and engines with SCR – ammonia</li> </ul> | A continuous in-stack NOx-dilutant monitor   | A continuous in-stack NOx-dilutant monitor        | A continuous in-stack NOx-dilutant monitor, or a continuous water or steam to fuel monitor, a fuel meter, annual performance testing | A continuous in-stack NOx-dilutant monitor, or use of alternative monitoring for oil or gas fired peaking units as defined in the regulation |

| Rule Element             | PAR 1135  | Rule 1110.2   | Rule 2009 | RECLAIM  | 40 CFR Part 60 Da  | 40 CFR Part 60 GG  | 40 CFR Part 60 KKKK  | 40 CFR Part 72  |
|--------------------------|---|---|-----------|--|--|--|--|---|
|                          |   | having a combined rating of 1500 bhp or greater at the same location, and having a combined fuel usage of more than 16 x 10 <sup>9</sup> Btus per year (higher heating value)<br>• Non-resettable totalizing time meter |           | injection rate and exhaust temperature<br><br>• For turbines and engines – shaft output  |  |  |  |   |
| <b>Recordkeeping</b>     | Performance testing; emission rates; monitoring data; CEMS audits and checks maintained for five years        | Operating log including total hours of operation, type and amount of fuel combusted, hours of operation since the last source test  | None      | • < 15-min. data = min. 48 hours;<br>• ≥ 15-min. data = 3 years (5 years if Title V)<br><br>• Maintenance & emission records, source test reports, RATA reports, audit reports and fuel meter calibration records for Annual Permit Emissions Program = 3 years (5 years if Title V) | Performance testing; emission rates; monitoring data; CEMS audits and checks | Performance testing; emission rates; monitoring data; CEMS audits and checks | Performance testing; emission rates; monitoring data; CEMS audits and checks | Performance testing; emission rates; monitoring data; CEMS audits and checks maintained for three years |
| <b>Fuel Restrictions</b> | Liquid petroleum fuel limited to Force Majeure natural gas curtailment, readiness testing, and source testing | None  | None      | None   | None   | None   | None   | None  |

**Table 4-2: PR 429.2 Comparative Analysis**

| <b>Rule Element</b>  | <b>PR 429.2</b>  | <b>PAR 1135</b>  | <b>Rule 1110.2</b>  | <b>Rule 2009</b>   | <b>RECLAIM</b>                       | <b>40 CFR Part 60 Da</b>   | <b>40 CFR Part 60 GG</b>  | <b>40 CFR Part 60 KKKK</b>   | <b>40 CFR Part 72</b>  |
|----------------------|--|--|---|--|--------------------------------------|--|---|--|--|
| <b>Applicability</b> | Boilers, internal combustion engines, and turbines located at investor-owned electric utilities, publicly owned electric utilities, and facilities with combined generation capacity of $\geq$ 50 MW   | Boilers, internal combustion engines, and turbines located at investor-owned electric utilities, publicly owned electric utilities, and facilities with combined generation capacity of $\geq$ 50 MW | Gaseous and liquid fueled internal combustion engine over 50 rated brake horsepower   | All NOx emitting equipment at a facility with at least 50 MW of generating capacity, in existence as of 5/11/01, and owned or operated by Southern California Edison, Los Angeles Dept. of Water and Power, City of Burbank, City of Glendale, City of Pasadena, or any their successors | NOx RECLAIM program (SCAQMD Reg. XX) | Electric utility steam generating units at a facility rated at 250 MMBtu/hr or greater and constructed, reconstructed, or modified after 9/18/78   | Gas turbines with heat input of $\geq$ 10 MMBtu/hr constructed, reconstructed, or modified after 10/3/77 but before 2/18/2005 | Gas turbines with heat input of $\geq$ 10 MMBtu/hr constructed, reconstructed, or modified on or after 2/18/2005   | Power generating units operated by a utility, or any non-utility cogeneration unit that supplies at least 2/3 of their power to a utility grid |
| <b>Requirements</b>  | Maximum time durations for exemption from emission limits (duration limits) during startup of existing units:<br><ul style="list-style-type: none"> <li>• Boilers: 20 hours</li> <li>• Combined Cycle Gas Turbine and Associated Duct Burner: 6 hours</li> <li>• Simple Cycle Gas Turbine: 1 hour</li> </ul> | Meet startup, shutdown, and tuning requirements in permit; by January 1, 2024, include limits for duration, mass emissions, and number of events in permit   | Startup limited to the time needed to reach sufficient operating temperature for proper operation of the control equipment not to exceed 30 minutes | None   | None                                 | Work practice requirements:<br><ul style="list-style-type: none"> <li>• Conduct triennial or quadrennial tune-ups</li> <li>• Operate control devices as expeditiously as possible</li> <li>• Use at least one combination</li> </ul> | None  | Work practice requirements:<br><ul style="list-style-type: none"> <li>• Minimize emissions at all times during startup, shutdown, and malfunction</li> </ul> | None   |

| Rule Element | PR 429.2  | PAR 1135 | Rule 1110.2 | Rule 2009 | RECLAIM | 40 CFR Part 60 Da  | 40 CFR Part 60 GG | 40 CFR Part 60 KKKK | 40 CFR Part 72 |
|--------------|---|----------|-------------|-----------|---------|--|-------------------|---------------------|----------------|
|              | <ul style="list-style-type: none"> <li>• Internal Combustion Engine: 1 hour</li> <li>Shutdown duration limits for existing units:                             <ul style="list-style-type: none"> <li>• Boilers: 12 hours</li> <li>• Combined Cycle Gas Turbine and Associated Duct Burner: 2 hours</li> <li>• Simple Cycle Gas Turbine: 45 mins</li> </ul> </li> <li>• Internal Combustion Engine: 30 mins</li> <li>Startup duration limits for new units:                             <ul style="list-style-type: none"> <li>• Boilers: None</li> <li>• Combined Cycle Gas Turbine and Associated Duct Burner: 60 mins</li> <li>• Simple Cycle Gas Turbine: 15 mins</li> </ul> </li> <li>• Internal Combustion Engine: 30 mins</li> <li>Shutdown duration limits for new units:                             <ul style="list-style-type: none"> <li>• Boilers: None</li> <li>• Combined Cycle Gas Turbine and Associated Duct Burner: 30 mins</li> <li>• Simple Cycle Gas Turbine: 10 mins</li> <li>• Internal</li> </ul> </li> </ul> |          |             |           |         | of clean fuels to maximum extent as possible for startup <ul style="list-style-type: none"> <li>• Vent startup emissions to the main stack and comply with applicable emission limits (including operating the PM control device) starting at the hour after startup ends</li> </ul> |                   |                     |                |

| Rule Element     | PR 429.2   | PAR 1135                          | Rule 1110.2                              | Rule 2009 | RECLAIM   | 40 CFR Part 60 Da   | 40 CFR Part 60 GG  | 40 CFR Part 60 KKKK   | 40 CFR Part 72  |
|------------------|--|-----------------------------------|--|-----------|---|---|--|---|---|
|                  | <p>Combustion Engine: 30 mins<br/>Scheduled startup limits per calendar for each unit: 12 for units not required to perform distillate fuel oil readiness testing; 64 for units requiring distillate fuel oil readiness testing</p> <p>Work practice requirements:</p> <ul style="list-style-type: none"> <li>• Take all reasonable and prudent steps to minimize emissions during startup and shutdown</li> <li>• Operate NOx post-combustion control equipment if the temperature to the gas at the inlet of the NOx post-combustion control equipment is <math>\geq</math> the minimum operating temperature</li> </ul> |                                   |  |           |   |   |  |   |   |
| <b>Reporting</b> | None   | Annual reporting of NOx emissions | Breakdowns, monthly portable engine logs | None      | <ul style="list-style-type: none"> <li>• Daily electronic reporting for major sources</li> <li>• Quarterly Certification of Emissions Report and</li> </ul> | <ul style="list-style-type: none"> <li>• Results of the performance tests</li> <li>• Results of the CEMS performance evaluations</li> </ul> | Excess emissions for all periods of unit operations, including startup, shutdown, and malfunction, | <ul style="list-style-type: none"> <li>• Excess emissions and CEMS downtime within 30 days</li> <li>• Annual performance</li> </ul> | 40 CFR 75 requirements for quarterly reports of information and hourly data from CEMS |

| Rule Element         | PR 429.2  | PAR 1135  | Rule 1110.2   | Rule 2009 | RECLAIM   | 40 CFR Part 60 Da  | 40 CFR Part 60 GG                 | 40 CFR Part 60 KKKK               | 40 CFR Part 72                    |
|----------------------|---|---|---|-----------|---|--|-----------------------------------|-----------------------------------|-----------------------------------|
|                      |   |   |   |           | Annual Permit Emissions Program for all units   | Semiannual written reports or quarterly electronic reports of emission | and CEMS downtime within 30 days  | testing within 60 days            | monitors, and calibration         |
| <b>Monitoring</b>    | None  | <ul style="list-style-type: none"> <li>A continuous in-stack NOx monitor</li> </ul> | <ul style="list-style-type: none"> <li>A continuous in-stack NOx monitor for engines <math>\geq 1,000</math> bhp and operating more than two million bhp-hr per calendar year or for facilities with engines subject to paragraph (d)(1), having a combined rating of 1500 bhp or greater at the same location, and having a combined fuel usage of more than <math>16 \times 10^9</math> Btus per year (higher heating value)</li> <li>Non-resettable totalizing time meter</li> </ul> | None      | A continuous in-stack NOx monitor for major sources   | A continuous in-stack NOx monitor                                      | A continuous in-stack NOx monitor | A continuous in-stack NOx monitor | A continuous in-stack NOx monitor |
| <b>Recordkeeping</b> | <ul style="list-style-type: none"> <li>List of each startup and shutdown, containing date,</li> </ul> | Time and duration of each startup and shutdown                                      | Operating log including total hours of operation, type  | None      | <ul style="list-style-type: none"> <li><math>&lt; 15</math>-min. data = min. 48 hours;</li> <li><math>\geq 15</math>-min. data</li> </ul> | Monitoring data  | Monitoring data                   | Monitoring data                   | Monitoring data                   |

| Rule Element | PR 429.2   | PAR 1135 | Rule 1110.2   | Rule 2009 | RECLAIM                        | 40 CFR Part 60 Da | 40 CFR Part 60 GG | 40 CFR Part 60 KKKK | 40 CFR Part 72             |
|--------------|--|----------|---|-----------|--------------------------------|-------------------|-------------------|---------------------|----------------------------|
|              | time, and duration; list of scheduled startups, containing date, time, duration, and reason; and emissions data shall be maintained onsite for 5 years.<br><br>• Documentation from the manufacturer of the minimum operating temperature of NOx post-combustion control equipment, unless specified in the permit |          | and amount of fuel combusted, hours of operation since the last source test |           | = 3 years (5 years if Title V) |                   |                   |                     | maintained for three years |

## **APPENDIX A: COMMENTS AND RESPONSES**

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**COMMENT LETTER 1*****Vernon Public Utilities – November 2, 2021***

4305 Santa Fe Avenue, Vernon, California 90058  
Telephone (323) 583-8811

November 2, 2021

Attention: Charlene Nguyen  
Planning, Rule Development and Area Sources  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765  
Transmitted via Email: [cnguyen@aqmd.gov](mailto:cnguyen@aqmd.gov)

**Subject: Vernon Public Utilities (VPU) Comments on South Coast Air Quality Management District (SCAQMD) Proposed Amended Rule 1135**

Dear Ms. Nguyen,

Vernon Public Utilities (VPU, Facility ID 014502) is pleased to submit these Comments setting forth VPU's concerns regarding South Coast Air Quality Management District's (SCAQMD) Proposed Amended Rule (PAR) 1135<sup>1</sup>. VPU has provided a brief history of VPU's operations and prior discussions with SCAQMD staff for informational purposes, as well as two alternative solutions for SCAQMD's consideration.

**History/Background**

VPU owns eight process units subject to the REgional Clean Air Incentives Market (RECLAIM) Program. Currently operational sources include two natural gas-fired peaking turbines (Units D1 and D2) and one diesel-fired emergency generator (Unit D25). VPU has five additional diesel-fired emergency generators (Units D3, D4, D5, D6, and D7) which are non-operational with fuel lines disconnected.

As a part of the SCAQMD's transition from the market-based RECLAIM Program to a command-and-control regulatory structure, updates to existing rules and new rules are being developed, some of which will affect VPU. For example, following sunset of the RECLAIM Program, VPU's Units D1 and D2

<sup>1</sup> References to PAR 1135 reflect the version dated October 22, 2021.

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will be newly subject to *SCAQMD Rule 1135: Emissions of Oxides of Nitrogen (NOx) from Electricity Generating Facilities*. Rule 1135 was last amended November 2, 2018 to incorporate facilities exiting the RECLAIM Program and implement Best Available Retrofit Control Technology (BARCT) for NOx emissions from gas turbines, boilers, and select diesel internal combustion engines. SCAQMD is currently proposing additional amendments to Rule 1135 for consistency with policy changes implemented after November 2, 2018, such as requirements for Continuous Emission Monitoring Systems (CEMS).

SCAQMD has provided two options for Facilities transitioning from RECLAIM to meet the compliance requirements of Rule 1135: (1) meet the hourly NOx BARCT emission limits, as demonstrated through a CEMS; or (2) qualify for one of the exemptions provided in Rule 1135. Due to the excessive cost associated with implementing BARCT and CEMS, VPU instead plans to limit operation of Units D1 and D2 such that both units qualify for Rule 1135's Low Use Exemption and Backup Unit Exemption, as described below. VPU's Post-RECLAIM plans for its remaining units are not addressed in these Comments, as they will continue to not be subject to Rule 1135.

#### **Previous Discussions with SCAQMD Staff**

On June 22, 2021, SCAQMD's Planning, Rule Development and Area Sources staff met with VPU personnel at VPU's Station A. During this meeting, VPU personnel provided insight into the day-to-day operations of Station A, including a tour of the electricity generating units, and received a brief overview of PAR 1135 from SCAQMD staff. The tone set during this meeting was one of collaboration, in which it appeared SCAQMD wanted to (1) understand VPU's operations; and (2) work with VPU regarding the treatment of generators with minimal impact in the SCAQMD's PAR 1135.

Requiring VPU to install CEMS and/or comply with BARCT would impose additional and excessive costs to the facility.

#### **Rule 1135 Exemptions**

A discussion of the two Rule 1135 exemptions applicable to VPU's Units D1 and D2 is provided below.

#### **Rule 1135 Low Use Exemption**

To qualify for the currently-effective Low Use exemption of Rule 1135, each peaking turbine must limit operation based on a calculated annual capacity factor.<sup>2</sup> The Low Use exemption criteria for each of VPU's gas turbines are as follows (PAR 1135[g][4][A]):

- Maintains an annual capacity factor of less than ten percent averaged over three consecutive calendar years;
- Maintains an annual capacity factor of less than twenty-five percent each calendar year; and

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<sup>2</sup> The annual capacity factor is the ratio between the actual measured heat input during a calendar year and the potential heat input had the unit operated continuously at the permitted heat input rating.

City of Vernon, 4305 Santa Fe Avenue, Vernon, California 90058 – Telephone (323) 583-8811

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- Retains the NOx and ammonia limits, averaging times, startup, shutdown, and, if applicable, tuning requirements in the facility's current Title V Permit.<sup>3</sup>

In addition to the Low use Exemption criteria described above, each of VPU's peaking turbines must continue to comply with its current permitted emission limits to qualify for the Low Use exemption. Section D of VPU's Title V Permit establishes the following NOx emission limits for the peaking turbines: 91.09 pounds per million standard cubic feet (lb/MMscf) for natural gas and 20.06 pounds per thousand gallons (lb/1,000 gal) for fuel oil. Note that VPU's Title V Permit does not contain ammonia emission limits or mass- or concentration-based NOx emission limits. Per correspondence with SCAQMD's Planning and Rules Manager M. Morris, facilities will not be required to add emission limits to their existing permits in order to qualify for the Low Use exemption.<sup>4</sup>

#### **PAR 1135 Backup Unit Exemption**

The most recent version of PAR 1135 (October 22, 2021) includes a new means for exemption, the "Backup Unit Exemption". Under PAR 1135, Units qualifying as "Backup Units" would be exempt from the Rule 218 CEMS requirements used to demonstrate compliance with NOx emission limits until July 1, 2026. VPU's peaking units D1 and D2 would meet the new definition of a "Backup Unit" (PAR 1135[c][2]):

"BACKUP UNIT means any NOx emitting turbine which is used intermittently to produce energy on a demand basis, does not operate more than 1,300 hours per year, is not subject to 40 [Code of Federal Regulations] CFR Part 72, and was a NOx process unit prior to the facility becoming a former RECLAIM NOx facility."

For a Backup Unit to be exempt from CEMS installation until July 1, 2026 (PAR 1135[e][3]), it must comply with annual NOx source testing<sup>5</sup>, as well as continued implementation of certain requirements (i.e., quarterly reporting of NOx emissions, submittal of source test protocols, and use of a totalizing fuel meter). Additionally, to qualify for the exemption, operation of a Backup Unit must be limited by permit condition to 1,300 hours per year.<sup>6</sup>

#### **PAR 1135 As Currently Drafted Appears to Contain Contradicting Criteria for Units that Qualify as Both "Low Use" and "Backup Unit" Exempt**

Per PAR 1135(g)(4)(A), equipment that qualifies as Low Use "shall not be subject to emission limits specified under paragraph (d)(1) [Rule 1135's NOx emission limits] for that gas turbine...[and] Retains the NOx and ammonia limits, averaging times, and startup, shutdown, and, if applicable, tuning requirements specified on the Permit to Operate as of November 2, 2018." As previously discussed, VPU proposes to operate Units D1 and D2 in accordance with the Low Use exemption such that their

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<sup>3</sup> Note that PAR 1135 defines the "current Title V Permit" as the Permit to Operate in effect as of November 2, 2018.

<sup>4</sup> September 25, 2019 phone communication between SCAQMD's M. Morris and Jacobs' E. Schwing

<sup>5</sup> Per PAR 1135(e)(3)(B), annual source testing must demonstrate compliance with the NOx emission limits of this rule.

<sup>6</sup> Permit applications to limit annual hours of operation must be submitted within 6 months of becoming a former RECLAIM facility (PAR 1135[e][3][I]).

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operation would be subject to the Low Use exemption criteria. These criteria currently include the NOx emission limits of their current permit, which limits are not monitored using CEMS.

Also as stated above, SCAQMD's latest proposed amendments to Rule 1135 consider RECLAIM NOx process units (including NOx peaking units like VPU's Units D1 and D2) to be Backup Units. This new exemption delays the installation of CEMS, but requires annual source testing until July 1, 2026 (PAR 1135[e][3]). However, as written, the rule requires source testing to demonstrate compliance with Rule 1135's NOx emission limits (2.5 parts per million by volume [ppmv] for simple cycle turbines<sup>77</sup>).

VPU's expectation was that Units D1 and D2 would be exempt from installing CEMS because they would meet the low use exemption criteria of PAR 1135(g)(4)(A) and would, therefore, not be subject to the NOx emission limits specified in PAR 1135(d)(1). However, with the addition of their classification as Backup Units, these units would also be required to conduct annual source testing to demonstrate compliance with Rule 1135's NOx emission limits or install CEMS prior to July 1, 2026. As currently permitted, VPU's Units D1 and D2 do not meet Rule 1135's NOx emission limits because they are not equipped with selective catalytic reduction (SCR). For this reason alone, VPU has always intended to apply for Rule 1135's Low Use Exemption for its Units D1 and D2.

As currently drafted, it is unclear how a unit eligible for both the Low Use Exemption and the Backup Unit Exemption would demonstrate compliance with the Backup Unit Exemption. Despite eligibility for the Low Use Exemption, as currently drafted PAR 1135 appears to require VPU to either (1) install CEMS for its Units D1 and D2 prior to July 1, 2026 (to demonstrate compliance with emission limits to which the units are not subject) (PAR 1135[e][3][2]); or (2) install an SCR to reduce emissions and perform annual source testing (again, to demonstrate compliance with emission limits to which the units are not subject) (PAR 1135[e][3][B]). Both options would be cost prohibitive and likely result in the near-term, permanent shutdown of VPU's Units D1 and D2, which would be in direct conflict to the goals presented in SCAQMD's October 27, 2021 Public Workshop Presentation. In that Presentation, SCAQMD stated: "PAR 1135 and [Proposed Rule] PR 429.2 do not impose additional costs to the affected facilities." Since VPU does not believe SCAQMD's intent is to force facility shutdowns, VPU is hopeful that its concerns with PAR 1135 can be resolved.

#### ***VPU's Two Alternative Proposed Solutions***

As explained above, PAR 1135 appears to contain contradicting exemptions regarding CEMS and NOx emission limit requirements. To eliminate the apparent contradiction between the exemptions, VPU recommends SCAQMD take one of the following two approaches:

- Revise PAR 1135(g)(4)(A) to clarify that Units qualifying for the Low Use Exemption shall neither be subject to the Rule 1135 NOx emission limits of PAR 1135(d)(1) nor the requirement to install CEMS per PAR 1135(e)(2), without the need for annual source testing, or
- Revise PAR 1135(e)(3)(B) to require annual source testing to demonstrate compliance with the NOx emission limits of the Facility's Permit to Operate as of November 2, 2018, if applicable, instead of the NOx emission limits set forth in Rule 1135.

<sup>77</sup> PAR 1135(d)(1), Table 1.

1-1  
cont.

November 2, 2021

Page 5

We appreciate your consideration of these matters and welcome your feedback. If additional information is desired, please contact Lisa Umeda ([lumeda@ci.vernon.ca.us](mailto:lumeda@ci.vernon.ca.us)) or Elyse Engel ([elyse.engel@jacobs.com](mailto:elyse.engel@jacobs.com)).

Sincerely,



Abraham Alemu  
General Manager of Vernon Public Utilities

Copies to: Uyen-Uyen Vo/SCAQMD  
Michael Morris/SCAQMD  
Lisa Umeda/VPU  
Elyse Engel/Jacobs  
Andrea White/Jacobs

City of Vernon, 4305 Santa Fe Avenue, Vernon, California 90058 – Telephone (323) 583-8811

***Staff Response to Comment Letter 1******Response to Comment 1-1:***

Staff has revised the rule language in subparagraph (e)(3)(B) to resolve the contradicting exemptions. Backup units will be required to conduct annual source tests to demonstrate compliance with their permit limits.

**COMMENT LETTER 2*****Community Environmental Services – November 10, 2021*****Charlene Nguyen**

**From:** Mark Abramowitz <marka@enviropolicy.com>  
**Sent:** Wednesday, November 10, 2021 9:56 AM  
**To:** Michael Morris; Uyen-Uyen Vo; Charlene Nguyen  
**Cc:** Susan Nakamura; Sarah Rees; Wayne Nastri; bbenoit@cityofwildomar.org; Sheila Kuehl; Vanessa Delgado; Veronica Padilla-Campos; Rex Richardson; Janice Rutherford (GBM); Ruthanne Taylor Berger (Ben); Dan York (Ben); Thomas Gross; Tricia Almiron; Sandra Hernandez (Del); Teresa Acosta (Del); Alisa Cota; Cristian Riesgo (Del); Loraine Lundquist; Amy Wong; Matthew Hamlett; Mark Taylor (Rut); Debra Mendelsohn  
**Subject:** Proposed Amended Rule 1135

SCAQMD staff,

Thank you for the opportunity to comment on the proposed changes to rule 1135, as presented at the Public Workshop.

CES is concerned about the lack of analysis, as well as the substance of the proposed substantive changes that reduce the stringency of the rule. A portion of the proposed changes are designed to address the plans of Southern California Edison to install brand new prime power Diesel engines on Santa Catalina Island, engines which cannot comply with the existing requirements of rule 1135. SCE chose this path after engaging NREL to evaluate several options, none of which evaluate feasible options to install zero emission fuel cells. The proposed changes weaken and reduce the stringency of Rule 1135 without an analysis evaluating the ability to use zero emission technology, or requiring BARCT. The proposed changes to the proposed rule appear to be contrary to state law and a myriad of District environmental justice and other policies.

California Health and Safety Code section 40440 requires the District to adopt rules and regulations that reflect Best Available Retrofit Control Technology (BARCT). The proposed amendments fail to reflect BARCT, as there exist zero emission technologies that can perform the same functions for prime electricity production as the very Diesel engines that SCE wishes to install. Unfortunately, the District failed to perform any BARCT or other analysis of the possibility of using zero emission technologies, which are now commercially available.

2-1

Commercially available fuel cells meet all the requirements for both Reasonably Available Control Technology and Best Available Retrofit Control Technology. In this case, since the changes will only apply to the SCE engines on Santa Catalina island, and will be replaced and not retrofitted, the rule changes should also be equivalent to Lowest Achievable Emission Rate (LAER), requirements that a fuel cell will also meet.

2-2

Adopted in September, 2011, the District has an energy policy with a number of policies that the proposed amendments appear to violate. For example, Policy 7 requires any new/repowered in-Basin fossil-fueled generation power plant to incorporate BACT/LAER as required by South Coast AQMD rules, considering energy efficiency for the application.

2-3

The proposed amendments appear to violate both the spirit and letter of the District's energy policy by amending Rule 1135 to conform to SCE's wish to install Diesel engines, engines which do not reflect BACT or LAER for generating power.

The proposed amendments would also conflict with the District's aging Clean Fuels Policy, which require the use of clean fuels as part of BACT or LAER.

2-3  
cont.

The proposed amendments also are contrary to the District's 10 original environmental justice initiatives. Number 7 calls for the District "(c)reate incentives to clean-up or remove diesel engines in the basin...". The proposed amendments actually create an *incentive* for SCE by weakening Rule 1135. Without the proposed amendments, SCE could not comply with Rule 1135, and be forced to evaluate cleaner options, with cleaner fuels.

Further, the proposed amendments would be inconsistent with the intent of AB 1807 (Tanner), designed to identify and reduce emissions of toxic air contaminants. Diesel particulate matter has already been identified by the California Air Resources Board as a toxic air contamination, and the proposed amendments would facilitate their continued emission.

2-4

District staff has represented to the public on numerous occasions that it intends to include in the next AQMP a proposed measure to replace emergency backup diesel generators with zero emission technologies like batteries or fuel cells. This makes it is hard to understand why the District would propose to substantively *weakening* existing rule requirements for *prime* Diesel engines, rather than ensure that these engines are replaced by zero emission alternatives. Surely prime Diesel engine emissions will be more cost effective to reduce than emergency backup engines. And surely **all** of those emission reductions are needed to meet ambient air quality standards as soon as practicable. Yet the District offers no explanation for bypassing these potential emission reductions for these high-emitting units, or even analyzing the potential for alternatives.

2-5

We urge the District to re-evaluate the proposed amendments, perform a proper analysis, and propose amendments that would require NOx emission limits of zero, reflecting the current state of power generation technology.

- Mark Abramowitz  
President  
Community Environmental Services  
18847 Via Sereno  
Yorba Linda, CA 92886  
(714) 936-6338  
Marka@enviropolicy.com

Sent from my Fuel Cell powered iPhone

***Staff Response to Comment Letter 2******Response to Comment 2-1:***

A BARCT assessment was conducted for each class and category of equipment as part of the 2018 amendment to Rule 1135. Based on California Health and Safety Code Section 40406, “best available retrofit control technology” means an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of source. Rule 1135 included two compliance paths for diesel internal combustion engines at Santa Catalina Island: 1) Meet a NOx emission standard of 45 ppm by January 1, 2024; or 2) Meet a mass NOx emission cap of 13 tons per year by January 1, 2026. Both options had a three-year time extension, provided certain conditions were met.

To achieve the 13 tons per year mass emission cap, it was assumed that a zero or near-zero emission technology would be used, possibly with diesel engine replacements. The longer timeframe for the mass emission cap option was provided since two potential technologies were being discussed, including solar and undersea cables, and both technologies would require further time to develop considering permitting, space constraints, and lack of infrastructure on Catalina Island. To ensure the technology is “achievable” a longer timeframe was allowed under Rule 1135. Even though fuel cells were not specifically evaluated, an operator is not precluded from using fuel cells or any other technology to achieve the 13 tons per year mass emission cap by 2026. Since the 2018 assessment, near-zero and zero-emission technologies have progressed. Staff is including a Resolution to conduct an updated BARCT assessment as soon as practicable for the electric generating units on Catalina Island and to begin the rule development process to amend to Rule 1135 beginning ~~February~~ in the first quarter of 2022 to reflect the revised BARCT assessment.

***Response to Comment 2-2:***

Any new equipment is subject to BACT requirements and new equipment located at major sources is subject to LAER. South Coast AQMD is technology neutral with respect to what specific equipment is installed to meet rule requirements as well as BACT and LAER requirements, if applicable.

***Response to Comment 2-3:***

The BACT and LAER requirements assume that natural gas is available in sufficient quantities to operate the equipment. Similarly, Clean Fuels Policy assumes that the cleaner fuels are available in sufficient quantities. In the case of engines on Catalina Island, natural gas was determined to be unavailable in sufficient quantities to provide power for Catalina Island. SCE, in conjunction with U.S. EPA and the National Renewable Energy Laboratory, conducted a feasibility study and concluded that more land would be necessary to store propane as an alternative to natural gas<sup>4</sup>. The Santa Catalina Island Conservancy would need to authorize the additional land for fuel storage. The Conservancy set aside 88 percent of the island for preservation of the natural character

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<sup>4</sup> “Santa Catalina Island Repower Feasibility Study,” authored by consulting group NV5 in partnership with the National Renewable Energy Laboratory and U.S. Environmental Protection Agency.  
<https://www.sce.com/about-us/reliability/upgrading-transmission/catalina-repower>

of the island and generally ensures that the island remain in its present natural state. As part of the updated BARCT assessment, staff will evaluate if challenges with fuel storage can be resolved.

The proposed amendment to average NOx emissions over a three-hour period is included to avoid unnecessary startups and shutdowns that would create additional emissions. Without the amendment, the engines would be shut down more often to address transitory spikes leading to higher emissions when the engines are restarted.

*Response to Comment 2-4:*

The proposed amendments do not alter the diesel particulate emission limit. The replacement engines are required to meet a particulate matter standard of 0.0076 lbs/MMbtu. This limit is a significant decrease from the older existing engines which do not have any particulate control.

*Response to Comment 2-5:*

The proposed amendment to extend the averaging time does not weaken the existing rule requirements. The proposed amendment to average NOx emissions over a three-hour period is included to avoid unnecessary startups and shutdowns that would create additional emissions. Without the amendment, the engines would be shut down more often to address transitory spikes leading to higher emissions when the engines are restarted. Staff is including a Resolution to conduct an updated BARCT assessment as soon as practicable for the electric generating units on Catalina Island and to begin the rule development process to amend Rule 1135 in ~~February~~ the first quarter of 2022 to reflect the revised BARCT assessment.

## COMMENT LETTER 3

*Southern California Edison – November 10, 2021*

P.O. Box 5085 Rosemead, CA 91770

November 10, 2021

Charlene Nguyen  
 Planning, Rule Development and Area Sources  
 South Coast Air Quality Management District  
 21865 Copley Drive, Diamond Bar, CA 91765  
 Email: [cnguyen@aqmd.gov](mailto:cnguyen@aqmd.gov)

**SUBJECT: Proposed Amended Rule 1135 - Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Proposed Rule 429.2 - Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities**

Dear Ms. Nguyen:

Southern California Edison (SCE) appreciates the opportunity to comment on the South Coast Air Quality Management District's (SCAQMD) Proposed Amended Rule (PAR) 1135 and Proposed Rule (PR) 429.2. SCE remains committed to working with the SCAQMD to comply with the rules.

SCE supports the provisions of PAR 1135 and PR 429.2 relating to our combined-cycle gas turbine facility (Mountainview Generating Station) and four simple-cycle gas turbine facilities (Barre, Center, Grapeland, and Mira Loma Peakers). SCE also supports many proposed requirements regarding non-emergency diesel internal combustion engines and appreciates SCAQMD for recognizing the unique operation and challenges at our Pebbly Beach Generating Station ("PBGS") on Santa Catalina Island ("Catalina" or "the Island"). Nevertheless, SCE has a few remaining concerns about the effect of the proposed rules on our Catalina facility. Our suggested rule revisions presented below will take the form of additions shown in **bold underline** and deletions in ~~striketrough~~.

**PAR 1135**

**A. The definition of "Electricity Generating Facility" is ambiguous and could be misinterpreted to include all facilities owned and operated by an investor-owned utility such as SCE or a public utility.**

The current and proposed amended definitions could subject our office buildings, service centers, garages, and substations to Rule 1135, which we believe is not the SCAQMD's intent. SCE requests the following revisions to the definition in subparagraph (c)(9):

3-1

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ELECTRICITY GENERATING FACILITY means a facility that is owned or operated by an investor-owned electric utility or a publicly owned electric utility and includes one or more electric generating units; ~~is owned or operated by a publicly owned electric utility~~; or has electric generating units with a combined generation capacity of 50 megawatts or more of electrical power for distribution in the state or local electrical grid system.

3-1  
cont.

and the related definition of “Electric Generating Unit” in subparagraph (c)(8):

ELECTRIC GENERATING UNIT means a boiler that generates electric power, gas turbine that generates electric power with the exception of cogeneration turbines, or a diesel internal combustion engine that generates electric power and is located on Santa Catalina Island with the exception of emergency internal combustion engines and portable engines registered under the Statewide Portable Equipment Registration Program (PERP).

3-2

SCE constructs and maintains power distribution lines throughout the island and uses portable equipment and generators as allowed under the state’s Portable Equipment Registration Program (PERP) in the field, staging areas, laydown yards, and other locations throughout the island. By adding these clarifications, all six SCE electricity generating facilities will remain subject to Rule 1135, but other non-power producing facilities such as offices, substations, warehouses, laydown yards, and service centers would be excluded.

#### **B. Emissions data averaging methodology should align with Rule 218.3 requirements.**

SCE appreciates SCAQMD’s consideration in proposing an oxides of nitrogen (NOx) emissions limit that both meets Best Available Control Technology (BACT) requirements and addresses SCE’s operational challenges at our Catalina facility. SCE supports the proposed limits with a few minor modifications to the Table 2 footnotes under subparagraph (d)(2) that would ensure emissions monitoring, recordkeeping, and reporting requirements are consistent with Rules 218, 218.1, 218.2, and 218.3.

When the existing diesel engines have been replaced, PBGS will become a Former RECLAIM NOx Facility<sup>1</sup> and will be subject to Rule 1135 (e)(2), which requires the facility to meet emissions monitoring, recordkeeping, and reporting requirements in accordance with Rules 218, 218.1, 218.2, and 218.3. As a Former RECLAIM NOx Facility, PBGS will continue to monitor NOx emissions from its non-emergency engines with a Continuous Emissions Monitoring System (CEMS). While Rule

<sup>1</sup> PAR Rule 1135 (C)(14) defines “Former RECLAIM NOx Facility” as “a facility or any of its successors that was in the NOx Regional Clean Air Incentives Market (RECLAIM) as of January 5, 2018, as established in Regulation XX – Regional Clean Air Incentive Market (RECLAIM), that has received a final determination notification, and is no longer in the NOx RECLAIM program.

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1135 (e)(2) generally provides appropriate cross-references to the Rule 218 series, SCE believes the Table 2 footnotes under subparagraph (d)(2) must be revised to ensure consistency.

As previously communicated to SCAQMD, SCE plans to replace the existing engines with United States Environmental Protection Agency (US EPA) Tier 4 Final certified diesel generator sets. The Tier 4 Final generator sets will achieve significant NOx emissions reductions and are considered BACT. As discussed in SCAQMD's PAR 1135 and PR 429.2 Preliminary Draft Staff Report, the NOx concentration limit in Table 2 under subparagraph (d)(2) was derived from the Tier 4 Final emission standard of 0.67 g/kWh (gram per kilowatt-hour) or 0.50 g/bhp-hr (gram per brake horsepower hour) with an assumed engine efficiency of 40 percent. SCE supports SCAQMD's approach to demonstrate compliance in terms of concentration limits. While the emissions rates in g/kWh or g/bhp-hr cannot be directly converted to an equivalent NOx concentration in ppmv (part per million volume), SCE believes that the concentration limit must reflect the emissions performance capacity of the Tier 4 Final certification level. SCE's suggested changes to the Table 2 footnotes are discussed below.

#### Fuel-Weighted Average

SCE appreciates SCAQMD including the three-hour rolling average at 45 ppmv at 15% O<sub>2</sub> for the diesel engines to address temporary NOx emission spikes. However, we believe that a fuel-weighted average is neither necessary nor appropriate to monitor and demonstrate compliance. In a particular three-hour period, depending on load levels and fuel use, the fuel-weighted average approach could result in an emissions concentration limit more stringent than the Tier 4 Final certification level. It is more appropriate to express the 45 ppmv NOx limit as a "straight" average concentration, i.e., as measured and correct to 15% O<sub>2</sub>, in accordance with Rule 218.3.

Additionally, to maintain compliance and low emissions, SCE operators continuously monitor CEMS average emissions data in real time, compare that data to our permit limits, and proactively adjust various operating parameters as needed (e.g., operating loads, fuel/air ratio, and urea injection rates). Due to the nature of a fuel-weighted average calculation, the current CEMS would not allow the operators to monitor three-hour average emissions in real time to compare against the 45 ppmv permit limit. Thus, the operators would not be able to quickly address emissions fluctuations and avoid deviations from permitted limits.

To maintain accuracy and compliance and consistency with Rule 218.3 and the Tier 4 Final emissions performance standards, the NOx emissions limit should be expressed as a straight average concentration instead of as a fuel-weighted average.

3-3

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Rolling Average

The term “Rolling Average” in Footnote 1 needs a cross-reference to Rule 218.3(i)(4)(C), which specifically addresses averaging times greater than one hour and refers to subsection (i)(4)(A) for individual hour requirements, as follows:

For continuous monitoring systems used to demonstrate compliance for an interval greater than one-hour, emission data may be averaged for the required interval utilizing hourly averages computed in accordance with subparagraph (i)(4)(A).

3-4

To maintain consistency with Rule 218.3 and reduce ambiguity regarding to the NOx concentration limit under subparagraph (d)(2)(B), SCE requests that SCAQMD revise Footnote 1 as follows:

<sup>1</sup> – Corrected to 15% oxygen on a dry basis ~~and fuel-weighted-averaged~~ over a three-hour rolling average utilizing hourly averages computed in accordance with Rule 218.3 (i)(4)(A) and (C).

Additionally, SCE requests that Footnote 4 be revised to include “tuning” to be consistent with the compliance requirements for gas turbines and boilers in Footnote 1, as follows:

<sup>4</sup> – The NOx, carbon monoxide, and volatile organic compounds emissions limits in Table 2 shall not apply during startup and shutdown, pursuant to Rule 429.2, and tuning.

3-5

**C. Clarification of the time extension request administrative procedure is needed.**

SCE appreciates the proposed revisions to the time extension criteria for our Catalina facility. We recognize the urgency in reducing NOx emissions as early as January 1, 2023. Should a time extension be needed due to challenges or delays outside of the facility’s control, SCE requests further clarification on the timeline and procedure to implement the time extensions in subparagraph (d)(3)(C) and mitigation fee in subparagraph (d)(3)(F).

3-6

**PR 429.2**

**A. The number of scheduled startups should be increased to allow scheduled startups during quarterly source tests and additional planned outages.**

PR 429.2 defines the term “scheduled startup” in subparagraph (c)(8) as follows:

SCHEDULED STARTUP means a planned startup that is specified by January 1 of each year. A scheduled startup does not include a startup to meet energy demand, perform unplanned maintenance, or correct equipment failure, breakdown, or malfunction

3-7

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SCE recommends that ten (10) scheduled startups be allowed for each calendar year to ensure consistency in compliance requirements between Rules 429.2 and 1135 and to address operational needs for planned outages.

PR 429.2 (d)(5) states that on and after January 1, 2024, an owner or operator of an electric generating unit shall not exceed two scheduled startups per calendar year for each generating unit.

However, PAR 1135 (e)(6) requires quarterly (i.e., four) source tests during the first 12 months of operation to demonstrate compliance with a unit's ammonia emissions limit. Each source test is considered a "scheduled startup" because it requires shutting down the unit, setting up testing equipment, and restarting the unit to complete the test as currently performed at the Catalina facility on a quarterly basis.

SCE therefore requests an increase in the number of scheduled startups allowed in PR 429.2(d)(5) from two (2) to four (4) at a minimum. SCE also urges the District to consider more than four (4) startups to account for any additional planned outages that might be needed in a calendar year. SCE believes ten (10) scheduled startups would be reasonable.

### Conclusion

Thank you for your consideration of SCE's comments on the proposed rules. We share SCAQMD's goals to reduce NOx emissions expeditiously. SCE appreciates the time and effort the District staff has invested in addressing many complex energy and air quality challenges on Santa Catalina Island. We look forward to continuing to work with you and your staff on this process. If you have any questions or would like to discuss these issues, please contact Joy Brooks, Senior Air Quality Manager at (626) 302-8850 or joy.s.brooks@sce.com.

Sincerely,

DocuSigned by:  
*Rosalie Barcinas*  
06DD81A11EA7451...

Rosalie Barcinas,  
Director of Catalina Operations & Strategy, Generation

CC: Susan Nakamura, SCAQMD  
Michael Morris, SCAQMD  
Uyen-Uyen Vo, SCAQMD  
Jim Buerkle, SCE  
Kenneth Borngrebe, SCE  
Dawn Anaiscourt, SCE

3-7  
cont.

***Staff Response to Comment Letter 3******Response to Comment 3-1:***

Staff has revised the rule language in PAR 1135 paragraph (c)(9) to clarify that the “Electricity Generating Facility” is defined as investor-owned electric utilities and publicly owned electric utilities with electric generating units.

***Response to Comment 3-2:***

Staff has revised the rule language in PAR 1135 paragraph (c)(8) to exclude portable engines registered under the CARB Statewide Portable Equipment Registration Program (PERP) from the definition of “Electric Generating Unit.”

***Response to Comment 3-3:***

Staff has revised the rule language in PAR 1135 Table 2 Footnote 1 to be a straight three-hour rolling average instead of a three-hour fuel-weighted average to decrease the complexity of determining compliance and for consistency with other South Coast AQMD rules which require a straight average.

***Response to Comment 3-4:***

Staff revised the rule language in PAR 1135 Table 2 Footnote 1 to include a reference for the rolling average to be calculated as specified in Rule 218.3 – Continuous Emission Monitoring System: Performance Specifications (Rule 218.3). The specific references to subparagraphs (i)(4)(A) and (i)(4)(C) are not included in the rule language. If Rule 218.3 gets amended in the future and the references to the subparagraphs change, then the reference in Rule 1135 would become obsolete. However, staff makes this clarification in Chapter 2 of this Staff Report.

***Response to Comment 3-5:***

Staff revised rule language in PAR 1135 subparagraph (d)(5) to include an exemption from Rule 1135 emission limits during tuning if the unit’s Permit to Operate includes limitations for duration and number of tunings.

***Response to Comment 3-6:***

Staff will include a Resolution to conduct a BARCT assessment for the electric generating units on Catalina Island and to begin the rule development process in ~~February~~ the first quarter of 2022 to amend Rule 1135 ~~in February 2022~~ to reflect the revised BARCT assessment. That assessment will include the criteria and requisites for a further extension due to unforeseen circumstances. Additionally, relief is available through the Hearing Board process if such a situation arises.

***Response to Comment 3-7:***

Staff revised the rule language in PR 429.2 paragraph (d)(5) from two to twelve scheduled startups per calendar year for electric generating units that are not required to perform distillate fuel oil readiness testing based on comments from several stakeholders and to anticipate all scheduled startups.

**COMMENT LETTER 4***Los Angeles Department of Water and Power – November 15, 2021*

Eric Garcetti, Mayor  
 Board of Commissioners  
 Cynthia McClain-Hill, President  
 Susana Reyes, Vice President  
 Jill Banks Barad-Hopkins  
 Mia Lehrer  
 Nicole Neeman Brady  
 Yvette L. Furr, Acting Secretary

Martin L. Adams, General Manager and Chief Engineer

November 15, 2021

Mr. Michael Morris  
 Planning and Rules Manager  
 South Coast Air Quality Management District  
 21865 Copley Drive  
 Diamond Bar, CA 91765

Dear Mr. Morris:

Subject: Los Angeles Department of Water and Power's (LADWP) Comments on Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Proposed Rule 429.2– Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities

LADWP appreciates the opportunity to provide comments on the Proposed Amended Rule (PAR) 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities and Proposed Rule (PR) 429.2– Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities. LADWP remains committed to working with the South Coast Air Quality Management District (SCAQMD) during this rulemaking process and looks forward to refining the proposed language in ensuring a successful implementation of the proposed rules.

LADWP is the largest municipality in the nation. A vertical integrated utility, LADWP is unique in that it owns and operates its own generation, transmission, and distribution systems. For this reason, LADWP does not rely on the energy market or other transmission system operators as a primary means to meet its power needs. LADWP is required by its City Charter to provide reliable and affordable power to the City of Los Angeles. Grid reliability and being able to operate its generating stations at all times is a regulatory certainty that LADWP must be allowed in order to meet the City Charter mandate.

In this letter, LADWP will be providing comments on draft language that was presented during the PAR 1135 and PR 429.2 Working Group meeting held on October 27, 2021.

Mr. Morris  
Page 2  
November 15, 2021

In response to SCAQMD's request for stakeholder input, LADWP respectfully submits the following comments on the draft rule language.

**Comments on Proposed Amended Rule 1135 –  
Continuous Emission Monitoring Performance Specifications**

1. Section (d)(5) – Change of Permit Conditions

*“On or before July 1, 2022, the owner or operator of an electricity generating facility shall submit an application for a change of permit conditions to reconcile their permit(s) with Rule 1135.”*

Comment: LADWP seeks clarification on whether the permit changes required by Rule 1135 involve adding a blanket permit provision reflecting the applicability of Rule 1135 to the permit or if each individual unit permit condition must be updated or revised to reflect the new provisions under the rule. Rule 1135 is projected to be amended by January 7, 2022, and LADWP will have to apply for permit modifications to reconcile permits with this rule. To allow for sufficient time to consolidate all permit changes and comply with the regulation, LADWP suggests that the permit application due date be extended one year after the date of Rule 1135 amendment adoption. LADWP requests that the permit application due date be extended from July 1, 2022 to January 7, 2023.

4-1

LADWP also seeks confirmation that when the permit is revised, the new permit limits will be effective once the units exit RECLAIM and not upon adoption of the rule or when the revised permit is issued. LADWP would also like clarification on whether compliance with Rule 1135's specified concentration limits is expected by December 31, 2023 if the RECLAIM exit will potentially be delayed to 2024. LADWP requests that the facility permits provide clarity on the compliance obligations for RECLAIM regulations and Rule 1135 in the event that the approved RECLAIM exit is delayed past 2023.

4-2

2. Section (f)(2) – Fuel Oil Readiness Testing

Comment: LADWP uses diesel fuel as a backup fuel. LADWP requests SCAQMD to change all references to “fuel oil” to “distillate fuel oil” in this section to capture both diesel and fuel oils.

4-3

Mr. Morris  
Page 3  
November 15, 2021

**Comments on Proposed Rule 429.2 –  
Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from  
Electricity Generating Facilities**

1. Section (c)(8) – Scheduled Startup Definition

*“SCHEDULED STARTUP means a planned startup that is specified by January 1 of each year. A scheduled startup does not include a startup to meet energy demand, perform unplanned maintenance, or correct equipment failure, breakdown, or malfunction.”*

Comment 1: LADWP seeks clarification as to whether startups due to periodic source testing, diesel readiness testing, and other required regulatory testing are considered scheduled startups. If these events are considered scheduled startups, the proposed annual limit of two specified in Section (d)(5) is not sufficient to meet permit conditions and maintain electrical system reliability, given the frequency of startups due to these required tests. Table A below shows the annual total of source tests and allowed diesel readiness testing as required by the Title V Operating Permit (Permit):

Table A – Number of Periodic Testing Per Unit Type Per Year

| Unit Type      | Source Testing* | Diesel Readiness Testing | Annual Total |
|----------------|-----------------|--------------------------|--------------|
| Boiler         | 3               | 0                        | 3            |
| Simple Cycle   | 4-10            | 12                       | 16-22        |
| Combined Cycle | 7-12            | 52                       | 59-64        |

\*Required source tests include RATA (up to two a year), Ammonia Slip (up to 4 a year), CO, NO<sub>x</sub> performance, PM (3 per year at full load, full load with ducts, minimum load), Triennial (PM<sub>2.5</sub>, SO<sub>x</sub> and VOC).

In addition, LADWP generating units are subject to periodic Western Electricity Coordinating Council (WECC) testing needed to ensure system reliability. LADWP is requesting SCAQMD to exclude source tests, diesel readiness testing, and system reliability testing from the “Scheduled Startup” definition or increase the number of allowed scheduled startups in Section (d)(5) to accommodate scheduled testing listed in the table above.

Comment 2: SCAQMD’s proposed requirement for facilities to specify outage (or scheduled startup) dates at the beginning of the year would be difficult for LADWP to comply with. LADWP, as its own balancing authority, maintains the balance of power supply and demand by managing both the generation and transmission within its

4-4

4-5

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service territory. As a transmission provider, LADWP is subject to the Federal Energy Regulatory Commission's (FERC) Standards of Conduct (specifically the No Conduit Rule) that prohibit LADWP from sharing and disclosing non-public transmission information prior to it becoming public.

4-5  
cont.

Similarly, non-public generation information such as maintenance outage and restart schedules are considered market-sensitive information that cannot be shared beyond the intended use and is therefore not intended for publication. Sharing this information with individuals outside of the designated groups within LADWP would require Non-disclosure Agreements (NDAs).

Comment 3: In the Permit, startups are categorized "cold" and "non-cold" for combined cycle units and simply "startup" for simple cycle units. Each startup category is subject to the time, emission concentration, and mass limits specified in the Permit whether it be scheduled startup or demand response startup. The Permit also limits the number of allowed startups for simple cycle and combined cycle units per month. LADWP would like to clarify whether the proposed limit on "Scheduled Startups" is intended to be in addition to the allowed number of startups specified in the Permit. If it is not SCAQMD's intent to distinguish the emission limits between scheduled startups and other startups, LADWP suggests that the "Scheduled Startup" definition be removed along with associated requirements mentioned in Sections (d)(5) and (e) unless the distinction between scheduled startups and other startups is justified.

4-6

### 3. Section (c)(9) – Shutdown Definition

*"SHUTDOWN means the time period that begins when an electricity generating unit begins reducing load and flue gas temperatures fall below the minimum operating temperature of the NOx post-combustion control equipment, and ends in a period of zero fuel flow."*

4-7

Comment 1: During diesel readiness testing, there are times when the unit experiences a short period of zero fuel flow when transitioning from natural gas to diesel or diesel to natural gas. LADWP suggests adding the following language to the shutdown definition:

*"For dual fuel units, fuel transition period shall not be considered as shutdown."*

Comment 2: LADWP seeks consideration of special permit conditions that allow multiple startups. In cases where a Permit has specific conditions that allow a combined cycle unit to abort a cold start and then restart the unit, the start and restarts count as one cold start provided that the total time does not exceed the cold start permit limit. Since

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the aborted start ends in zero fuel flow, this constitutes a shutdown per the proposed definition. The subsequent start(s) will then count as a separate cold start assuming that the steam valve does not open during the previous start. If the proposed shutdown language is adopted, the unit will quickly use up its limit of five monthly cold starts. LADWP suggests the following additional language:

4-8  
cont.

*“For units with specific shutdown language already included in the permit but not captured in this rule, the existing permit language shall be used in determining compliance.”*

4. Section (d)(3) – Table 2: Startup and Shutdown Duration Limits for Electric Generating Units Installed on or After [DATE OF ADOPTION]

Comment: LADWP would like to know if there are permitted units that have achieved the time limits listed in Table 2 and if the time limits are currently listed in the Environmental Protection Agency’s Best Available Control Technology Clearing House. If not, LADWP suggests that SCAQMD consider removing Table 2 and amending the rule at a later time when there is sufficient data showing that the limits have been achieved in practice.

4-9

5. Section (d)(4) – End of Startup

*“On and after January 1, 2024, an owner or operator of an electric generating unit shall not allow any startup to last longer than the time that is necessary to reach stable conditions and minimum operating temperature of the NOx post-combustion control equipment, if applicable. If a unit reaches stable conditions and the minimum operating temperature of the NOx post combustion control equipment is reached before reaching the startup duration limit specified in paragraphs (d)(2) or (d)(3), the startup period shall be considered over”*

4-10

Comment: This rule requirement contradicts the Permit definition of end of startup. LADWP’s Permit defines end of startup as the time when the unit achieves the concentration permit limit.

When the post-combustion control equipment such as the Selective Catalytic Reduction (SCR) System reaches its minimum operating temperature, ammonia is injected to the

SCR to reduce NOx emissions so that the unit can achieve compliance with the concentration permit limit within the permitted time limit. The time for the post combustion control equipment to reach its minimum operating temperature is not the

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same as the time it takes for the unit to reach compliance with its emission limit. Compliance with emission limits occurs after ammonia injection has commenced. In addition to ammonia injection, the unit has to reach a minimum load for dry low NOx technology to meet permit limit. For example, combined cycle units commence ammonia injection as early as possible during startup to minimize NOx emissions. Reaching BACT levels which signal the end of startup typically occurs after the unit has ramped up to the minimum load necessary for NOx compliance. LADWP suggests that SCAQMD revise the second sentence in Section (d)(4) as follows:

4-10  
cont.

*“.....If a unit reaches the permit emission concentration limit ~~stable conditions and the minimum operating temperature of the NOx post combustion control equipment is reached~~ before reaching the startup duration limit specified in paragraphs (d)(2) or (d)(3), the startup period shall be considered over.”*

Alternatively, SCAQMD could revise the definition of “Stable Condition” in Section (c)(10) as follows:

*“Stable Condition means that the fuel flow to an electric generating unit is consistent ~~and allows~~ allowing for normal operations and that the unit has reached compliance with emission permit limit.”*

#### 6. Section (d)(5) – Scheduled Startup Annual Limit

*“On and after January 1, 2024, an owner or operator of an electric generating unit shall not exceed two scheduled startups per calendar year for each electric generating unit.”*

4-11

Comment: As stated in Comment 1 for Section (c)(8), if testing events are considered scheduled startups, the proposed annual limit of two is not sufficient, given the frequency of startups due to these required tests. LADWP is requesting SCAQMD to increase the number of allowed scheduled startups to accommodate scheduled testing listed in the Table A above.

#### 7. Section (e)(1)(A) and (B) - Recordkeeping

*“On and after January 1, 2024, an owner or operator of an electricity generating unit shall maintain the following records on-site for 5 years and make this information available to South Coast AQMD upon request:*

4-12

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- (A) A list of scheduled startups, including date, time, and reason of the scheduled startup and any change(s) to the date and time of the scheduled startup;  
(B) An operating log for each startup and shutdown, which contains the date, time, duration, and reason for each event;

Comment: Startup and shutdown date, time and duration are all recorded in the Continuous Emissions Monitoring System (CEMS) Data Acquisition Handling System (DAHS). Requiring maintenance of a separate log for each startup and shutdown seems redundant. A report with this information can be generated from the DAHS. It is unclear why requiring operators of a generating unit to provide the reason for each startup or shutdown is necessary. Operators are already required to provide and maintain records of the date and time of scheduled startups in Section (e)(1)(B). If SCAQMD is concerned about exceedances of startup and shutdown limits, inspectors can verify them by cross-referencing exceedance dates with the scheduled startup date and time records to see if the exceedance is exempt or if it is considered a violation.

4-12  
cont.

8. Section (f)(1) – Exemptions for Once-Through-Cooling (OTC) Electric Generating Units to Be Retired

Comment: To allow for flexibility in the event that the State Water Resources Control Board (SWRCB) extends the compliance deadline for the OTC units, LADWP suggests removing the December 31, 2029 date. Referencing the compliance dates set forth in Table 1 of Section 2(B) of the SWRCB's Statewide Water Quality Control Policy on the Use of Coastal Estuarine Waters for Power Plant Cooling (Once-Through-Cooling Policy) implementing Section 316(b) of the Clean Water Act should be sufficient.

4-13

LADWP requests SCAQMD's consideration of these comments and the other stakeholder's comments and looks forward to working with SCAQMD for further development and changes to these rules.

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If you have any questions or would like additional information, please contact Ms. Andrea Villarin of my staff at (213) 367-0409 or Ms. Leizl Lontok at (213) 367-3779.

Sincerely,

Katherine  
Rubin

 Digitally signed by Katherine  
Rubin  
Date: 2021.11.15 19:37:28  
-08'00'

Katherine Rubin  
Manager of Air and Wastewater Quality and Compliance

LL:

c: Ms. Uyen-Uyen Vo (SCAQMD)  
Ms. Charlene Nguyen (SCAQMD)  
Ms. Andrea Villarin (LADWP)  
Ms. Leizl Lontok (LADWP)

***Staff Response to Comment Letter 4******Response to Comment 4-1:***

The permit reconciliation will require a review and possible revision of individual permit conditions to be consistent with Rule 1135. Staff has determined that 18 months are needed to make the permit revisions for equipment subject to Rule 1135. By extending the application submittal date to January 2023, there would be insufficient time to reconcile permits before rule provisions would become effective. This could lead to facilities seeking variances while their permit was inconsistent with Rule 1135 requirements. Therefore, staff is not extending the application submittal date.

***Response to Comment 4-2:***

The emission limits will become effective upon issuance of the new permit or January 1, 2024, whichever occurs earlier. It is expected that facilities will also be subject to RECLAIM regulations for some time afterwards concurrently. The permit will reflect both Rule 1135 requirements and RECLAIM requirements that must be met. When the conclusion of RECLAIM occurs, another permit revision will be necessary to remove RECLAIM requirements.

***Response to Comment 4-3:***

Staff has revised rule language and changed all PAR 1135 references to “fuel oil” to “distillate fuel oil.”

***Response to Comment 4-4:***

Staff has clarified in [Chapter 3](#) of this Staff Report that startups due to periodic source testing, diesel readiness testing, and other regulatory testing are considered scheduled startups. Please refer to [Response to Comment 3-7](#) regarding the number of allowed scheduled startups in PR 429.2 paragraph (d)(5). Additionally, Staff has added a provision in PR 429.2 in paragraph (d)(6) which limits the number of scheduled startups for units required perform distillate fuel oil readiness testing to 64 per year.

***Response to Comment 4-5:***

Scheduled startup dates can be provided to South Coast AQMD as confidential material not to be shared, disclosed or published pursuant to Gov. Code Sec. 6254(k) and 6255. Scheduled startups may be considered confidential data by some entities. In those cases, the facility is allowed to keep a record of the planned number of scheduled startups by January 1 of each year, but not disclose non-public information (such as specific dates and times of the scheduled startups) until after they have occurred.

***Response to Comment 4-6:***

The number of scheduled startups will count toward the number of total startups; the number of scheduled startups is not in addition to the number of total startups. Limitations to the number of scheduled startups is an existing requirement in Rule 429 and is carried forward into PR 429.2. Furthermore, limiting the frequency of scheduled startups provides additional bounds to the startup and shutdown provisions.

*Response to Comment 4-7:*

Staff has revised rule language PR 429.2 paragraph (c)(7) to clarify that for dual fuel electric generating units, a shutdown does not include the time period when the unit transitions from one fuel to another.

*Response to Comment 4-8:*

Staff has clarified in [Chapter 3](#) of this Staff Report that aborted startups will be addressed in the permit conditions of the unit.

*Response to Comment 4-9:*

The startup and shutdown duration limits for combined cycle turbines and simple cycle turbines presented in Table 2 are reflected in permits issued by the South Coast AQMD. The equipment subject to these limits have been in operation for more than six months and has demonstrated compliance with the limits. The startup and shutdown duration limits for diesel internal combustion engines are consistent with the startup and shutdown duration limits specified in subparagraph (i)(1)(J) in Rule 1110.2 – Emissions from Gaseous- and Liquid Engines. These limits have not been reported to U.S. EPA as part of any BACT determination as startup durations are generally not included in BACT determinations.

*Response to Comment 4-10:*

This is a best management practice which will further limit excess emissions from startup events. Best management practices are one of the requirements is the U.S. EPA 2015 Startup, Shutdown, and Malfunction State Implementation Plan Policy.

*Response to Comment 4-11:*

Please refer to [Response to Comment 4-4](#).

*Response to Comment 4-12:*

Staff has revised rule language in PR 429.2 subparagraph (e)(1)(B) to require the facility to keep records of each startup and shutdown and no longer requires it in an operating log. Additionally, the rule language removes the requirement for the reason of each startup and shutdown.

*Response to Comment 4-13:*

The exemption in PR 429.2 paragraph (f)(1) is needed to prevent indefinite extensions of the retirement date of the Once-Through-Cooling Units.

**COMMENT LETTER 5*****Southern California Edison – December 7, 2021***

P.O. Box 5085, Rosemead, CA 91770

December 7, 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  
Email: [SNakamura@aqmd.gov](mailto:SNakamura@aqmd.gov)

**SUBJECT: Proposed Amended Rule 1135 - Emissions of Oxides of Nitrogen from Electricity Generating Facilities**

**Proposed Rule 429.2 - Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities**

Dear Ms. Nakamura:

Southern California Edison (SCE) appreciates the opportunity to comment on the new draft language issued on December 3, 2021 by the South Coast Air Quality Management District (SCAQMD) for Proposed Amended Rule (PAR) 1135 and Proposed Rule (PR) 429.2. SCE remains committed to working with the SCAQMD to comply with the rules.

SCE supports the provisions of the December Draft as they would apply to our combined-cycle gas turbine facility (Mountainview Generating Station) and four simple-cycle gas turbine facilities (Barre, Center, Grapeland, and Mira Loma Peakers). SCE also supports many of the December Draft's proposed requirements for non-emergency diesel internal combustion engines and appreciates that the SCAQMD has recognized the unique operation and challenges at our Pebbly Beach Generating Station ("PBGS") on Santa Catalina Island ("Catalina" or "the Island"). Nonetheless, SCE has significant concerns about the revised draft PAR 1135 issued on December 3, 2021 ("December Draft") and its effect on PBGS. Specifically, SCE believes the December Draft will impede SCE's ability to provide reliable and affordable electric utility service while maintaining environmental stewardship. SCE's analysis to date indicates other zero-emissions technologies are not technically viable or cost effective.

SCE requests the following changes to the December Draft:

- The nitrogen oxides (NOx) emission limit for Electric Generating Units in subparagraph (d)(2)(A) should be increased from 40 tons/year to 53 tons/year.

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- The removal of existing Electric Generating Units should be an acceptable alternative to complying with the 13 tons/year facility-wide limit effective on January 1, 2026.
- The reference to “facility-wide” mass emissions should be changed to “mass emission limit from Electric Generating Units.”
- The deadline-extension provision should be revised to allow the operation of existing Electric Generating Units as backup units between January 1, 2024 and January 1, 2027.
- An exemption should be created for portable and emergency engines.

Our suggested revisions presented below will take the form of additions shown in **bold underline** text and deletions in ~~strike through~~ text.

### **PAR 1135**

#### **A. The proposed facility-wide emissions limit and implementation deadlines should be revised to reflect the current BARCT standard and a practicable timeframe.**

The December Draft’s reduction of the interim facility-wide NO<sub>x</sub> limit from 55 tons/year to 40 tons/year (by January 1, 2024) is infeasible given the operations and load requirements at PBGS. In the October Draft, the SCAQMD proposed the replacement of five diesel generators by January 1, 2024 and provided the opportunity to request an extension of up to three years if PBGS’s annual NO<sub>x</sub> emissions did not exceed 55 tons for the 2023 reporting year and thereafter.<sup>1</sup> SCE was not opposed to the October Draft’s 55-ton annual emissions limit because it can be reasonably met by replacing Units 8 and 10 (identified as Engines 6 and 1, respectively, in the SCAQMD’s 2018 Staff Report) on the current project timeline, assuming a Permit to Construct is issued by June 2022.

In the December Draft, however, SCAQMD has reduced the emissions limit past the point that would allow SCE to meet forecasted electric demand on the Island and comply with PAR 1135 in the required time frame. SCE discusses its significant concerns about the achievability of the new proposed emissions limit below.

1. U.S. EPA Tier 4 Final-certified generator sets are currently considered BARCT for the unique power generating operation at PBGS.

In its 2018 Staff Report for the initial draft of PAR 1135, the SCAQMD stated that U.S. Environmental Protection Agency (U.S. EPA) Tier 4 Final-certified engines are considered Best

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<sup>1</sup> October Draft at subparagraph (d)(3)(A).

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Available Retrofit Control Technology (BARCT).<sup>2</sup> The SCAQMD did not revise its BARCT analysis in the 2021 Staff Report on the rule amendment.<sup>3</sup> SCE conducted a BARCT and Best Available Control Technology (BACT) analysis as part of our PBGS permit application submitted on April 30, 2021 and agreed with the SCAQMD that U.S. EPA Tier 4 Final-certified generator sets are BARCT (and BACT, which the SCAQMD did not address).

In its Feasibility Study SCE and its partners National Renewable Energy Laboratory (NREL) and NV5 evaluated a wide variety of zero-emissions technologies options (including solar, wind, and tidal power, demand response and energy efficiency) but not zero-emissions fuel cells explicitly. However, SCE determined these technologies were not feasible as the primary power generation on the island due to their intermittent nature, land constraints, ability to meet compliance timelines and costs. SCE does see these technologies as complements to its proposed BARCT diesel compliance project to further reduce emissions and is committed to launching a clean energy “All Source” solicitation in 2022 for renewables, energy storage, demand response and energy efficiency. At the same time SCE continues to engage the landowners on Catalina to access land for renewable energy and energy storage. In its comment letter on the October Draft, Community Environmental Services (CES)<sup>4</sup> asserted that zero-emission fuel cells should be evaluated as BARCT for PBGS and urged SCAQMD to revise its original BARCT analysis accordingly.<sup>5</sup>

SCE understands CES’s concerns regarding the continued long-term use of fossil-fuel-fired generators and has engaged fuel cell representatives to evaluate this technology and its feasibility to reliably compliment SCE proposed project to meet Catalina electrical customers’ demands and SCAQMD’s compliance requirements at a reasonable cost. SCE is committed to identify and implement the best option to balance reliability, affordability, and environmental stewardship at PBGS. SCE expects to complete a new BARCT analysis addressing these alternative technologies for PBGS by the end of 2022. Conducting a thorough, fact-based analysis is the only way to ensure that BARCT requirements are feasible and the implementation timeline is achievable, given the

5-1  
cont’d

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<sup>2</sup> SCAQMD. Draft Staff Report. Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities (October 2018). The report is available at [www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/par-1135---dsr---final.pdf?sfvrsn=12](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/par-1135---dsr---final.pdf?sfvrsn=12).

<sup>3</sup> SCAQMD. Preliminary Draft Staff Report. Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities. Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities (October 2021). The report is available at [www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/par-1135-and-pr-429-2-preliminary-draft-staff-report---10-21-22.pdf?sfvrsn=14](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/par-1135-and-pr-429-2-preliminary-draft-staff-report---10-21-22.pdf?sfvrsn=14).

<sup>4</sup> Community Environmental Services to SCAQMD RE: Proposed Amended Rule 1135 (November 10, 2021). The comment is available at <http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/proposed-amended-rule-1135---ces.pdf?sfvrsn=6>

<sup>5</sup> Email from Community Environmental Services to SCAQMD RE: Proposed Amended Rule 1135 (November 10, 2021). The comment is available at [www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/proposed-amended-rule-1135---ces.pdf?sfvrsn=6](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1135/proposed-amended-rule-1135---ces.pdf?sfvrsn=6).

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unique location and operating challenges of PBGS. However, in the meantime SCE needs to move forward with the proposed project to meet SCAQMD's new requirements and timelines.

Based on the current BARCT analysis conclusions separately reached by the SCAQMD and SCE, SCE intends to replace three engines with U.S. EPA Tier 4 Final-certified generators in order to expeditiously reduce NOx emissions at the facility by January 1, 2024. SCE will continue to conduct additional BARCT analysis to identify other alternative technologies for submission to SCAQMD by January 1, 2023.

5-1  
cont'd

2. The new emissions-reduction target of 40 tons/year is infeasible.

In the December Draft, the SCAQMD proposes a NOx emissions limit of 40 tons/year starting on January 1, 2024 (down from 55 tons/year in the October Draft).<sup>6</sup> It is unclear how this 40 tons/year limit was derived. However, based on the SCAQMD's analysis in its 2018 Staff Report, at least five existing generators must be replaced by U.S. EPA Tier 4 Final-certified generators to achieve an annual NOx emissions target of 40 tons/year as shown in Table 1 ( $69.4 - 30.5 = 38.9$  tons).

Taking into account PBGS's configuration, the need for a reliable electricity supply on the Island, anticipated changes to Rule 1135, and all parties' desire for significant near-term emissions reductions, SCE has planned to replace Units 8, 10, and 14 by January 1, 2024. SCE would achieve approximately 16.5 tons of NOx emissions reduction per year upon replacement of the three units. Under this plan, by January 1, 2024, total NOx emissions from the Electric Generating Units at PBGS are projected to be 52.9 tons/year—slightly lower than the 55 tons/year limit proposed in the October Draft. Accordingly, SCE respectfully requests that the NOx emission limit for Electric Generating Units in subparagraph (d)(2)(A) be revised from 40 tons/year to 53 tons/year. The latter target is both ambitious and realistic.

5-2

Table 1. NOx Emissions Profile at PBGS

| SCAQMD 2018 Staff Report Unit | SCE Unit | Size (bhp) | 2016 Annual NOx Emissions (tons) | NOx Permit Limit (ppmv @ 15% oxygen dry) | Proposed BARCT NOx Emission Limit (ppmv @ 15% oxygen, dry) | Annual Emission Reductions (tons)* |
|-------------------------------|----------|------------|----------------------------------|--|--|------------------------------------|
| ICE1                          | Unit 10  | 1,575      | 16                               | 6.5 lbs/MWh                              | 45   | 9.9                                |
| ICE3                          | Unit 14  | 1,950      | 5.3                              | 6.5 lbs/MWh                              | 45   | 2.7                                |
| ICE6                          | Unit 8   | 2,150      | 8.2                              | 6.5 lbs/MWh                              | 45   | 3.9                                |
| ICE5                          | Unit 7   | 1,500      | 12                               | 6.5 lbs/MWh                              | 45   | 5.6                                |
| ICE2                          | Unit 12  | 2,200      | 22                               | 6.5 lbs/MWh                              | 45   | 8.4                                |
| ICE4                          | Unit 15  | 3,900      | 5.9                              | 51                                       | 45   | 0.7                                |
| <i>Total</i>                  |          |            | 69.4                             |  |  | 31.2                               |

<sup>6</sup> Compare subparagraph (d)(3)(A) of the October Draft with subparagraph (d)(2)(A) of the December Draft.

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3. The reference to “facility-wide” mass emissions should be changed to “mass emission limit from Electric Generating Units.”

Separately from the six diesel units, SCE uses other emissions-producing equipment at PBGS such as emergency generators, microturbines, power washers, and other Rule 219 permit-exempt equipment. It is our understanding that the emissions limit proposed in the Rule 1135 amendment pertains to the six Electric Generating Units at PBGS, not to other emission sources. SCE requests that the phrase “facility-wide mass emissions” in subparagraph (d)(2) be changed to “emissions from Electric Generating Units.”

5-3

4. Additional analysis must be conducted to confirm whether an annual NOx limit of 13 tons/year is possible.

The December Draft’s NOx emissions limit of 13 tons/year (effective January 1, 2026) proposed in subparagraph (d)(2)(c) rests on the assumption that SCE could either (1) implement 100% zero-emissions technologies such as solar or wind power; or (2) connect the Island to the mainland via undersea cables with some backup generation for planned or unplanned outages from the existing diesel generators for up to three months. This assumption may not be accurate and the 13 tons/year emissions limit may not be achievable by the proposed deadline (even with the three-year extension). SCE has learned that maintenance/outage-related downtime associated with an undersea cable could be up to one to two years, so the proposed three-month allowance for backup diesel generation will not suffice. The 13 tons/year cap also assumes the Island’s load demand will remain the same in the future. Certain significant load increases are difficult to predict in the future (such as cruise ship electrification, which would be significant and outside of SCE’s control). A hard emissions cap would effectively disallow any future load growth.

5-4

Further, SCE opposes the inclusion of a mass emissions cap in addition to concentration-based limits, as the stated goal of the RECLAIM transition was to move away from facility emission caps to command-and-control limits. Imposing both at the same time will add operational (i.e., hourly) restrictions that go above and beyond a command-and-control approach and may impede SCE’s ability to reliably serve load and meet compliance requirements.

Finally, subparagraph (d)(2)(B) should be revised to allow major engine maintenance (that could constitute reinstallation or replacement) for new Electric Generating Units so long as it is SCAQMD-approved and meets the BARCT standard at the time of the maintenance.

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SCE respectfully requests the following revisions to subparagraph (d)(2):

(2) Electric Generating Units Located on Santa Catalina Island

The owner or operator of an electricity generating facility located on Santa Catalina Island with ~~diesel internal combustion engines~~ **Electric Generating Units** shall:

- (A) By January 1, 2024, meet a ~~facility-wide~~ mass emission limit **from Electric Generating Units** of ~~53~~ 40 tons of NOx annually, including mass emissions from startups and shutdowns;
- (B) Not install or replace any **Electric Generating Units** ~~diesel internal combustion engines~~ after January 1, 2024 **unless the Electric Generating Unit meets the Best Available Retrofit Control Technology standard and is approved by the Executive Officer;** and
- (C) On and after January 1, 2026, **either: remove Electric Generating Units that do not meet the emissions limits in subparagraph (d)(3) and the Best Available Retrofit Control Technology standard in subparagraph (d)(2)(B); OR** meet a ~~facility-wide~~ mass emission limit **for Electric Generating Units** of 13 tons of NOx annually, **including** mass emissions from startups and shutdowns.

5-4  
cont'd

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**B. The deadline-extension provision should be revised to allow the operation of the existing diesel generators as backup units after January 1, 2024.**

SCE recognizes the urgency in reducing NOx emissions as soon as January 1, 2024 and we have designed our compliance plan accordingly. However, the revised time-extension provision in the December Draft would prevent SCE from continuing to operate the existing generators (as backups) starting January 1, 2024. SCE requests the reinstatement of the time-extension concept from the October Draft, which would have allowed the existing generators to be used as backups until they are replaced by the new Electric Generating Units that meet the BARCT requirement. This is critical to SCE's ability to serve load and meet all compliance requirements.

5-5

SCE requests the following revisions to subparagraph (d)(4):

(4) Time Extension

(A) The owner or operator of an electricity generating facility on Santa Catalina Island may submit a request to the Executive Officer for a time extension of up to three years to meet the ~~facility-wide mass~~ emissions limits specified in subparagraphs (d)(2)(C) **and (d)(3)**.

**C. An exemption should be created for portable and emergency engines.**

Although the term "Electric Generating Units" is clearly defined, the term "Diesel Internal Combustion Engines" is used in several locations without reference to the term "Electric Generating Units." This could be misinterpreted to include emergency internal combustion engines and portable engines registered under the California Air Resources Board Statewide Portable Equipment Registration Program ("PERP"), which are critical to the construction and maintenance of SCE's electricity distribution system on the Island. SCE requests that SCAQMD add an explicit exemption for emergency and PERP engines to subparagraph (g)(5):

5-6

(g) Exemptions

(5) **Santa Catalina Island**

- (A) Internal combustion engines located on Santa Catalina Island are exempt from subdivision (f).
- (B) **The provisions of this rule shall not apply to emergency internal combustion engines and portable engines registered under the California Air Resources Board Statewide Portable Equipment Registration Program (PERP) located on Santa Catalina Island.**

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Thank you for your consideration of SCE's comments on the proposed rules. We look forward to continuing to work with you and your staff on this process. If you have any questions or would like to discuss these issues, please contact Joy Brooks, Senior Air Quality Manager at (626) 302-8850 or [joy.s.brooks@sce.com](mailto:joy.s.brooks@sce.com).

Sincerely,

DocuSigned by:  
*Rosalie Barcinas*  
06DD81A11EA7451...

Rosalie Barcinas  
Director of Catalina Operations & Strategy, Generation

CC: Michael Morris, SCAQMD  
Uyen-Uyen Vo, SCAQMD  
Charlene Nguyen, SCAQMD  
Jim Buerkle, SCE  
Kenneth Borngrebe, SCE  
Dawn Anaiscourt, SCE  
Joy Brooks, SCE

***Staff Response to Comment Letter 5******Response to Comment 5-1:***

The 2018 Rule 1135 amendment established BARCT limits for diesel internal combustion engines in Table 2, which are based on U.S. EPA Tier 4 Final engine certification standards. The Table 2 emission limits allow the operator to implement any technology that can achieve the NOx concentration limit in Table 2. During the development of PAR 1135, SCE was initially planning on replacing all six diesel engines with Tier 4 Final engines to meet the NOx concentration limits in Table 2. Concerns were raised regarding if use of fuel cells or any other non-diesel or near-zero or zero-emission technologies could be implemented instead of replacing engines with new diesel engines. As a result, PAR 1135 was revised to remove the pathway to meet Table 2 NOx limits for diesel internal combustion engines and a two step-process was incorporated. The first step establishes an initial NOx emission cap for the diesel engines of 50 tons per ~~day~~ year in 2024 and lowers the cap to 45 tons per ~~day~~ year in 2025. It is the South Coast AQMD staff's understanding that to meet this first step, SCE will be replacing two, possibly three, diesel internal combustion engines with U.S. EPA Tier 4 Final-certified engines. The second step is based on a NOx emission cap for the diesel internal combustion engines of 13 tons per year beginning in 2026. Staff is committed to re-initiating rulemaking to do a more detailed technology assessment and BARCT assessment for this second step and to work with stakeholders to evaluate current and emerging near and zero-emission technologies. Staff will be conducting a BARCT assessment during this second step of rulemaking which may change the proposed provisions in subparagraph (d)(2)(D). This approach provides the opportunity to evaluate the best approach to maximize NOx reductions from power generation for Santa Catalina Island, and to reduce and possibly eliminate the use of diesel internal combustion engines.

Staff is including a Resolution to conduct an updated BARCT assessment as soon as practicable for the electric generating units on Catalina Island and to begin the rule development process to amend Rule 1135 in ~~February~~ the first quarter of 2022 to reflect the revised BARCT assessment. Staff thanks SCE for continuing their evaluation of alternative technologies.

***Response to Comment 5-2:***

Staff has revised PAR 1135 subparagraph (d)(2)(A) to be a mass emission limit of 50 tons of NOx annually from all electric generating units by January 1, 2024 instead of 40 tons of NOx annually by January 1, 2024. To achieve the 50\_ton per year mass emission cap, SCE would replace two engines with U.S. EPA Tier 4 Final-certified engines (e.g. replacement of Units 8 and 10, which emitted the highest annual emissions in 2016) and rely on operating Unit 15, which has the lowest NOx emission limit among the six existing diesel internal combustion engines and is used most frequently for primary power based on recent historical emissions data provided by SCE. Staff also added another interim mass emission limit of 45 tons of NOx annually from all electric generating units by January 1, 2025 in subparagraph (d)(2)(C) to facilitate further emission reduction after SCE adjusts to operating the lower NO-emitting diesel internal combustion engines to provide primary power.

***Response to Comment 5-3:***

PAR 1135 will be revised to change “facility-wide mass emissions” to “emissions from Electric Generating Units” in paragraph (d)(2). Currently, the definition for electric generating units does

not include the new technology that will replace the engines, but the mass emissions will include emissions from these units. Once the new technology is determined, it will be integrated into the definition of electric generating unit.

*Response to Comment 5-4:*

PAR 1135 subparagraph (d)(2)(D) will retain the 13 tons per year emission cap as a placeholder. Staff believes that incorporating a provision allowing the operator to determine BARCT is too subjective and provides too much Executive Officer discretion. As previously discussed, staff is committed to re-initiate rulemaking to discuss the second step of reductions for the diesel internal combustion engines. During the rulemaking, staff will evaluate different forms of the emission standard such as a concentration limit or mass emissions cap. The primary concern for RECLAIM was allowing operators use of RECLAIM Trading Credits in lieu of installing pollution controls. It is possible to establish a command-and-control rule with an emissions cap for one or a group of units, which will be consistent with AB 617, provided that each unit is permitted, has specific conditions, and does not allow use or trading of emission credits.

For the initial step of reductions for the diesel internal combustion engines on Catalina Island, Staff has revised PAR 1135 subparagraph (d)(2)(A) to be a mass emission limit of 50 tons of NOx annually from all electric generating units by January 1, 2024 instead of 40 tons. Staff also added another interim mass emission limit of 45 tons of NOx annually from all electric generating units by January 1, 2025 in subparagraph (d)(2)(C). See [Response to Comment 5-2](#) for a more detailed response regarding the proposed mass emission caps.

Staff has also revised PAR 1135 subparagraph (d)(2)(B) to clarify that new diesel internal combustion engines cannot be installed after January 1, 2024 and that diesel engines undergoing reconstruction as defined in 40 CFR Part 60.15 or Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines are not considered “new” diesel engine installations. Lastly, Staff has clarified that mass emission limits are from all electric generating units instead of facility-wide; please see [Response to Comment 5-3](#).

*Response to Comment 5-5:*

Staff has revised PAR 1135 subparagraph (d)(3)(A) to clarify that on and after January 1, 2024, any new diesel internal combustion engine that is installed to meet the mass emission limits specified in subparagraphs (d)(2)(A), (d)(2)(C), and (d)(2)(D) is required to meet the Table 2 emissions limits. With this added clarification, existing diesel generators that have not been replaced by new electric generating units can still be operated as backup after January 1, 2024 and a time extension for meeting the Table 2 emissions limits is not needed.

*Response to Comment 5-6:*

Rule 1135 applies to electric generating units, as defined in paragraph (c)(8), at electricity generating facilities. The “Electric Generating Unit” definition in PAR 1135 paragraph (c)(8) includes diesel internal combustion engines, excluding emergency internal combustion engines and portable engines registered under the California Air Resources Board Statewide Portable Equipment Registration Program (PERP). Since Rule 1135 applies to electric generating units and emergency internal combustion engines and portable engines registered under PERP are excluded from the “Electric Generating Unit” definition, adding an explicit exemption for emergency and

PERP engines to subdivision (g) is not necessary. Additionally staff clarified in [Chapter 2](#) of this staff report.

**COMMENT LETTER 6***Los Angeles Department of Water and Power – December 7, 2021*

**LADWP Comments**  
**Proposed Amended Rule 1135 and Proposed Rule 429.2**  
**December 3, 2021**

**Rule 1135****1. Section d.6– July 1, 2022 Deadline for Submittal of Permit Modifications**

- LADWP requests that Rulemaking staff seek clarification from Permitting Staff regarding the expected permit modifications (i.e. blanket provision that refers to the Rule 1135 applicability OR individual permit conditions that reflect specific provisions under the rule).
- LADWP would also like to get clarification from Permitting Staff on the amount of time needed to process the permit applications and whether six months would be sufficient.
- LADWP also requests that the revised permit conditions (specifically the new NOx concentration limits) specify the implementation/effective date.

6-1

**2. Section e.F.8 – Operations Recordkeeping**

- LADWP requests that SCAQMD clarify in the staff report that existing reporting formats being used by facilities to provide information to inspectors is acceptable and meets the requirements listed in Section e.F.8.
- LADWP requests SCAQMD to clarify acceptable recordkeeping options/processes (eg. source of data/methodology for providing net megawatt-hours of electricity produced).

6-2

**3. Section (f) (3) – Source Testing**

- LADWP requests that SCAQMD include language that, the fuel meter may be calibrated on an annual basis as an alternative to performing the RATA during diesel firing.
- In addition, add language to allow RATA to be performed not only during diesel readiness testing but also during force majeure as firing allowed by the permit.
- Please refer to the text in bold for suggested edits to the language:

6-3

*The owner or operator of an electric generating unit shall not be subject to NOx emission limits specified in subdivision (d) when it burns liquid petroleum fuel during emissions source testing, and the electric generating unit may burn liquid petroleum fuel for emissions source testing as specified by South Coast AQMD rules or the Permit to Operate, including initial certifications of Continuous Emissions Monitoring Systems (CEMS) and semi-annual Relative Accuracy Test Audits (RATAs). The owner or operator shall ~~only~~ conduct RATA tests concurrently with distillate fuel oil readiness testing or during force majeure when diesel firing is allowed by the permit. **As an alternative to performing RATA tests during diesel firing, the fuel meter may be calibrated on an annual basis.***

~~6-3~~  
cont'd

### **Rule 429.2**

#### **1. Section (c)(6) - Scheduled Startup**

- Please confirm and clarify in the Staff Report that the facility is allowed to keep a record of the planned number of scheduled starts by January 1 of each year, but will not disclose non-public information (specific dates and time of the scheduled starts) until after they have occurred.

6-4

#### **2. Section (d)(4) - End of Startup**

- Stable conditions include the full deployment and implementation of all pollution control equipment. Parameters for establishing stable conditions include but are not limited to ammonia injection, mode 6Q/most efficient natural gas burner firing pattern, NOx water injection, and meeting minimum loads (for NOx compliance) and specific equipment temperatures (i.e. ammonia heater minimum temperature and SCR operating temperature).
- LADWP proposes the following revised language which ties the end of startup to when the unit meets stable conditions, minimum operating temperature, and full deployment of post-combustion control equipment:

*If a unit reaches stable conditions, the NOx post-combustion control equipment reaches minimum operating temperature, and **full deployment of all post-combustion NOx control equipment** commences before reaching the startup duration limit specified in paragraph (d)(2), paragraph (d)(3), the Permit to Construct, or the Permit to Operate, **whichever startup duration** is more stringent, the startup period shall be considered over.*

6-5

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|--|-----|
| <p>3. <u>Section d.3 – Startup and Shutdown Limits for Equipment Installed after January 7, 2022</u></p> <ul style="list-style-type: none"> <li>• This table is focused on existing natural gas technology. LADWP suggests that SCAQMD indicate in the Staff Report that the rule will be amended to account for other technology options in the future.</li> </ul>  | 6-6 |
| <p>4. <u>Section d.5 and d.6 – Maximum No. of Scheduled Startups/Year</u></p> <ul style="list-style-type: none"> <li>• LADWP suggests revising “required to perform DFO readiness testing” to “permitted to perform DFO readiness testing”</li> </ul>  | 6-7 |
| <p>5. <u>Section (d)(9) – Operation of Post-combustion Equipment</u></p> <ul style="list-style-type: none"> <li>• Stable conditions include but are not limited to full deployment and implementation of all pollution control equipment which may include ammonia injection, mode 6Q/most efficient natural gas burner firing pattern, NOx water injection, and meeting minimum loads (for NOx compliance) and specific equipment temperatures (i.e. ammonia heater minimum temperature and SCR operating temperature).</li> <li>• Suggested revision to language:</li> </ul> | 6-8 |
- 
- On and after January 1, 2024, an owner or operator of an electric generating unit with NOx post-combustion control equipment shall operate the NOx post-combustion control equipment, including **but not limited to** the injection of any associated chemical reagent(s) into the exhaust stream to control NOx, if the temperature of the exhaust gas to the inlet of the NOx post-combustion control equipment is greater than or equal to the minimum operating temperature and the temperature is stable.*

**LADWP Comments**  
**Proposed Amended Rule 1135 and Proposed Rule 429.2**  
**December 3, 2021**

**Rule 1135**

1. Section d.6– July 1, 2022 Deadline for Submittal of Permit Modifications

- LADWP requests that Rulemaking staff seek clarification from Permitting Staff regarding the expected permit modifications (i.e. blanket provision that refers to the Rule 1135 applicability OR individual permit conditions that reflect specific provisions under the rule).
- LADWP would also like to get clarification from Permitting Staff on the amount of time needed to process the permit applications and whether six months would be sufficient.
- LADWP also requests that the revised permit conditions (specifically the new NOx concentration limits) specify the implementation/effective date.

6-1

2. Section e.F.8 – Operations Recordkeeping

- LADWP requests that SCAQMD clarify in the staff report that existing reporting formats being used by facilities to provide information to inspectors are acceptable and meet the requirements listed in Section e.F.8.
- LADWP requests SCAQMD to clarify acceptable recordkeeping options/processes (eg. source of data/methodology for providing net megawatt-hours of electricity produced).

6-2

3. Section (f) (3) – Source Testing

- LADWP requests that SCAQMD include language that the fuel meter may be calibrated on an annual basis as an alternative to performing the RATA during diesel firing.
- In addition, add language to allow RATA to be performed not only during diesel readiness testing but also during force majeure when firing is allowed by the permit.
- Please refer to the text in bold for suggested edits to the language:

6-3

*The owner or operator of an electric generating unit shall not be subject to NOx emission limits specified in subdivision (d) when it burns liquid petroleum fuel during emissions source testing, and the electric generating unit may burn liquid petroleum fuel for emissions source testing as specified by South Coast AQMD rules or the Permit to Operate, including initial certifications of Continuous Emissions Monitoring Systems (CEMS) and semi-annual Relative Accuracy Test Audits (RATAs). The owner or operator shall ~~only~~ conduct RATA tests concurrently with distillate fuel oil readiness testing or during force majeure when diesel firing is allowed by the permit. As an alternative to performing RATA tests during diesel firing, the fuel meter may be calibrated on an annual basis.*

6-3  
cont'd

### **Rule 429.2**

#### **1. Section (c)(6) - Scheduled Startup**

- Please confirm and clarify in the Staff Report that the facility is allowed to keep a record of the planned number of scheduled starts by January 1 of each year, but will not disclose non-public information (specific dates and time of the scheduled starts) until after they have occurred.

6-4

#### **2. Section (d)(4) - End of Startup**

- Stable conditions include the full deployment and implementation of all pollution control equipment. Parameters for establishing stable conditions include but are not limited to ammonia injection, mode 6Q/most efficient natural gas burner firing pattern, NOx water injection, and meeting minimum loads (for NOx compliance) and specific equipment temperatures (i.e. ammonia heater minimum temperature and SCR operating temperature).

- LADWP proposes the following revised language which ties the end of startup to when the unit meets stable conditions, minimum operating temperature, and full deployment of post-combustion control equipment:

*If a unit reaches stable conditions, the NOx post-combustion control equipment reaches minimum operating temperature, and **full deployment of all post-combustion NOx control equipment** commences before reaching the startup duration limit specified in paragraph (d)(2), paragraph (d)(3), the Permit to Construct, or the Permit to Operate, **whichever startup duration** is more stringent, the startup period shall be considered over.*

6-5

- |  |                   |
|--|-------------------|
| <p>3. <u>Section d.3 – Startup and Shutdown Limits for Equipment Installed after January 7, 2022</u></p> <ul style="list-style-type: none"> <li>• This table is focused on existing natural gas technology. LADWP suggests that SCAQMD indicate in the Staff Report that the rule will be amended to account for other technology options in the future.</li> </ul>  | <p><u>6-6</u></p> |
| <p>4. <u>Section d.5 and d.6 – Maximum No. of Scheduled Startups/Year</u></p> <ul style="list-style-type: none"> <li>• LADWP suggests revising “required to perform DFO readiness testing” to “permitted to perform DFO readiness testing”</li> </ul>  | <p><u>6-7</u></p> |
| <p>5. <u>Section (d)(9) – Operation of Post-combustion Equipment</u></p> <ul style="list-style-type: none"> <li>• Stable conditions include but are not limited to full deployment and implementation of all pollution control equipment which may include ammonia injection, mode 6Q/most efficient natural gas burner firing pattern, NOx water injection, and meeting minimum loads (for NOx compliance) and specific equipment temperatures (i.e. ammonia heater minimum temperature and SCR operating temperature).</li> <li>• Suggested revision to language:<br/> <i>On and after January 1, 2024, an owner or operator of an electric generating unit with NOx post-combustion control equipment shall operate the NOx post-combustion control equipment, including <b>but not limited to</b> the injection of any associated chemical reagent(s) into the exhaust stream to control NOx, if the temperature of the exhaust gas to the inlet of the NOx post-combustion control equipment is greater than or equal to the minimum operating temperature and the temperature is stable.</i> </li> </ul> | <p><u>6-8</u></p> |

***Staff Response to Comment Letter 6******Response to Comment 6-1:***

The expected permit modifications will be to individual permit conditions that reflect specific provisions under the rule. Six months evaluation time is insufficient because of the volume of permit applications expected and the review time needed for the U.S. EPA. The estimated evaluation and review time needed is approximately 18 months. Therefore, permit applications needed to reconcile with provisions in Rule 1135 will be required to be submitted by July 1, 2022 to meet the implementation date of January 1, 2024 for most permits. A facility does not need to submit a permit application for reconciliation if the current permit is already reconciled with Rule 1135.

***Response to Comment 6-2:***

Staff has revised rule language in PAR 1135 paragraph (e)(8) to remove the provision that requires the records be maintained in a manner that is approved by the South Coast AQMD; format for recordkeeping will be determined by the facility.

Records for subparagraph (e)(8)(F), net megawatt-hours electricity produced, can be from either net megawatt meter data or a calculation methodology, using the metered gross megawatt data.

***Response to Comment 6-3:***

Staff has revised rule language in PAR 1135 paragraph (f)(3) to incorporate fuel meter annual fuel flow meter calibration as a circumstance in which an electric generating unit is allowed to burn liquid petroleum fuel and to allow RATA tests and annual fuel flow calibration to be conducted during force majeure natural gas curtailment when the use of liquid petroleum fuel is required.

Rule 1135 does not have the RATA requirement, that provision is contained in Rule 218-series rules. Therefore, the provision for allowing the fuel meter to be calibrated as an alternative to performing RATA during diesel firing will not be incorporated in PAR 1135.

***Response to Comment 6-4:***

Please refer to Response to Comment 4-5.

***Response to Comment 6-5:***

Staff has revised paragraph (d)(4) to include full deployment and implementation of all pollution control equipment to clarify the meaning of stable conditions. Staff also clarified that the provision applies only to the duration of the startup.

***Response to Comment 6-6:***

Staff concurs that the duration limits in Table 2 of Rule 429 are for turbines and boilers firing on natural gas. If hydrogen or another gaseous fuel were to be utilized, the duration limits would need to be revisited in a future rule amendment. Staff did not include duration limits for other turbine and boiler fuels as there are no units burning alternative gaseous fuels at this time and it is not known if duration times would need to be altered.

***Response to Comment 6-7***

Staff has revised the provision as requested to reference permitted units.

*Response to Comment 6-8:*

Staff has revised language as requested. Stable conditions necessary to require the operation of post-combustion control equipment include full deployment of all pollution control equipment such as ammonia injection, water injection, steam injection, burner firing pattern, minimum loads, and specific equipment operating temperatures. These conditions are not applicable immediately upon occurrence but when they can be maintained at a steady state.

ATTACHMENT I



**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 1135 – EMISSIONS OF OXIDES OF NITROGEN FROM ELECTRICITY GENERATING FACILITIES, AND PROPOSED RULE 429.2 – STARTUP AND SHUTDOWN EXEMPTION PROVISIONS FOR OXIDES OF NITROGEN FROM ELECTRICITY GENERATING FACILITIES**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

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/ceqanotices/notices-of-exemption/noe---year-2022>.

**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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**To:** County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino, and Governor's Office of Planning and Research – State Clearinghouse  
**From:** South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

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**Project Title:** Proposed Amended Rule 1135 – Emissions of Oxides of Nitrogen from Electricity Generating Facilities, and Proposed Rule 429.2 – Startup and Shutdown Exemption Provisions for Oxides of Nitrogen from Electricity Generating Facilities

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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:** Rule 1135 regulates oxides of nitrogen (NOx) emissions from combustion equipment operating at electricity generating facilities. Proposed amendments to Rule 1135 will: 1) remove ammonia limits which will be addressed during permitting; 2) reference Proposed Rule 429.2 (PR 429.2) for startup and shutdown requirements; 3) add references to the recently amended and adopted Rule 218-series rules relating to requirements for Continuous Emission Monitoring Systems (CEMS); and 4) revise the requirements for diesel internal combustion engines located on Santa Catalina Island. Other proposed amendments provide additional clarifications and continuity throughout the rule. PR 429.2 was developed to establish startup and shutdown requirements applicable to combustion equipment subject to Rule 1135. Specifically, PR 429.2 proposes to: 1) exempt electric generating units from Rule 1135 NOx concentration limits during startup and shutdown events for specified durations; 2) limit the number of scheduled startup events; 3) establish best management practices during startup and shutdown events; and 4) establish recordkeeping requirements.

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**Lead Approving Project:** South Coast Air Quality Management District  
**Lead Agency Carrying Out Project:** South Coast Air Quality Management District

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**Exempt Status:** CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

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**Reasons why project is exempt:** 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 no physical modifications are expected to occur as a result of the proposed project, it can be seen with certainty that implementing the proposed project would not cause a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

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**Date When Project Will Be Considered for Approval (subject to change):**

South Coast AQMD Governing Board Public Hearing: January 7, 2022

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| <b>CEQA Contact Person:</b><br>Kendra Reif | <b>Phone Number:</b><br>(909) 396-2492 | <b>Email:</b><br><a href="mailto:kreif@aqmd.gov">kreif@aqmd.gov</a> | <b>Fax:</b><br>(909) 396-3982 |
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| <b>Rules Contact Person:</b><br>Charlene Nguyen | <b>Phone Number:</b><br>(909) 396-2648 | <b>Email:</b><br><a href="mailto:cnguyen@aqmd.gov">cnguyen@aqmd.gov</a> | <b>Fax:</b><br>(909) 396-3982 |
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**Date Received for Filing:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ *(Signed and Dated Upon Board Approval)*  
Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Area Sources

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**Proposed Amended Rule 1135**  
Emissions of Oxides of Nitrogen from  
Electricity Generating Facilities

and

**Proposed Rule 429.2**  
Startup and Shutdown Exemption  
Provisions for Oxides of Nitrogen  
from Electricity Generating Facilities



**Public Hearing**  
January 7, 2022

# Rule 1135 Background

- Rule 1135 was adopted on August 4, 1989 with a more recent amendment on November 2, 2018 that:
  - Established NOx BARCT limits for all combustion units at RECLAIM and non-RECLAIM electricity generating facilities
- Applies to 133 combustion units at 32 RECLAIM, non-RECLAIM, and former RECLAIM electricity generating facilities
- Proposed Amended Rule 1135 (PAR 1135) primarily addresses engines at Santa Catalina Island and other requirements
  - Other amendments address ammonia limits, startup and shutdown provisions, and monitoring, reporting and recordkeeping



# Santa Catalina Island Background

- Southern California Edison (SCE) currently provides electric generation for Catalina Island using six diesel internal combustion engines
- Current Rule 1135 allows two options:
  - **Option 1:** Meet a NOx limit that represents replacing engines with Tier 4 diesel engines (allows replacement of all engines); or
  - **Option 2:** Meet a NOx emission cap of 13 tons per year by 2026 (represents a combination of zero-emission or near-zero technologies and some Tier 4 diesel engines)
- During this rulemaking, concerns raised about Option 1 to allow diesel engine replacements
  - New developments in fuel cell technologies
  - Concerns for diesel engine replacements – toxic air contaminants and maximizing NOx reductions



# Proposed Requirements for Santa Catalina Island

## 1<sup>st</sup> Step

- Establishes an interim NOx emission cap that represents replacement of two or three diesel engines (50 tons per year in 2024; 45 tons per year in 2025)
  - Prohibits installation of new diesel engines after January 1, 2024
  - Revises NOx averaging period from 60 minutes to 3 hours for new diesel engines
  - Provides interim NOx reductions

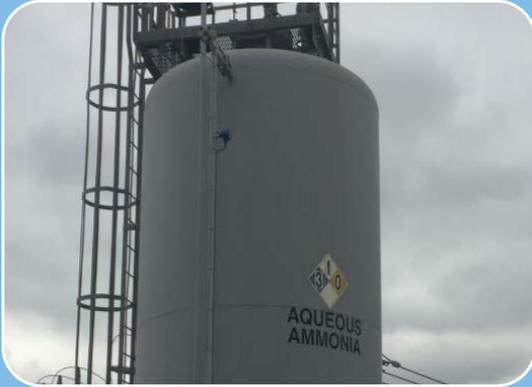
## 2<sup>nd</sup> Step

- NOx emission cap of 13 tons per year in 2026 with a three-year time extension option (currently allowed in Rule 1135)

## Adoption Resolution

- Commitment to re-initiate rulemaking in the first quarter of 2022 to further discuss the 2026 NOx Emission Cap of 13 tons per year – will be assessing timeframe and mass cap approach
- Allows time to do a more detailed technology assessment with a focus on zero-emission and near-zero emission technologies

# Other Proposed Provisions



## Emission Limits

- Remove ammonia limits - addressed during permitting
- Revise requirements for Santa Catalina Island engines

## Startup and Shutdown

- Reference startup and shutdown provisions in Proposed Rule 429.2
  - Exempts units from Rule 1135 NOx limits during startup and shutdown for specified durations
  - Includes best management practices and recordkeeping

## Continuous Emission Monitoring Systems (CEMS)

- Reference recently adopted Rules 218.2 and 218.3 for CEMS requirements
- Allow time for backup units to comply with CEMS requirements

# Costs and Emission Reductions

## Costs

- PAR 1135 and PR 429.2 are not expected to impose any additional costs

## Emission Reductions

- No additional emission reductions expected

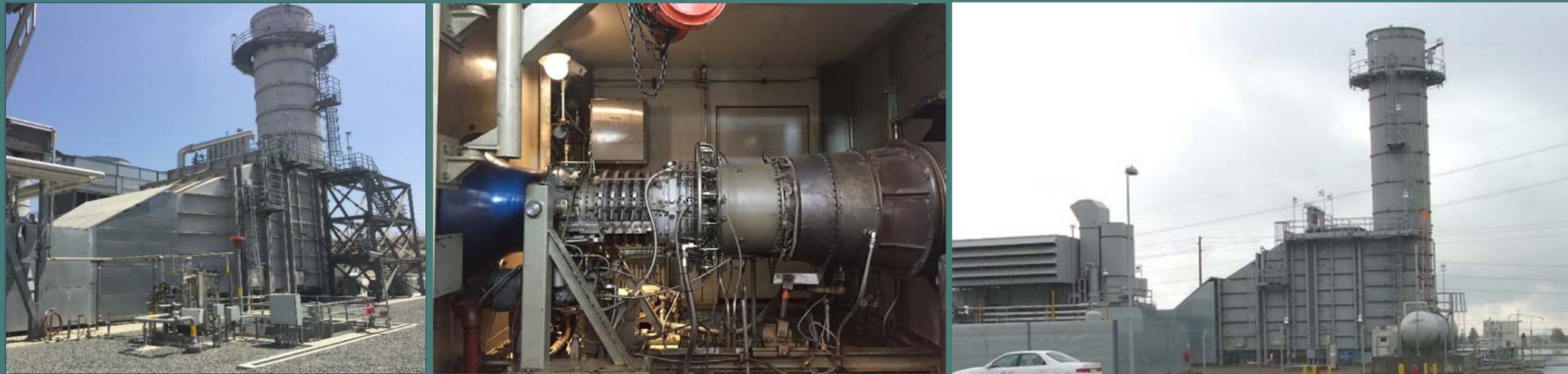
## Revised Santa Catalina Island Requirements

- No additional costs expected
  - Still allow partial replacement of engines with new diesel engines to meet the proposed initial NOx emission caps by 2024 and 2025
  - Annual 13-ton NOx emission cap by 2026 was a provision included in the 2018 amendment
- Staff will assess costs and associated impacts when rule development is re-initiated to amend Rule 1135 in the first quarter of 2022

# Recommendation

Adopt Resolution:

- Determining that PAR 1135 and PR 429.2 are exempt from CEQA
- Amend Rule 1135
- Adopt Rule 429.2



BOARD MEETING DATE: January 7, 2022

AGENDA NO. 23

**PROPOSAL:** Certify Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; Adopt Rule 461.1; and Amend Rules 461 and 219

**SYNOPSIS:** Proposed Rule 461.1 applies to retail and non-retail mobile fuelers that are transferring or dispensing gasoline. Proposed Rule 461.1 will reduce VOC and toxic air contaminant emissions by requiring use of CARB certified equipment for mobile fuelers and specifies other operational, testing, maintenance, recordkeeping, and reporting requirements. Proposed Amended Rule 461 will remove mobile fueling requirements and outdated definitions and provisions. Proposed Amended Rule 219 will require previously exempt gasoline mobile fuelers to be permitted.

**COMMITTEE:** Stationary Source Committee, November 19, 2021, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Certifying the Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; and
2. Adopting Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, and Amending Rule 461 – Gasoline Transfer and Dispensing, and Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II.

Wayne Natri  
Executive Officer

## **Background**

Rule 461 – Gasoline Transfer and Dispensing was adopted in January 1976 and regulates stationary and mobile gasoline dispensing facilities that dispense into motor vehicles. Rule 461 controls VOC and toxic air contaminant emissions during the filling of storage tanks and when dispensing gasoline from both stationary gasoline dispensing facilities and mobile fuelers into motor vehicles. The primary toxic air contaminants associated with gasoline vapors are benzene, ethyl benzene, and naphthalene, which are carcinogens. Provisions for mobile fueler transfer and dispensing of gasoline have been included in Rule 461 since 1995 and relied on the same approach as stationary gasoline dispensing which requires use of Phase I and Phase II vapor recovery systems that are tested and certified by CARB.

Although Rule 461 includes provisions for mobile fuelers that dispense fuel into motor vehicles, the variation of retail mobile fuelers was not envisioned when these provisions were established over 20 years ago. Rule 461 currently does not require vapor controls for mobile fuelers with a cumulative gasoline capacity of less than 251 gallons or for mobile fuelers using tanks with a capacity of less than 120 gallons that are dispensing gasoline. All these mobile fuelers lack any CARB certified vapor recovery systems, they emit uncontrolled gasoline vapors. Unlike stationary gasoline dispensing facilities that only operate at a specific location, mobile fuelers could operate elsewhere, including near a school. Proposed Rule 461.1 - Gasoline Transfer and Dispensing for Mobile Fueling Operations (PR 461.1) is needed to ensure CARB certified vapor control systems are installed for retail mobile fuelers, to address the current status of CARB certified vapor recovery systems for mobile fuelers, to restrict operation near a school during school hours, and to establish other requirements for retail and non-retail mobile fuelers. PAR 461 is needed to remove all provisions related to mobile fueling as they will be addressed in PR 461.1.

Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II specifies equipment or operations that are exempt from permitting requirements as they have limited or no emissions. Proposed Amended Rule (PAR) 219 is needed align permitting requirements with PR 461.1 for retail mobile fuelers.

## **Proposal**

PR 461.1 establishes requirements for retail mobile fuelers and non-retail mobile fuelers with a cumulative capacity greater than 10 gallons and 120 gallons, respectively, and extends the applicability to include mobile fuelers that dispense gasoline into non-motor vehicles. PR 461.1 minimizes emissions from gasoline vapors by requiring mobile fuelers to be equipped with vapor recovery systems and components that are certified by CARB. The proposal also includes requirements for operation, inspection, repair, testing, and recordkeeping for mobile fuelers.

PR 461.1 temporarily allows mobile fuelers equipped with a CARB certified Phase I vapor recovery system and CARB certified non-vapor recovery components for

dispensing to operate, until a second CARB certified Phase I and Phase II vapor recovery systems for mobile fuelers becomes available. The owner or operator of a mobile fueler operating under the interim operating requirements would be required to dispense gasoline only into motor vehicles equipped with onboard refueling vapor recovery (ORVR) and to maintain additional records for verification. The interim provisions would be effective until 60 months after the Executive Officer has issued a notification that two mobile fuelers equipped with Phase I and Phase II vapor recovery systems have been certified by CARB and are available. PR 461.1 has additional labeling, notification, testing, recordkeeping, and reporting requirements to ensure that requirements for mobile fueling operations can be properly enforced.

As mobile fueling would now be addressed in PR 461.1, PAR 461 would remove provisions pertaining to mobile fuelers. PAR 461 would also address outdated definitions and provisions. The objective of PAR 219 is to address previously exempt retail and non-retail mobile fuelers to be consistent with PR 461.1 and PAR 461 and would require a permit to operate for retail mobile fuelers greater than 10 gallons.

### **Public Process**

Development of PR 461.1, PAR 461, and PAR 219 has been conducted through a public process. A working group was established that included industry representatives, equipment vendors, affected facilities, environmental and community groups, and other agencies to discuss the proposed rule and to allow stakeholders to provide input during the rule development process. Staff held nine virtual working group meetings: September 2, 2020, December 16, 2020, March 18, 2021, June 2, 2021, June 24, 2021, August 4, 2021, September 22, 2021, November 9, 2021, and December 2, 2021. A Public Workshop was held on October 27, 2021.

### **Key Issues**

Throughout the rulemaking process, staff has worked with stakeholders to address a variety of issues. A representative from Ultra Violet Electron Beam (UV/EB) curing technologies requested that staff include additional exemptions in Rule 219 to address their technology. Since the public noticing for this proposed rulemaking was focused on mobile fueling, the Board directed staff to initiate rulemaking for Rule 219 to address comments regarding permitting exemptions for UV/EB technologies. As a result, the adoption Resolution includes a commitment to initiate rulemaking in the first quarter of 2022 for Rule 219 to address UV/EB technologies. Staff is not aware of any other remaining issues.

### **AQMP and Legal Mandates**

South Coast AQMD is required to adopt an AQMP demonstrating compliance with all federal regulations and standards. South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PR 461.1, PAR 461, and PAR 219 are not control measures in the 2016 AQMP but are needed to minimize VOC and

toxic air contaminant emissions from gasoline vapors from mobile fuelers and to close a regulatory gap for previously exempt retail and non-retail mobile fuelers.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) and South Coast AQMD's Certified Regulatory Program (Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l); codified in South Coast AQMD Rule 110) and CEQA Guidelines Section 15070, the South Coast AQMD as lead agency, has prepared an Environmental Assessment (EA) with less than significant impacts for the proposed project. The EA is a substitute CEQA document prepared in lieu of a Negative Declaration. A Draft EA was released for a 30-day public comment and review period from November 24, 2021 to December 24, 2021. Two comment letters were received, and responses to those letters have been incorporated into the Final EA. The Final EA concluded that the proposed project would not generate any significant adverse environmental impacts. The Final EA is included as an attachment to this Board package (Attachment H).

### **Socioeconomic Assessment**

Proposed Amended Rules 461 and 219 and Proposed Rule 461.1 are expected to affect eighty mobile fuelers across thirty-eight facilities in South Coast AQMD's jurisdiction. Mobile fuelers that are not equipped with vapor recovery systems are expected to incur slight increased costs for conversion to meet PAR 461 requirements, but the number of operational units is presently indeterminate. Costs related to PR 461.1 are expected to be minimal due to the overlap with existing requirements for Rule 461.

The jobs and other regional economic impacts of the Proposed Amended Rules 461 and 219 and Proposed Rule 461.1 are expected to be minimal.

### **Implementation Resource Impacts**

Existing staff resources will be used to implement PR 461.1 and PARs 461 and 219.

### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F-1. Proposed Rule 461.1
- F-2. Proposed Amended Rule 461
- F-3. Proposed Amended Rule 219
- G. Final Staff Report
- H. Environmental Assessment
- I. Board Meeting Presentation

**ATTACHMENT A**  
**SUMMARY OF PROPOSAL**

Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations

Purpose and Applicability

- Reduce emissions of volatile organic compounds and toxic air contaminant emissions from retail and non-retail mobile fueling operations
- Also applies to persons conducting testing, installation, repairs, or maintenance on mobile fuelers as well as suppliers, sellers, and manufacturers of CARB certified equipment

Vapor Recovery Requirements for Mobile Fuelers

- Mobile fuelers must be equip with CARB certified Phase I and Phase II vapor recovery systems
- Allows temporary use of non-vapor recovery components for gasoline dispensing on a mobile fueler that is CARB certified with an Executive Order, until a second CARB certified Phase II vapor recovery system is available
- No later than 60 months of notification by the Executive Officer that CARB has certified at least two mobile fuelers with Phase II vapor recovery, owner or operator must replace non-vapor recovery mobile fueler with Phase II vapor recovery mobile fueling system

Mobile Fueler and Operational Requirements

- Limits cumulative capacity to 5,000 gallons
- Must be equipped with non-resettable totalizer
- Limit of one portable fuel container onboard the mobile fueler
- Follow “out of order” Protocols, operate equipment according to manufacturer and applicable CARB Executive Order, and prohibits top loading of gasoline into cargo tank
- Requires documentation of fire authority approval prior to dispensing
- Must post signs on both sides of the mobile fueler with the South Coast AQMD Complaint Line
- Incorporate applicable installation, maintenance, and repair requirements from Rule 461

Mobile Fueling Location Requirements

- Operator must notify Executive Officer of dispensing location to ensure only one mobile fueling company per location within the same calendar month
- Prohibits operation where location is within 1,000 ft of a school between the hours of 7:30 am to 4:30 pm, on days when the school is in session

Other Requirements

- Daily maintenance inspections and periodic compliance inspections
- Testing and employee training program
- Recordkeeping requirement for transfer and dispensing and maintenance of mobile fueler and additional recordkeeping if mobile fueler is not equipped with Phase 2 vapor recovery
- Incorporates applicable testing requirements from Rule 461
- Reporting requirements for dispensing locations and public street dispensing for an emergency

Exemptions

- Exempt from PR 461.1 requirements testing equipment used to verify efficiency of vapor recovery systems
- Exempt from motor vehicle gasoline dispensing requirements Tournament of Roses parade floats
- Delay transfer, self-compliance program, recordkeeping, reporting requirements and mobile fueling location requirements until July 1, 2022

## Proposed Amended Rule 461 – Gasoline Transfer and Dispensing

Removed mobile fueler provisions from the rule

### Applicability

- Removed mobile fueler

### Equipment and Operation Requirements

- Removed provision for CARB certified coaxial fill tubes for Aboveground Storage Tanks

### Additional Requirements

- Modified Phase II vapor recovery system alternative compliance provisions to reflect recent CARB Executive Order

### Attachment C

- Removed Phase II vapor recovery system inspection requirements for aspirator-assist systems

## Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II

### Storage and Transfer Equipment

- Removed mobile fuelers of any gasoline capacity from general storage exemption
- Added exemption for retail mobile fuelers with a cumulative capacity of 10 gallons or less of gasoline
- Added exemption for non-retail mobile fuelers with a cumulative capacity of 120 gallons or less of gasoline
- Added interim exemptions, until July 1, 2022, for mobile fuelers previously exempt to allow owner or operators time to obtain permits to operate

**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

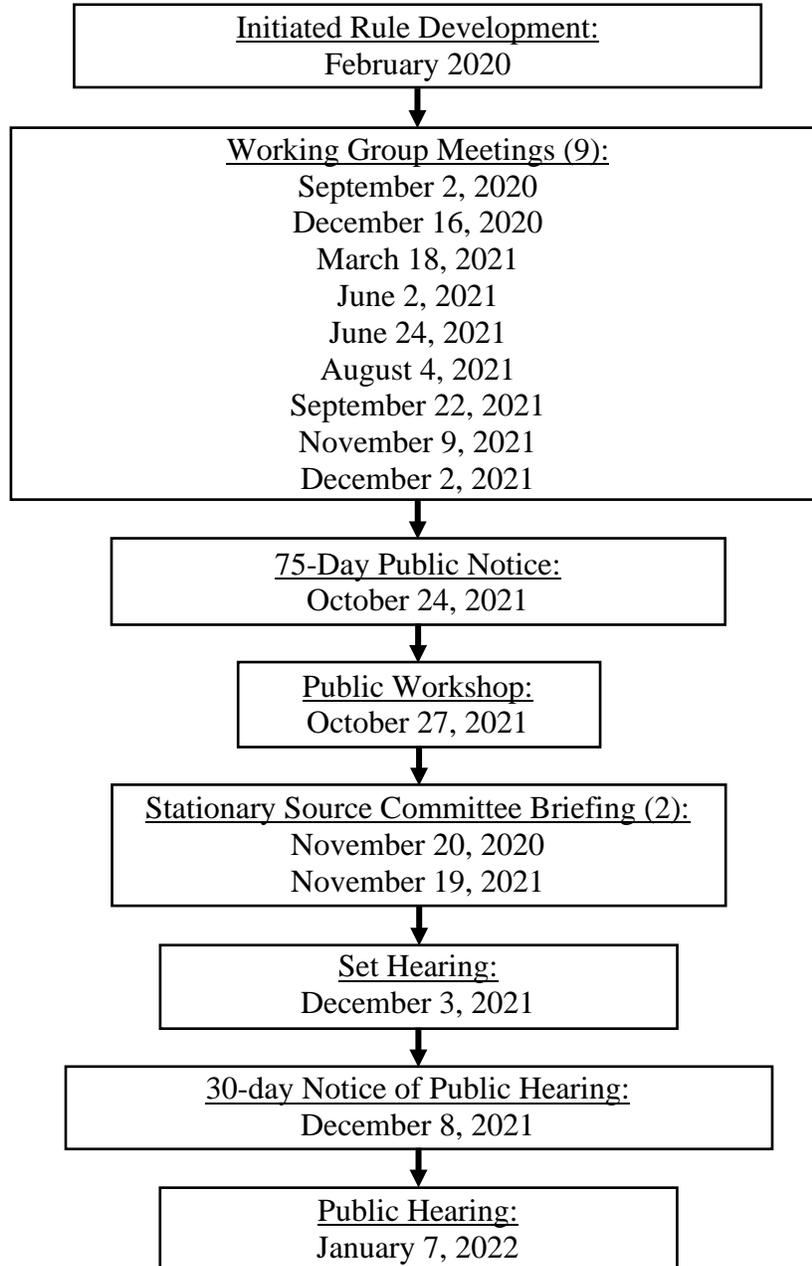
Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations  
Proposed Amended Rule 461 – Gasoline Transfer and Dispensing  
Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to  
Regulation II

Through the rulemaking process staff has worked with stakeholders to address a variety of issues. Staff is not aware of any remaining key issues related to gasoline transfer and dispensing operations.

Staff received comments to amend Rule 219 for equipment not related to gasoline transfer and dispensing equipment, including UV/EB equipment used to cure coatings. Staff will begin separate rulemaking for Rule 219 in the first quarter of 2022.

**ATTACHMENT C  
RULE DEVELOPMENT PROCESS**

**Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations,  
Proposed Amended Rule 461 – Gasoline Transfer and Dispensing  
Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to  
Regulation II**



**Twenty-two (22) months spent in rule development.**  
**One (1) Public Workshop.**  
**Two (2) Stationary Source Committee Meeting Briefings.**  
**Nine (9) Working Group Meetings.**

**ATTACHMENT D**  
**KEY CONTACTS LIST**

- Booster Fuels, Inc
- California Air Resources Board
- Californians for Smart Fueling
- California Small Business Alliance
- Consumer Portable Fuel Container Manufacturer's Association
- EMCO Wheaton Retail Corporation
- Franzen-Hill Corporation
- Fuelster
- Los Angeles County Sanitation Districts
- Los Angeles Department of Water and Power
- McLellan Industries
- Northrop Grumman Aerospace Systems
- Public Solar Power Coalition
- Rawlings Consulting
- Saint Clair Systems, Inc.
- Southern California Alliance of Publicly Owned Treatment Works
- Southern California Edison
- Transfer Flow, Inc.

## ATTACHMENT E

### RESOLUTION NO. 22-\_\_\_\_

**A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) certifying the Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing, and Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II.**

**A Resolution of the South Coast AQMD Governing Board adopting Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, amending Rule 461 – Gasoline Transfer and Dispensing, and amending Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 are considered a “project” as defined by the California Environmental Quality Act (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 has determined that the requirements for a Negative Declaration have been triggered pursuant to its Certified Regulatory Program and CEQA Guidelines Section 15070, and that an Environmental Assessment (EA), a substitute document allowed pursuant to CEQA Guidelines Section 15252 and South Coast AQMD’s Certified Regulatory Program, is appropriate; and

**WHEREAS**, the South Coast AQMD prepared a Draft EA pursuant to its Certified Regulatory Program and CEQA Guidelines Sections 15070 and 15252 setting forth the potential environmental consequences of Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 and determined that the proposed project would not have the potential to generate significant adverse environmental impacts; and

**WHEREAS**, the Draft EA was circulated for a 30-day public review and comment period from November 24, 2021 to December 24, 2021, and two comment letters were received; and

**WHEREAS**, the Draft EA has been revised to include the comment letters received on the Draft EA and the responses, so that it is now a Final EA; and

## ATTACHMENT E

**WHEREAS**, it is necessary that the South Coast AQMD Governing Board review the Final EA prior to its certification, to determine that it provides adequate information on the potential adverse environmental impacts that may occur as a result of adopting Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219, including the responses to the comment letters received relative to the Draft EA; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15252 (a)(2)(B), since no significant adverse impacts were identified, no alternatives or mitigation measures are required for project approval; thus, a Mitigation, Monitoring, and Reporting Plan pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, has not been prepared; and

**WHEREAS**, Findings pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091 and a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 were not prepared because the analysis shows that the proposed project would not have a significant adverse effect on the environment, and thus, are not required; and

**WHEREAS**, the South Coast AQMD Governing Board that is voting to adopt Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 has reviewed and considered the information contained in the Final EA, including the responses to the comment letters, and all other supporting documentation, prior to its certification, and has determined that the Final EA, including the responses to the comment letters received, has been completed in compliance with CEQA; and

**WHEREAS**, Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 and supporting documentation, including but not limited to, the Final EA, and the Final Staff Report, which includes a Socioeconomic Impact Assessment, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

**WHEREAS**, the Final EA reflects the independent judgement of the South Coast AQMD; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that all changes made in the Final EA after the public notice of availability of the Draft EA, were not substantial revisions and do not constitute significant new information within the meaning of CEQA Guidelines Sections 15073.5 and 15088.5, because no new significant effects were identified, and no new project conditions or mitigation measures were added, and all changes merely clarify, amplify, or make insignificant modifications to the Draft EA, and recirculation is therefore not required; and

## ATTACHMENT E

**WHEREAS**, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (codified as Section 30.5(4)(D)(i) of the Administrative Code), that the modifications to Proposed Rule 461.1, since the notice of public hearing was published include capitalizing defined terms and removing capitalization of undefined terms; adding or removing “a” and “the”; added comma in subparagraph (f)(5)(A) and (i)(1)(A) for clarification; corrected paragraph (g)(3) by removing “hours” and paragraph (h)(3) by removing “which”; correcting a references in subparagraphs (d)(4)(B) and (l)(7)(C), paragraphs (i)(6) and (i)(8), and clauses (k)(10)(B)(iv) and (k)(10)(B)(v); corrected the effective date in paragraph (m)(1) from February 1, 2022 to July 1, 2022 to be consistent with paragraph (n)(5) that has an effective date of July 1, 2022; and deleting “at” from B-5 in Attachment B. These revisions meet the same air quality objective and are not so substantial as to significantly affect the meaning of the proposed rule within the meaning of Health and Safety Code Section 40726 because: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the proposed rule, (c) the changes are consistent with the information contained in the notice of public hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project, which also includes Proposed Amended Rule 461 and Proposed Amended Rule 219, does not cause significant impacts and therefore, alternatives are not required; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment for Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 is consistent with the March 17, 1989 Governing Board Socioeconomic Resolution for rule adoption; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment for Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 is consistent with the provisions of Health and Safety Code Sections 40440.8 and 40728.5, and that Health and Safety Code Section 40920.6 is not applicable to rules regulating toxic air contaminants; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rules 461 and 219 do not impose any additional costs to the affected industries. Proposed Rule 461.1 will result in minimal increased costs, yet are considered to be reasonable, as specified in the Socioeconomic Impact Assessment, as contained in the Final Staff Report of Proposed Amended Rules 461 and 219 and Proposed Rule 461.1; and

**WHEREAS**, the South Coast AQMD Governing Board has actively considered the Socioeconomic Impact Assessment and has made a good faith effort to minimize such impacts; and

## ATTACHMENT E

**WHEREAS**, the South Coast AQMD staff conducted one Public Workshop regarding Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 on October 27, 2021; and

**WHEREAS**, Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 will not be submitted for inclusion into the State Implementation Plan; and

**WHEREAS**, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 to further protect public health by lowering the cumulative gasoline capacity for vapor recovery requirements to close a regulatory gap and requiring recordkeeping to ensure health risks are not exceeded at any dispensing location; and

**WHEREAS**, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 40000, 40001, 40440, 40441, 40506, 40510, 40522, 40702, 40725 through 40728, 41508, 41510, 41511, 41700, 42300 et seq. of the Health and Safety Code, and Federal Clean Air Act Section 116; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 are written or displayed so that the meanings can be easily understood by the persons directly affected by them; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 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 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 do not impose the same requirements as any existing state or federal regulations, and Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 are necessary and proper to execute the powers and duties granted to, and imposed upon, South Coast AQMD; and

**WHEREAS**, the South Coast AQMD Governing Board, in adopting Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219,

## ATTACHMENT E

references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 39650 et seq., 39656 et seq., 41510, 41700, 41950, 41954, 42300 et seq., and Federal Clean Air Act Section 116; and

**WHEREAS**, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and the South Coast AQMD's comparative analysis of Proposed Rule 461.1 and Proposed Amended Rule 461 is included in the Final Staff Report; and

**WHEREAS**, a 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 state and federal law; and

**WHEREAS**, the South Coast AQMD specifies that the Assistant Deputy Executive Officer overseeing the development of Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 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 directs staff to initiate rulemaking on Rule 219 to consider amendments related to use of ultra violet, electron beam, and light emitting diode curing technologies; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board has considered the Final EA for Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 together with all comments received during the public review period, and, on the basis of the whole record before it, the South Coast AQMD Governing Board: 1) finds that the Final EA, including the responses to the comment letters, was completed in compliance with CEQA and the South Coast AQMD's Certified Regulatory Program, 2) finds that the Final EA and all supporting documents were 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 Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219, and 3) certifies the Final EA; and

**BE IT FURTHER RESOLVED**, that because no significant adverse environmental impacts were identified as a result of adopting Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219, Findings, a Statement of

**ATTACHMENT E**

Overriding Considerations, and a Mitigation, Monitoring, and Reporting Plan are not required and were not prepared; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Rule 461.1, Proposed Amended Rule 461, and Proposed Amended Rule 219 as set forth in the attached, and incorporated herein by reference.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS



- (6) CUMULATIVE CAPACITY means the Mobile Fueler's combined storage capacity of each Cargo Tank that is on a Mobile Fueler at a given time, excluding one individual portable fuel container with a capacity up to 6.6 gallons.
- (7) DISPENSE or DISPENSING means the Transfer of Gasoline from a Mobile Fueler into a Motor Vehicle, equipment, or container using a nozzle or spout.
- (8) DISPENSING LOCATION means one or more contiguous properties, in actual physical contact or separated solely by a public roadway or other public right-of-way, owned or operated by the same person (or by persons under common control), in which Gasoline is dispensed from a Mobile Fueler.
- (9) DRY BREAK means a Phase I Vapor Recovery System component that opens only by connection to a mating device to ensure that no Gasoline Vapors escape from the storage tank before the vapor return line is connected and sealed.
- (10) EMERGENCY means any sudden, unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services caused by either air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake.
- (11) GASOLINE means any petroleum distillate or petroleum distillate and alcohol blend having a True Vapor Pressure greater than 200 mm Hg (3.9 psi) and less than 760 mm Hg (14.7 psi) at 100 degrees F as determined by ASTM Method D323-89.
- (12) GASOLINE VAPORS are the organic compounds in vapor form displaced during Gasoline Transfer and Dispensing operations and includes entrained liquid Gasoline.
- (13) INSERTION INTERLOCK MECHANISM means any CARB Certified mechanism that ensures a tight fit at the nozzle fill pipe interface and prohibits the Dispensing of Gasoline unless the bellows are compressed.
- (14) INSTALLER OR CONTRACTOR means a person(s) engaged in the installation of new or alterations of an existing CARB Certified Control Equipment and the associated components thereof.

- (15) LIQUID TIGHT means a liquid leak rate not exceeding three drops per minute.
- (16) MOBILE FUELER means a Motor Vehicle that has one or more Cargo Tanks on-board or tows one or more Cargo Tanks.
- (17) MOTOR VEHICLE means a self-propelled vehicle by which any person or property may be propelled, moved, or drawn upon a highway.
- (18) NON-RETAIL MOBILE FUELER means a Mobile Fueler with a Cumulative Capacity greater than 120 gallons and the owner or operator of the Mobile Fueler is not compensated for the Transfer or Dispensing of gasoline.
- (19) NON-VAPOR RECOVERY COMPONENTS FOR DISPENSING means dispensing components that consist of low permeation conventional hose assemblies and enhanced conventional nozzles installed on a Mobile Fueler.
- (20) PERFORMANCE TEST means the first test or series of tests performed on a new or altered CARB Certified Phase I Vapor Recovery System or CARB Certified Phase II Vapor Recovery System to demonstrate compliance with the CARB Executive Order and South Coast AQMD permit to operate conditions upon completion of construction or alteration of the vapor recovery system.
- (21) PHASE I VAPOR RECOVERY SYSTEM means a system installed on a Mobile Fueler Cargo Tank for the collection and recovery of Gasoline Vapors displaced or emitted during the Transfer of Gasoline into and from a Mobile Fueler Cargo Tank.
- (22) PHASE II VAPOR RECOVERY SYSTEM means a system installed on a Mobile Fueler Cargo Tank for the collection and recovery of Gasoline Vapors displaced or emitted during the Dispensing of Gasoline from a Mobile Fueler Cargo Tank into a Motor Vehicle fuel tank.
- (23) QUALIFIED MANUFACTURER means the original equipment manufacturer of the CARB Certified Control Equipment or any associated component thereof, or a rebuilder who is authorized by CARB to Rebuild the designated CARB Certified component.

- (24) REBUILD means an action that repairs, replaces, or reconstructs any part of a component of a CARB Certified Control Equipment that forms the Gasoline Vapor passage of the component, or that comes in contact with the recovered Gasoline Vapors in the component. Rebuild does not include the replacement of a complete component with another CARB Certified complete component; nor does it include the replacement of a spout, bellows, or vapor guard of a CARB Certified nozzle.
- (25) RETAIL MOBILE FUELER means a Mobile Fueler with a Cumulative Capacity greater than 10 gallons and the owner or operator of the Mobile Fueler is compensated for the Transfer or Dispensing of Gasoline.
- (26) REVERIFICATION TEST means a test or series of tests performed subsequent to the Performance Test on a CARB Certified Phase I Vapor Recovery System or a CARB Certified Phase II Vapor Recovery System to demonstrate compliance with the CARB Executive Order and South Coast AQMD permit to operate conditions.
- (27) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the school in kindergarten through grade 12. A School also includes an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Start, Head Start, First Five, and Child Development Centers. A School does not include any private school in which education is primarily conducted in private homes. The term School includes any building or structure, playground, athletic field, or other area of School property.
- (28) SPILL BOX means an enclosed container around a Phase I Vapor Recovery System fill pipe that is designed to collect Gasoline spillage resulting from disconnection between the liquid Gasoline delivery hose and the fill pipe.
- (29) TRANSFER means the loading of Gasoline into a Mobile Fueler or unloading Gasoline out of a Mobile Fueler, except when Dispensing.
- (30) VAPOR CHECK VALVE means a valve that opens and closes the vapor passage to the Cargo Tank to prevent Gasoline Vapors from escaping when the nozzle is not in use.
- (31) VAPOR TIGHT means the detection of less than 10,000 ppm hydrocarbon concentration, as determined by EPA Method 21, using an appropriate analyzer calibrated with methane.

(d) Vapor Recovery Requirements for Mobile Fuelers

(1) Gasoline Transfer (Phase I Vapor Recovery)

The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall not Transfer Gasoline unless each Mobile Fueler Cargo Tank, excluding one individual portable fuel container with a capacity up to 6.6 gallons of gasoline, is equipped with a CARB Certified Phase I Vapor Recovery System certified pursuant to CARB's CP-204, Certification Procedures for Vapor Recovery Systems of Cargo Tanks.

(2) Motor Vehicle Gasoline Dispensing (Phase II Vapor Recovery)

The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall not Dispense Gasoline into a Motor Vehicle unless:

- (A) Each Mobile Fueler Cargo Tank, excluding one individual portable fuel container with a capacity up to 6.6 gallons of gasoline, is equipped with a CARB Certified Phase II Vapor Recovery System certified pursuant to CARB's CP-205, Certification Procedure for Vapor Recovery Systems of Novel Facilities, using TP-205.2, Test Procedure for Determination of Efficiency of Phase II Vapor Recovery of Novel Facilities, to be capable of recovering or processing displaced Gasoline Vapors by at least 95%, or having an emission factor not exceeding 0.38 pounds per 1,000 gallons, as applicable;
- (B) CARB has issued an Executive Order certifying the Mobile Fueler;
- (C) The CARB Certified Phase II Vapor Recovery System and the associated components thereof are Vapor Tight and Liquid Tight while Dispensing Gasoline into a Motor Vehicle;
- (D) Each nozzle is equipped with a CARB Certified Insertion Interlock Mechanism and a CARB Certified Vapor Check Valve that is located in the nozzle; and
- (E) Each Gasoline-Dispensing nozzle is equipped with a Coaxial Hose as specified in the applicable CARB Executive Order.

- (3) In lieu of compliance with paragraph (d)(2), an owner or operator may temporarily use a CARB Certified Mobile Fueler equipped with Non-Vapor Recovery Components for Gasoline Dispensing, certified pursuant to CARB's CP-205, Certification Procedure for Vapor Recovery Systems of Novel Facilities, provided the owner or operator:

- (A) Does not Dispense into anything other than a Motor Vehicle equipped with an onboard refueling vapor recovery (ORVR) system;
  - (B) Has an Executive Order issued by CARB certifying the Mobile Fueler;
  - (C) In addition to the recordkeeping required by subdivision (k), for each occurrence that the Mobile Fueler Dispenses Gasoline into a Motor Vehicle, records the following vehicle information:
    - (i) License plate;
    - (ii) Make;
    - (iii) Model;
    - (iv) Year;
    - (v) Vehicle identification number; and
  - (D) On or before the 20th of each calendar month, provides the monthly Gasoline dispensing records required by subparagraph (d)(3)(C) for the previous calendar month to the Executive Officer in an approved format.
- (4) No later than 60 months after the Executive Officer issues a notification that CARB has certified at least two Mobile Fuelers equipped with a Phase II Vapor Recovery Systems, the owner or operator of a Mobile Fueler shall:
- (A) Operate a Mobile Fueler that Dispenses Gasoline into a Motor Vehicle that meets the requirements of paragraphs (d)(2); and
  - (B) Not operate a Mobile Fueler that was temporarily allowed to operate in lieu of compliance with paragraph (d)(3~~2~~).
- (e) Mobile Fueling Cargo Tank Requirements
- (1) The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall not Dispense Gasoline into a Motor Vehicle unless the Mobile Fueler's Cumulative Capacity does not exceed 5,000 gallons.
  - (2) The owner or operator of a Retail Mobile Fueler shall not Dispense Gasoline unless equipped with a non-resettable totalizer that accurately registers the quantity of Gasoline Dispensed from the Mobile Fueler, except the Gasoline Dispensed from one individual portable fuel container with a capacity up to 6.6 gallons of Gasoline.
  - (3) The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall not have more than one individual portable fuel container with a capacity up to 6.6 gallons of Gasoline on-board the Mobile Fueler.

(f) Operational Requirements

- (1) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall not store Gasoline in open container(s) of any size or handle Gasoline in any manner (spillage, spraying, etc.) that allows Gasoline liquid or Gasoline Vapors to enter the atmosphere, contaminate the ground, or the sewer.
- (2) The owner or operator of a Mobile Fueler shall not equip nor use a Dispensing hose that exceeds 75 feet in length.
- (3) Dispensing of Gasoline from a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall only be conducted by the owner or operator of the Mobile Fueler.
- (4) The owner or operator of a Mobile Fueler that receives a South Coast AQMD “Out of Order” tag shall comply with Attachment A – Out of Order Protocol.
- (5) CARB Certified Equipment Requirements  
The owner or operator of a Mobile Fueler with a Cargo Tank equipped with CARB Certified Control Equipment shall:
  - (A) Operate the CARB Certified Control Equipment, and the associated components thereof in accordance with the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation, and Maintenance Manual;
  - (B) Maintain all applicable vapor return lines connected to the Mobile Fueler;
  - (C) Operate and maintain the CARB Certified Phase I Vapor Recovery System and the CARB Certified Phase II Vapor Recovery System with no major defect which means a defect listed in California Code of Regulations, Title 17, Part III, Chapter 1, Subchapter 8, Section 94006;
  - (D) If equipped with a CARB Certified Phase II Vapor Recovery System, maintain the CARB Certified Phase II Vapor Recovery System and the associated components thereof Vapor Tight and Liquid Tight;
  - (E) If equipped with CARB Certified Non-Vapor Recovery Components for Dispensing, maintain the CARB Certified Non-Vapor Recovery

Components for Dispensing and the associated components thereof  
Liquid Tight;

- (F) Maintain the CARB Certified Phase I Vapor Recovery System and the associated components thereof to be Vapor Tight and Liquid Tight, except when the Cargo Tank dome hatch is open;
- (G) Only Transfer or allow the Transfer of Gasoline through bottom loading into the Cargo Tank of a Mobile Fueler from a facility equipped with a CARB Certified Phase I Vapor Recovery System;
- (H) Not top load into a Cargo Tank of a Mobile Fueler;
- (I) Equip all fill tubes with Vapor Tight caps;
- (J) Equip all Dry Breaks with Vapor Tight seals and Vapor Tight caps;
- (K) Maintain each Vapor Tight cap in a closed position, except when the fill tube or Dry Break it serves is actively in use;
- (L) Equip each Cargo Tank and, if applicable, each Cargo Tank compartment with an overfill protection device that is designed to automatically close valves or shut down pumps to stop the Transfer of Gasoline;
- (M) If equipped with a CARB Certified Spill Box, maintain the CARB Certified Spill Box to be free of debris and other foreign matter at all times and only allow standing liquid immediately preceding a Gasoline Transfer;
- (N) Keep the Cargo Tank dome hatch closed and latched, unless the owner or operator must access the interior of the Cargo Tank for scheduled maintenance and repairs that has been documented in the repair logs pursuant to subparagraph (k)(10)(B) prior to opening the Cargo Tank dome hatch;
- (O) Keep the Cargo Tank dome hatch closed and latched when Transferring or Dispensing Gasoline;
- (P) If a Breakaway Coupling is installed, only install a Breakaway Coupling that is CARB Certified; and
- (Q) Equip any Breakaway Coupling with a poppet valve, which shall close and maintain both the Gasoline Vapor and liquid lines Vapor Tight and Liquid Tight when the Breakaway Coupling is separated.

(g) Mobile Fueling Location Requirements

- (1) The owner or operator of a Retail Mobile Fueler shall not Transfer or Dispense Gasoline at a Dispensing Location unless documentation was submitted pursuant to paragraph (m)(1) for that Dispensing Location.
- (2) The owner or operator of a Retail Mobile Fueler shall not Transfer or Dispense Gasoline at a Dispensing Location where a different owner or operator of a Retail Mobile Fueler has Transferred or Dispensed gasoline during the same calendar month.
- (3) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler that Dispenses Gasoline at a Dispensing Location that is 1,000 feet or less from a School, as measured from the property line of the School to the property line of the Dispensing Location, shall not Dispense Gasoline ~~hours~~ between the hours of 7:30 a.m. and 4:30 p.m. on days when the School is in session.
- (4) The owner or operator of a Retail Mobile Fueler shall not Transfer or Dispense Gasoline at a Dispensing Location, unless:
  - (A) The Dispensing Location is approved for operation of a Retail Mobile Fueler in writing by the responsible fire department or other designated fire authority; or
  - (B) A statement in writing from the responsible fire authority, city, or county that approval is not required has been provided to the Executive Officer.
- (5) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall not Transfer or Dispense Gasoline on a public street, unless Dispensing into a Motor Vehicle or equipment that is responding to an Emergency or maintaining public infrastructure.
- (6) The owner or operator of a Retail Mobile Fueler shall only Transfer or Dispense Gasoline into a Motor Vehicle, equipment, or container that is located at the same Dispensing Location as the Mobile Fueler.

(h) Labeling Requirements for Mobile Fuelers

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall post and maintain signage on a Mobile Fueler that meets the following:

- (1) States, “IF YOU SMELL ODORS OR OBSERVE GASOLINE LEAKS, CALL THE SOUTH COAST AQMD AT 1-800-CUT-SMOG”;

- (2) Located on both sides of the Mobile Fueler; and
  - (3) Written in letters which are at least 3 inches in height and contrast against the background color.
- (i) Installation, Maintenance, and Repair Requirements
- (1) The owner or operator of a Mobile Fueler with a Cargo Tank equipped with CARB Certified Control Equipment shall:
    - (A) Maintain the CARB Certified Control Equipment in accordance with the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation, and Maintenance Manual;
    - (B) Within seven days, repair or replace any component in the CARB Certified Control Equipment with a minor defect, which is not a major defect which means a defect listed in California Code of Regulations, Title 17, Part III, Chapter 1, Subchapter 8, Section 94006, pursuant to Section 41960.2(e) of the California Health and Safety Codes;
    - (C) Not replace any component of the CARB Certified Control Equipment with a component that is not CARB Certified for use with the particular system;
    - (D) Maintain any CARB Certified component as supplied by the Qqualified Mmanufacturer, except if there was a repair or maintenance of the Gasoline Transfer and Dispensing equipment or Phase I Vapor Recovery system or Phase II Vapor Recovery System component that would restore the function or performance of such equipment/component following the Qqualified Mmanufacturer's instructions and using only the applicable CARB Certified parts supplied by the Qqualified Mmanufacturer; and
    - (E) Only allow a person who is authorized by CARB to Rebuild the CARB Certified component.

- (2) The owner or operator of a Mobile Fueler equipped with CARB Certified Control Equipment shall not repair or replace Bbreakaways, hoses, and nozzles with new or CARB Certified re-manufactured components of the same make and model, or alternative(s) specifically identified in the latest applicable CARB Executive Order without first successfully completing any relevant state certification program, through the International Code Council (ICC), or any equivalent state certification program required for the replacement of components.
- (3) Any Installer or Contractor shall not install, alter, repair, or replace CARB Certified Control Equipment, or any associated component thereof without first obtaining the applicable manufacturer's certification. This requirement shall not apply to the manufacturer of the Mmobile Fueler.
- (4) Any Installer or Contractor shall not install, alter, repair, or replace CARB Certified Control Equipment, or any associated component thereof without first successfully completing any applicable state certification program, through the International Code Council (ICC), or any equivalent state certification program required for the installation and alteration of a vapor recovery system.
- (5) A person shall not supply, offer for sale, sell, install, or allow the installation of Control Equipment or the associated components thereof, unless all of the following are met:
  - (A) The Control Equipment and the associated components thereof are CARB Certified;
  - (B) The CARB Certified Control Equipment and the associated components thereof have the following information either directly stamped on or attached to the component using methods or materials that would endure long term use:
    - (i) Qualified Manufacturer name;
    - (ii) Model number;
    - (iii) For nozzles, Qualified Manufacturer's unique serial number; and
    - (iv) Other identification information that is specified in the applicable CARB Executive Order.
- (6) Any Qualified Manufacturer who Rebuilds a component shall either directly stamp on or attach to the component using methods or materials that

would endure long term use the information specified in subparagraph (i)(54)(B).

- (7) In the event of a separation due to a drive-off, the owner or operator of a Mobile Fueler with a Cargo Tank equipped with CARB Certified Control Equipment shall conduct a visual inspection of the affected equipment and either:

(A) Repair the equipment by:

(i) Repairing the Gasoline Transfer and Dispensing equipment, the component of the CARB Certified Control Equipment that would restore the function or performance of such equipment/component following the Qualified Manufacturer's instructions and using only the applicable CARB Certified parts supplied by the Qualified Manufacturer;

(ii) Testing the affected equipment, system, or component in accordance with applicable test methods as specified in the applicable CARB Executive Orders and the corresponding CARB approved Installation, Operation, and Maintenance manual; and

(iii) Successfully passing the test prior to placing affected equipment, system, or component back in service; or

(B) Replace the affected nozzles, hoses, Breakaway Couplings, and any other damaged components with new or certified Rebuilt components that are CARB Certified, before placing any affected equipment back in service.

- (8) Unless otherwise authorized by CARB, any person shall not conduct repair or maintenance specified in clause (i)(76)(A)(i) that changes the size, shape or materials of construction of any Gasoline Vapor passage, or if it may otherwise obstruct, hinder, or reduce the recovery of Gasoline Vapors during operation.

(j) Self-Compliance Program Requirements

- (1) The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall conduct:

- (A) Daily maintenance inspections pursuant to the protocol specified in Attachment B – Daily Maintenance Inspection Protocol which includes the date and time of inspection;
  - (B) Periodic compliance inspection at least once every twelve months pursuant to the protocol specified in Attachment C – Periodic Compliance Inspection Protocol which includes the date and time of inspection; and
  - (C) Periodic maintenance that is consistent with the maintenance schedule as specified by the manufacturer of the applicable CARB Certified Control Equipment installed on the Cargo Tank of the Mobile Fueler.
- (2) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall develop and implement:
- (A) A procedure to determine and record the next required test date preceding a successful test pursuant to subdivision (1);
  - (B) An employee training program that includes:
    - (i) Itemized training procedures for employees responsible for conducting any part of the self-compliance program;
    - (ii) A training schedule to periodically train any employee responsible for conducting any part of the self-compliance program;
    - (iii) A record for each employee of the dates of training provided and the next training date; and
    - (iv) A procedure to review and establish any additional necessary training following any changes or updates to the CARB Executive Order for the installed vapor recovery system.
- (3) During the daily maintenance inspections or periodic compliance inspections, the owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler that identifies any equipment with a major defect in the CARB Certified Phase I Vapor Recovery System or the CARB Certified Phase II Vapor Recovery System, or a component thereof, which means a defect listed in California Code of Regulations, Title 17, Part III, Chapter 1, Subchapter 8, Section 94006, shall remove the equipment from service, and repair the equipment before returning the identified equipment to service.

- (4) Defects discovered during self-inspection and are repaired shall not constitute a violation of Rule 461.1.

(k) Recordkeeping

(1) Operation and Maintenance (O&M) Manual

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall implement a maintenance program and document the program in an O&M manual for the CARB Certified Control Equipment that includes the following:

- (A) Detailed instructions that ensure proper operation and maintenance of the installed CARB Certified Control Equipment and the associated components thereof in compliance with all applicable rules and regulations;
- (B) Reference(s) to all manufacturer required maintenance cycles as delineated in the CARB Executive Order;
- (C) All applicable CARB Executive Orders, approval letters, and South Coast AQMD permits to operate;
- (D) The manufacturer's specifications and instructions for installation, operation, repair, and maintenance required pursuant to CARB Certification Procedure CP-201, and any additional instructions provided by the manufacturer;
- (E) System and/or component testing requirements, including test schedules, and passing criteria for each of the standard tests listed under subparagraph (l)(1)(A); and
- (F) Additional O&M instructions, if any, that are designed to ensure compliance with the applicable rules, regulations, CARB Executive Orders, and South Coast AQMD permit to operate conditions, including replacement schedules for failure or wear prone components.

(2) For each Dispensing Location, the owner or operator of a Retail Mobile Fueler shall maintain the following information:

- (A) Name of the Dispensing Location;
- (B) South Coast AQMD facility ID unless one has not been issued;
- (C) Address(es) of the Dispensing Location;
- (D) County of the Dispensing Location;

- (E) Dispensing Location contact information for personnel that is authorized to grant South Coast AQMD staff access to the site to conduct inspections of the Mobile Fueler operations that includes the following:
    - (i) Name of the contact;
    - (ii) Title of the contact;
    - (iii) Telephone number for the contact; and
    - (iv) Email for the contact;
  - (F) Documentation from the owner or operator of the Dispensing Location that the mobile fueling company would be the only mobile fueling company operating a Retail Mobile Fueler at the Dispensing Location; and
  - (G) Documentation by the responsible fire department or fire authority to the owner or operator for either:
    - (i) The written approval to conduct Transfer or Dispensing Gasoline from a Retail Mobile Fueler at the specified Dispensing Location; or
    - (ii) The written statement that approval of the Transfer or Dispensing of Gasoline from a Retail Mobile Fueler is not required at the specified Dispensing Location.
- (3) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler with a throughput limit per Dispensing Location shall maintain records for each day for each Dispensing Location, of the applicable information specified in Table 1 – Dispensing Information.

**Table 1 – Dispensing Information**

| Requirements |  | Mobile Fueler Category |            |
|--------------|--|------------------------|------------|
|              |  | Retail                 | Non-Retail |
| 1.1          | Date of Dispensing                                       | Yes                    | Yes        |
| 1.2          | Start time of Dispensing at the Dispensing Location      | Yes                    | Yes        |
| 1.3          | End time of Dispensing at the Dispensing Location        | Yes                    | Yes        |
| 1.4          | South Coast AQMD permit to operate for the Mobile Fueler | Yes                    | Yes        |

|     |  |                    |                    |
|-----|--|--------------------|--------------------|
| 1.5 | South Coast AQMD facility ID for the Dispensing Location | Yes, if applicable | Yes, if applicable |
| 1.6 | Name of the Dispensing Location                          | Yes                | Yes                |
| 1.7 | Address of the Dispensing Location                       | Yes                | Yes                |
| 1.8 | County of the Dispensing Location                        | Yes                | Yes                |
| 1.9 | Total gallons of each type of Gasoline Dispensed         | Yes                | Yes                |

- (4) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall maintain records of the information specified in Table 2 – Transfer Information for each Transfer of Gasoline.

**Table 2 – Transfer Information**

| Requirements |  | Mobile Fueler Category |            |
|--------------|--|------------------------|------------|
|              |  | Retail                 | Non-Retail |
| 2.1          | Date of Transfer   | Yes                    | Yes        |
| 2.2          | Start time of Transfer   | Yes                    | Yes        |
| 2.3          | South Coast AQMD permit to operate for Mobile Fueler   | Yes                    | Yes        |
| 2.4          | Identification of Cargo Tank Transferring the Gasoline and capacity in gallons   | Yes                    | Yes        |
| 2.5          | Identification of compartment Transferring the Gasoline and compartment capacity in gallons, if applicable                   | Yes                    | Yes        |
| 2.6          | Name of the Transfer Location  | Yes                    | Yes        |
| 2.7          | Address of the Transfer Location   | Yes                    | Yes        |
| 2.8          | South Coast AQMD facility ID for the Transfer Location   | Yes                    | Yes        |
| 2.9          | Type of Transfer (loading or unloading)  | Yes                    | Yes        |
| 2.10         | For each Transfer, the type of Gasoline, total gallons of Gasoline Transferred into or out of each Cargo Tank or compartment | Yes                    | Yes        |

- (5) The owner or operator of a Retail Mobile Fueler shall maintain the following:

- (A) Totalizer records indicating the totalizing meter reading at the start and end of each day for each Cargo Tank and, if applicable, each Cargo Tank compartment; and
  - (B) If the owner or operator of a Retail Mobile Fueler conducts inventory reconciliation, all reconciliation records of the amount Transferred into the Mobile Fueler and amount Dispensed out of the Mobile Fueler for each day inventory reconciliation occurs.
- (6) On or before the 20<sup>th</sup> of each calendar month, the owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler with a throughput limit per Dispensing Location shall create a monthly Dispensing record for the previous calendar month that includes the information specified in Table 3 – Monthly Dispensing Record.

**Table 3 – Monthly Dispensing Record**

| Requirements |   | Mobile Fueler Category |                    |
|--------------|---|------------------------|--------------------|
|              |   | Retail                 | Non-Retail         |
| 3.1          | South Coast AQMD facility ID for the Dispensing Location  | Yes, if applicable     | Yes, if applicable |
| 3.2          | Name of the Dispensing Location   | Yes                    | Yes                |
| 3.3          | Address of the Dispensing Location  | Yes                    | Yes                |
| 3.4          | County of the Dispensing Location   | Yes                    | Yes                |
| 3.5          | Total gallons of each type of Gasoline Dispensed at the Dispensing Location in the calendar month   | Yes                    | Yes                |
| 3.6          | List of South Coast AQMD permit to operate numbers of all Mobile Fuelers that Dispensed Gasoline at the Dispensing Location in the calendar month | Yes                    | Yes                |
| 3.7          | The most restrictive throughput limit of any Mobile Fueler that operated at the Dispensing Location in the calendar month                         | Yes                    | Yes                |

- (7) On or before the 20<sup>th</sup> of each calendar month, the owner or operator of a Non-Retail Mobile Fueler without a throughput limit per Dispensing Location shall create a monthly Dispensing record for the previous calendar

month that indicates the total gallons of Gasoline Dispensed during the month.

- (8) On or before the 20<sup>th</sup> of each calendar month, the owner or operator of a Retail Mobile Fueler complying with subparagraph (1)(2)(B) shall create a monthly Dispensing record for the previous calendar month that indicates the gallons of Gasoline Dispensed by the Mobile Fueler.
- (9) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall for each occurrence when Gasoline was dispensed on a public street maintain the following information:
  - (A) Type of Emergency or public infrastructure being maintained, if applicable;
  - (B) Date of Dispensing;
  - (C) Start time of Dispensing;
  - (D) End time of Dispensing;
  - (E) South Coast AQMD permit to operate for the Mobile Fueler;
  - (F) Nearest cross-streets of public street;
  - (G) County of public street;
  - (H) Total gallons of each type of Gasoline Dispensed;
  - (I) Contact information for responsible person of organization that had Gasoline Dispensed into a Motor Vehicle or equipment that includes the following:
    - (i) Name of cContact;
    - (ii) Name of oOrganization; and
    - (iii) Telephone number of the contact.
- (10) General Permitted Mobile Fueler Records

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall maintain the following:

  - (A) Records of all components installed, defective components identified or repaired during self-compliance inspections;
  - (B) Repair logs that include:
    - (i) Date and time of each repair;
    - (ii) The name of the person(s) who performed the repair, and, if applicable, the name, address and phone number of the person's employer;
    - (iii) Description of service performed;

- (iv) Each component that was installed, repaired, serviced, or removed, including the required component identification information specified in clause (i)(54)(B)(i) through (i)(54)(B)(iv);
  - (v) Each component that was installed as replacement, if applicable, including the required component identification information specified in clauses (i)(54)(B)(i) through (i)(54)(B)(iv); and
  - (vi) Receipts for parts used in the repair and, if applicable, work orders, which shall include the name and signature of the person responsible for performing the repairs;
- (C) Test records required pursuant to subdivision (l) that includes the following for each test:
- (i) Date and time of each test;
  - (ii) District confirmation number of notifications;
  - (iii) Name, affiliation, address, and phone number of the person(s) who performed the test;
  - (iv) Test data and calibration data for all equipment used;
  - (v) Date and time each test is completed and when the Mobile Fueler owner or operator is notified of the results. For a test that fails, a description of the reasons for the test failure shall also be included;
  - (vi) For a retest following a failed Performance or Reverification Test, description of repairs performed pursuant to subparagraph (l)(8)(B) and paragraph (l)(9); and
  - (vii) Copies of test reports in District approved format;
- (D) Records of daily maintenance inspections required pursuant to subparagraph (j)(1)(A);
- (E) On days the Mobile Fueler does not Transfer or Dispense Gasoline the records, in lieu of daily maintenance inspections required pursuant to subparagraph (j)(1)(A), the owner or operator shall alternatively document that the Mobile Fueler did not operate on this date;
- (F) Records of periodic compliance inspections required pursuant to subparagraph (j)(1)(B); and

- (G) Records that demonstrate the Installer or Contractor that installed or altered the CARB Certified Control Equipment has successfully completed any applicable manufacturer training program and any applicable state certification program applicable to the CARB Certified Phase I and Phase II Vapor Recovery Systems and the associated components thereof as specified in paragraphs (i)(3) and (i)(4).
  - (11) A person who performs the installation of components, self-compliance inspections, repairs or testing for any Mobile Fueler with a Cargo Tank equipped with CARB Certified Control Equipment shall provide to the owner or operator of a Mobile Fueler all records specified in subdivision (m), as applicable, by the end of each day when the service is provided.
  - (12) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall retain all applicable records specified in paragraphs (k)(1) through (k)(11) for at least two years or, if the Mobile Fueler is permitted to operate at a Title V facility, five years.
  - (13) The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall provide all records upon request to the Executive Officer.
- (l) Testing
- (1) The owner or operator of a Mobile Fueler with a Cargo Tank equipped with a CARB Certified Phase I Vapor Recovery System or a CARB Certified Phase II Vapor Recovery System for Dispensing shall:
    - (A) Conduct all required tests in accordance with the following test methods:
      - (i) The most recently CARB approved version of CARB test method;
      - (ii) Stated in the applicable CARB Executive Orders including the corresponding Installation, Operation, and Maintenance Manual test procedures; or
      - (iii) Any other test methods approved in writing by the U.S. EPA, CARB, or the South Coast AQMD;
    - (B) Conduct and pass the Performance Tests in accordance with test methods and any additional tests required by the applicable CARB Executive Order(s) including the corresponding CARB approved Installation, Operation, and Maintenance Manual and South Coast

AQMD permits within 10 calendar days after initially Dispensing Gasoline from any Mobile Fueler that:

- (i) Is new; or
  - (ii) Has undergone any of the following modifications:
    - (I) Removed or added a container of a Cargo Tank equipped with a CARB Certified Phase I Vapor Recovery System or a CARB Certified Phase II Vapor Recovery System for Dispensing; or
    - (II) Replaced equipment with different characteristics or descriptions from those specified on the existing permit to operate; and
  - (C) Conduct and successfully pass the Reverification Tests in accordance with the test methods, and any additional tests required by the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation, and Maintenance Manual or South Coast AQMD permits to operate.
- (2) The owner or operator of a Retail Mobile Fueler with a Cargo Tank equipped with a CARB Certified Phase I Vapor Recovery System or CARB Certified Phase II Vapor Recovery System shall conduct Reverification Tests at a frequency no less than:
- (A) Semiannually; or
  - (B) Annually, where the throughput for each month during the 12-month period preceding the required test is less than 100,000 gallons and throughput records are maintained pursuant paragraph (k)(8).
- (3) The owner or operator of a Non-Retail Mobile Fueler with a Cargo Tank equipped with a CARB Certified Phase I Vapor Recovery System or CARB Certified Phase II Vapor Recovery System shall complete the Reverification Tests annually.
- (4) The owner or operator of a Mobile Fueler with a Cargo Tank equipped with a CARB certified Phase I Vapor Recovery System or CARB Certified Phase II Vapor Recovery System shall conduct subsequent Reverification Testing during the same calendar months when the most recent Performances Tests or Reverification Tests was conducted each year.
- (5) Notwithstanding (1)(4), when a new Performance Test is required due to alteration of the Mobile Fueler equipped with CARB Certified Control Equipment, the owner or operator of a Mobile Fueler shall conduct

subsequent Reverification Tests based on the new Reverification Testing month(s).

- (6) In the event of a change of owner or operator, the new owner or operator of Mobile Fueler shall:
  - (A) Conduct the next Reverification Test within the same testing month as established by the previous owner or operator, if the previous Reverification Testing records are available; or
  - (B) Complete all the applicable Reverification Testing within 30 calendar days of the change of the owner or operator, if no prior Reverification Testing records are available.
- (7) A person who conducts Performance or Reverification Tests shall:
  - (A) Conduct Performance or Reverification Tests in accordance with the applicable test methods listed in subdivision (l)(1) and other CARB testing procedures;
  - (B) Use calibrated equipment meeting the calibration range and calibration intervals specified by the manufacturer;
  - (C) Notify the South Coast AQMD electronically via a South Coast AQMD approved method and obtain a confirmation number at least three days prior to testing (at least one of the days shall be regular South Coast AQMD business days), except as specified in paragraph (l)(8) for failed Reverification Tests, as specified in subparagraph (l)(7)(D) for rescheduled tests, and may not be required for Reverification Tests performed after drive-offs pursuant to ~~subparagraph clause (i)(76)(AP)(ii)~~, provided the person conducting the tests complies with all other applicable provisions of the rule;
  - (D) In the event that a Performance or Reverification Test rescheduled pursuant to subparagraph (l)(7)(C) cannot be conducted at the scheduled date and time, the test may be rescheduled to a later date and time provided that the South Coast AQMD is notified electronically via a South Coast AQMD approved method or other South Coast AQMD approved methods at least 24 hours prior to the originally scheduled time;
  - (E) Conduct Performance and Reverification Tests between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, unless the Executive Officer approves testing on a weekend day (Saturday or Sunday) based on Attachment D – Testing on a Weekend Day;

- (F) Have successfully completed the South Coast AQMD's Tester Orientation class prior to conducting the Reverification Test;
  - (G) Have successfully completed the International Code Council (ICC) tester certifications (or equivalent state certifications) examination during the previous 24 calendar months;
  - (H) Cease conducting any Performance or Reverification Test after having been cited within any six-month period for at least two violations of subparagraphs (l)(7)(A) and (l)(7)(B) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a Performance or Reverification Test and not resume testing until after successfully re-completing the South Coast AQMD's Tester Orientation class; and
  - (I) Cease conducting any Performance or Reverification Test after having been cited within any 12-month period for at least three violations of subparagraphs (l)(7)(A) and (l)(7)(B) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a Performance or Reverification Test.
- (8) Notwithstanding subparagraphs (l)(7)(C) and (l)(7)(D), the owner or operator of Mobile Fueler equipped with a CARB Certified Phase I Vapor Recovery System or a CARB Certified Phase II Vapor Recovery System that has failed a Reverification Test or portions thereof may retest the Mobile Fueler prior to resuming operation provided that the person conducting the tests has complied with one of the following:
- (A) Notify the South Coast AQMD electronically via a South Coast AQMD approved method and obtain a confirmation number at least 12 hours prior to retesting (at least six of the hours shall be regular South Coast AQMD business hours); or
  - (B) When all necessary repairs are performed during the same day the Mobile Fueler has failed any of the applicable Reverification Tests, the owner or operator may retest the Mobile Fueler on the same day without renotification, provided that the reasons for the test failure and any repairs performed are properly documented in the repair logs pursuant to subparagraph (k)(10)(B) and the records of tests pursuant to subparagraph (k)(10)(C).

- (9) The owner or operator of a Mobile Fueler with a Cargo Tank equipped with CARB Certified Control Equipment shall not operate the Mobile Fueler unless:
  - (A) It has successfully passed the applicable Performance or Reverification Tests; or
  - (B) The test failure is due to Dispensing equipment and associated equipment that can be shut down and isolated from the Mobile Fueler provided that:
    - (i) Test results demonstrate that the remaining equipment is in good operating condition; and
    - (ii) Test results and the method of isolating the defective equipment have been documented in the test reports maintained pursuant to subparagraph (k)(10)(C) and submitted to the South Coast AQMD pursuant to paragraph (m)(4) and paragraph (m)(5).

(m) Reporting

- (1) After ~~February~~ July 1, 2022, the owner or operator of a Retail Mobile Fueler shall electronically submit the applicable records required by paragraph (k)(2) for the Dispensing Location to the Executive Officer, using a format approved by the Executive Officer:
  - (A) No less than 48 hours prior to Dispensing at a Dispensing Location where a record required by paragraph (k)(2) has not been submitted for the Dispensing Location; and
  - (B) No less than 48 hours prior to Dispensing at the Dispensing Location where a different mobile fueling company Dispensed Gasoline during a prior calendar month.
- (2) No later than 48 hours after Dispensing Gasoline on a public street into a Motor Vehicle or equipment that was responding to an Emergency or maintaining public infrastructure, the owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall electronically submit the information pursuant to paragraph (k)(9) to the Executive Officer.
- (3) On or before March 1st, the owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall provide the monthly Gasoline Dispensing records required by paragraph (k)(6) through (k)(8), as applicable, for the previous calendar year to the Executive Officer in an approved format.

- (4) A person who conducts Performance or Reverification Tests shall submit a copy of the PASS/FAIL test results, showing a summary of the overall results of each test, electronically in a South Coast AQMD approved format to the Executive Officer within 72 hours after each test is conducted.
  - (5) A person who conducts Performance or Reverification Tests shall submit the final test report demonstrating compliance within 14 calendar days of the date when all tests were passed that includes all the required records of all tests performed, test data, current South Coast AQMD facility ID number of the Mobile Fueler being tested, the equipment permit to operate or application number, the South Coast AQMD ID number of the company performing the tests, a statement whether the system or component tested meets the required standards, and the name, South Coast AQMD tester ID number and signature of the person responsible for conducting the tests.
- (n) Exemptions
- (1) The provisions of this rule shall not apply to the Transfer of Gasoline into testing equipment used to verify the efficiency of the vapor recovery system by CARB or the South Coast AQMD or testing Contractors, the accuracy of the Gasoline Dispensing equipment by the Department of Weight and Measures, and the fire safety standards by the Fire Department.
  - (2) The requirements of paragraph (d)(2) shall not apply to the fueling of Tournament of Roses parade floats.
  - (3) Until July 1, 2022, the CARB Certified Phase I Vapor Recovery System requirements of paragraph (d)(1), subdivision (j), subdivision (k), and subdivision (m) shall not apply to the following Mobile Fuelers provided the Mobile Fueler is not equipped with a CARB Certified Phase I Vapor Recovery System:
    - (A) Retail Mobile Fueler with a Cumulative Capacity greater than 10 gallons and less than 251 gallons and no individual Cargo Tank is greater than 120 gallons that Dispenses into Motor Vehicles;
    - (B) Non-Retail Mobile Fueler with a Cumulative Capacity greater than 120 gallons and less than 251 gallons and no individual Cargo Tank is greater than 120 gallons that Dispenses into Motor Vehicles; or
    - (C) Non-Retail Mobile Fueler or a Retail Mobile Fueler that does not Dispense into Motor Vehicles.

- (4) Until July 1, 2022, the CARB Certified Phase II Vapor Recovery System requirements of paragraph (d)(2), subdivision (j), subdivision (k), and subdivision (m) shall not apply to the following Mobile Fuelers provided the Mobile Fueler is not equipped with a CARB Certified Phase II Vapor Recovery System:
  - (A) Retail Mobile Fueler with a Cumulative Capacity greater than 10 gallons and less than 251 gallons and no individual Cargo Tank is greater than 120 gallons that Dispenses into Motor Vehicles; or
  - (B) Non-Retail Mobile Fueler with a Cumulative Capacity greater than 120 gallons and less than 251 gallons and no individual Cargo Tank is greater than 120 gallons that Dispenses into Motor Vehicles.
- (5) Until July 1, 2022, subdivision (g) shall not apply to a Retail Mobile Fueler or Non-Retail Mobile Fueler operating at a Dispensing Location.

**ATTACHMENT A**

**OUT OF ORDER PROTOCOL**

**(A-1) OUT OF ORDER PROTOCOL<sup>1</sup>**

The owner or operator of a Mobile Fueler shall not remove a South Coast AQMD “Out of Order” tag from non-compliant equipment, not allow the use of the non-compliant equipment, not provide for use the non-compliant equipment, or not operate the non-compliment equipment, unless:

- (1.1) The non-compliant equipment has been repaired, replaced, or adjusted, as necessary;
- (1.2) The Executive Officer was notified of the repair, replacement, or adjustment; and
- (1.3) If the Executive Officer has determined the non-compliant equipment requires a reinspection prior to resuming operation, the Executive Officer has re-inspected the non-compliant equipment.

<sup>1</sup> The Attachment A – Out of Order Protocol shall not apply to the Motor Vehicle of the mobile fueler.

**ATTACHMENT B****DAILY MAINTENANCE INSPECTION PROTOCOL**

Each day the Mobile Fueler Transfers or Dispenses Gasoline conduct the following:

**(B-1) GENERAL INFORMATION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall document the following in the daily maintenance inspections:

- (1.1) Facility name;
- (1.2) South Coast AQMD facility ID; and
- (1.3) South Coast AQMD permit number for mobile fueler.

**(B-2) PHASE I VAPOR RECOVERY SYSTEM INSPECTION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall at minimum verify the following during the daily maintenance inspections:

- (2.1) The Spill Box is clean and does not contain gasoline;
- (2.2) The fill caps and vapor dust caps, and associated gaskets, are not missing, damaged, or loose;
- (2.3) If applicable:
  - (a) The Dry Break (poppet valve) is not missing or damaged;
  - (b) Note if liquid is visible in vapor return line drop out sight gauge; and
  - (c) Cargo Tank pressure.

**(B-3) PHASE II VAPOR RECOVERY SYSTEM INSPECTION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler that is equipped with a CARB Certified Phase II Vapor Recovery System shall at a minimum verify the following during the daily maintenance inspections:

- (3.1) The following nozzle components are in place and in good condition, as specified in CARB Executive Orders:
  - (a) Nozzle spout (proper diameter/vapor collection holes);
  - (b) Faceplate;
  - (c) Bellows;
  - (d) Latching device spring;

**ATTACHMENT B - CONTINUED**

- (e) Vapor ~~C~~eheck ~~V~~valve;
  - (f) Insertion ~~I~~nterlock ~~M~~mechanism;
  - (g) Automatic shut-off mechanism; and
  - (h) Hold open latch;
- (3.2) The hoses are not torn, punctured, flattened, or crimped and in good condition, as specified in CARB Executive Orders;
- (3.3) If applicable:
- (a) Vapor return line vacuum (inches water column); and
  - (b) Gasoline supply pressure (pounds per square inch gauge); and
- (3.4) Required signage is clearly displayed.

**(B-4) RECORDS OF DEFECTIVE COMPONENTS**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall at maintain records of defective components during the daily maintenance inspections.

**(B-5) MAINTENANCE ACTIVITY**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler that is equipped with a CARB Certified Phase I Vapor Recovery System or Phase II Vapor ~~R~~ecovery ~~S~~ystem shall ~~at~~ maintain records of the following during the daily maintenance inspections

- (5.1) Date maintenance ~~C~~ontractor was contacted;
- (5.2) Time maintenance ~~C~~ontractor was contacted;
- (5.3) Method of contact;
- (5.4) Date of maintenance;
- (5.5) Time of maintenance;
- (5.6) Maintenance ~~C~~ontractor name;
- (5.7) Maintenance ~~C~~ontractor telephone number;
- (5.8) Totaling meter reading on date maintenance was performed;
- (5.9) List of tests conducted;
- (5.10) Test results; and
- (5.11) List of components ~~R~~epaired or replaced.

**ATTACHMENT C**

**PERIODIC COMPLIANCE INSPECTION PROTOCOL**

**(C-1) GENERAL INFORMATION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall document the following in the periodic compliance inspections:

- (1.1) Facility name;
- (1.2) South Coast AQMD facility ID; and
- (1.3) South Coast AQMD permit number for mobile fueler.

**(C-2) GENERAL INSPECTION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall at minimum verify the following during the periodic compliance inspections:

- (2.1) The South Coast AQMD permit is current;
- (2.2) The description in the South Coast AQMD permit to operate accurately describes the equipment;
- (2.3) Compliance with all permit conditions; and
- (2.4) The required signage is properly posted and contains all the necessary information.

**(C-3) PHASE I VAPOR RECOVERY SYSTEM INSPECTION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler shall at minimum verify the following during the daily maintenance inspections:

- (3.1) The Spill Box is clean and does not contain gasoline;
- (3.2) The fill caps are not missing, damaged, or loose;
- (3.3) If applicable:
  - (a) The Dry Break (poppet valve) is not missing or damaged;
  - (b) Note if liquid is visible in vapor return line drop out sight gauge; and
  - (c) Cargo tank pressure.
- (3.4) The Phase I Vapor Recovery System complies with required CARB certification and is properly installed; and

## ATTACHMENT C – CONTINUED

- (3.5) The Spill Box complies with required CARB certification and is properly installed.

**(C-4) PHASE II VAPOR RECOVERY SYSTEM INSPECTION**

The owner or operator of a Retail Mobile Fueler or a Non-Retail Mobile Fueler that is equipped with a CARB certified Phase II Vapor Recovery System shall at a minimum verify the following during the daily maintenance inspections:

- (3.1) Each nozzle is the current CARB-Certified model;
- (3.2) Each nozzle is installed in accordance with the applicable CARB Executive Orders;
- (3.3) The following nozzle components are in place and in good condition, as specified in CARB Executive Orders or California Code of Regulations, Title 17, Part III, Chapter 1, subchapter 8, section 94006 or Health and Safety Code Section 41960.2 (e):
- (a) Nozzle spout (proper diameter/vapor collection holes);
  - (b) Faceplate;
  - (c) Bellows;
  - (d) Latching device spring;
  - (e) Vapor Check Valve;
  - (f) Insertion Interlock Mechanism;
  - (g) Automatic shut-off mechanism; and
  - (h) Hold open latch;
- (3.4) The hoses are not torn, punctured, flattened, or crimped and in good condition, as specified in CARB Executive Orders;
- (3.5) The vapor recovery hoses are the required size and length;
- (3.6) The vapor recovery nozzles are equipped with required hoses;
- (3.7) The bellows-equipped vapor recovery nozzles are equipped with CARB Certified Interlock Mechanisms;
- (3.8) If required, the flow limiter is not missing and is installed properly;
- (3.9) The swivels are not missing, defective, or leaking, and the Dispenser-end swivels, if applicable, are Fire-Marshall approved with 90-degree stops;

**ATTACHMENT C – CONTINUED**

- (3.10) If required, the liquid removal device, which are designed to remove trapped liquid from the vapor passages of a balance Ceoaxial Hhose, comply with required CARB Certifications and are properly installed; and
- (3.11) For bellows-less nozzles, the hoses are inverted coaxial type, and the vapor collection holes are not obstructed.

**ATTACHMENT D****TESTING ON A WEEKEND DAY****(D-1) RESTRICTIONS**

The South Coast AQMD shall approve a limited number of Reverification Testing requests per weekend on a first-come first-served basis which shall be subject to the following restrictions:

- (1.1) The person conducting the tests has notified the South Coast AQMD pursuant to subparagraph (l)(7)(C) for Reverification Tests and Attachment D paragraph (D-1)(1.2);
- (1.2) The requests made pursuant to Attachment D paragraph (D-1)(1.1) shall be made no more than 30 calendar days in advance of the testing;
- (1.3) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.;
- (1.4) Upon request by the South Coast AQMD, the person who conducted the tests on a weekend day for which South Coast AQMD staff was not present shall repeat the Reverification Testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted; and
- (1.5) Should a repeat test be requested pursuant to Attachment D paragraph (D-1)(1.4), the owner or operator of the Mobile Fueler shall pay the cost of the repeat Reverification Testing.

**(D-2) CONDITIONS**

The South Coast AQMD shall approve all requests for a retest on a weekend day provided that the retest meets the following conditions:

- (2.1) The retest on a weekend day is necessary as the repairs and retest following a failed Reverification Test cannot be completed by Friday;
- (2.2) The person conducting the test has notified the South Coast AQMD pursuant to subparagraph (l)(8)(A) or left a phone notification before midnight of the day before the retest;
- (2.3) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.; and

**ATTACHMENT D – CONTINUED**

- (2.4) Upon request by the Executive Officer, the person who conducted the test on a weekend day for which the South Cost AQMD staff was not present shall repeat the Reverification Testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted. The owner or operator of a Mobile Fueler shall pay the cost of the repeat Reverification Testing.

## ATTACHMENT F-2

(Adopted January 9, 1976)(Amended September 3, 1976)(Amended February 4, 1977)  
(Amended November 18, 1977)(Amended February 3, 1978)(Amended January 5, 1979)  
(Amended May 4, 1979)(Amended December 7, 1979)(Amended January 16, 1981)  
(Amended October 15, 1982)(Amended November 1, 1985)(Amended March 4, 1988)  
(Amended July 7, 1989)(Amended September 8, 1995)(Amended April 21, 2000)  
(Amended June 15, 2001)(Amended January 9, 2004)(Amended June 3, 2005)  
(Amended March 7, 2008)(Amended April 6, 2012)(PAR January 7, 2022)

### **PROPOSED AMENDED RULE 461 - GASOLINE TRANSFER AND DISPENSING**

(a) Applicability

This rule applies to the transfer of gasoline from any tank truck, trailer, or railroad tank car into any stationary storage tank ~~or mobile fueler~~, and from any stationary storage tank ~~or mobile fueler~~ into any ~~mobile fueler~~ or motor vehicle fuel tank.

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) ALTERED GASOLINE TRANSFER AND DISPENSING FACILITY is a Gasoline Transfer and Dispensing Facility with any of the following:
  - (A) The removal or addition of storage tank(s), or changes in the number of fueling positions.
  - (B) The replacement of storage tank(s), dispensing nozzle(s) or other equipment with different characteristics or descriptions from those specified on the existing permit.
- (2) BACKFILLING is the covering of the underground storage tank, piping or any associated components with soil, aggregate or other materials prior to laying the finished surface.
- (3) BELLOWS-LESS NOZZLE is any nozzle that incorporates an aspirator or vacuum assist system and a gasoline vapor capture mechanism at the motor vehicle filler neck, such that vapors are collected at the vehicle filler neck without the need for an interfacing flexible bellows.
- (4) BREAKAWAY COUPLING is a component attached to the coaxial hose, which allows the safe separation of the hose from the dispenser or the hose from the nozzle in the event of a forced removal such as in the case of a “drive-off.”

**Proposed Amended Rule 461 (Cont.)**      (~~Amended April 6, 2012~~ PAR 461 January 7, 2022)

- (5) CARB CERTIFIED or certified by CARB means a Phase I or Phase II vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- (6) CLEARLY AND PERMANENTLY MARKED means an identification of the qualified manufacturer's name, model number, and other required information on a vapor recovery system component that is legible, and the identification is either directly stamped on or attached to the component using methods or materials that would endure constant long term use.
- ~~(7) COAXIAL FILL TUBE is a submerged fill tube that contains two passages one within the other. The center passage transfers gasoline liquid to the storage tank and the outer passage carries the gasoline vapors to the tank truck, trailer or railroad tank car.~~
- (78) COAXIAL HOSE is a hose that contains two passages one within the other. One of the passages dispenses the liquid gasoline into the vehicle fuel tank while the other passage carries the gasoline vapors from the vehicle fuel tank to the storage tank.
- (89) DISPENSER is a gasoline dispensing unit used for housing the aboveground gasoline and vapor recovery piping, the gasoline meters, and to hang gasoline-dispensing nozzles when they are not in use for fueling.
- (94) DRY BREAK or poppetted dry break is a Phase I vapor recovery component that opens only by connection to a mating device to ensure that no gasoline vapors escape from the underground storage tank before the vapor return line is connected and sealed.
- (104) DUAL-POINT DESIGN is a type of Phase I vapor recovery system that delivers gasoline liquid into storage tanks and recovers the displaced vapors through two separate openings on the tank.
- (112) ENHANCED VAPOR RECOVERY (EVR) means performance standards and specifications set forth in the CARB CP 201 (Certification Procedure

**Proposed Amended Rule 461 (Cont.)**      (~~Amended April 6, 2012~~ PAR 461 January 7, 2022)

for Vapor Recovery Systems at gasoline dispensing facilities) Sections 3 through 9.

- (123) FUELING POSITION is a fuel dispensing unit consisting of nozzle(s) and meter(s) with the capability to deliver only one fuel product at one time.
- (134) GASOLINE is any petroleum distillate or petroleum distillate/alcohol blend having a True Vapor Pressure greater than 200 mm Hg (3.9 psi) and less than 760 mm Hg (14.7 psi) at 100 degrees F as determined by ASTM Method D323-89.
- (145) GASOLINE TRANSFER AND DISPENSING FACILITY is ~~a mobile system or~~ a stationary facility, consisting of one or more storage tanks and associated equipment, which receive, store, and dispense gasoline.
- (156) GASOLINE VAPORS are the organic compounds in vapor form displaced during gasoline transfer and dispensing operations, and includes entrained liquid gasoline.
- (167) INSERTION INTERLOCK MECHANISM is any CARB certified mechanism that ensures a tight fit at the nozzle fill pipe interface and prohibits the dispensing of gasoline unless the bellows is compressed.
- (178) INSTALLER/CONTRACTOR is a person(s) engaged in the installation of new or alterations of existing vapor recovery systems and components at a gasoline transfer and dispensing facility.
- (189) LIQUID REMOVAL DEVICE is a device designed specifically to remove trapped liquid from the vapor passages of a coaxial hose.
- (1920) LIQUID TIGHT is a liquid leak rate not exceeding three drops per minute.
- (204) MAJOR DEFECT is a defect in the vapor recovery system or its component, as listed in California Code of Regulations, Title 17, Part III, Chapter 1, Subchapter 8, Section 94006.
- (212) MINOR DEFECT is a defect in any gasoline transfer and dispensing equipment, which renders the equipment out of good working order but which does not constitute a major defect.
- ~~(23) MOBILE FUELER is any tank truck or trailer that is used to transport and dispense gasoline from an onboard storage tank into any motor vehicle fuel tank.~~
- (224) MOTOR VEHICLE is any self-propelled vehicle as defined in Section 415 of the California Vehicle Code.
- (235) OWNER/OPERATOR is any person who owns, leases, or operates a gasoline transfer and dispensing facility.

**Proposed Amended Rule 461 (Cont.)**      (~~Amended April 6, 2012~~ PAR 461 January 7, 2022)

- (246) PERFORMANCE TEST is the first test or series of tests performed on a new or altered CARB certified gasoline vapor recovery system to demonstrate compliance with the CARB Executive Order and District permit conditions upon completion of construction or alteration of the vapor recovery system.
- (257) PRESSURE/VACUUM RELIEF VALVE is a valve that is installed on the vent pipes of the gasoline storage tanks to relieve pressure or vacuum build-up at preset values of pressure or vacuum.
- (268) QUALIFIED MANUFACTURER is the original equipment manufacturer of the CARB certified vapor recovery system or component, or a rebuilder who is authorized by CARB to rebuild the designated CARB certified component.
- (279) QUALIFIED REPAIR is a repair or maintenance of the gasoline transfer and dispensing equipment or vapor recovery system component that would restore the function or performance of such equipment/component following the qualified manufacturer's instructions and using only the applicable CARB certified parts supplied by the qualified manufacturer. Unless otherwise authorized by CARB, a repair or maintenance shall not be considered a qualified repair if the action changes the size, shape or materials of construction of any gasoline vapor passage, or if it may otherwise obstruct, hinder, or reduce the recovery of gasoline vapors during operation.
- (2830) REBUILD is an action that repairs, replaces, or reconstructs any part of a component of a vapor recovery system that forms the gasoline vapor passage of the component, or that comes in contact with the recovered gasoline vapors in the component. Rebuild does not include the replacement of a complete component with another CARB certified complete component; nor does it include the replacement of a spout, bellows, or vapor guard of a CARB certified nozzle. The new part shall be CARB certified and as supplied by the qualified manufacturer specifically for the CARB certified nozzle.
- (2934) RETAIL GASOLINE TRANSFER AND DISPENSING FACILITY is any gasoline transfer and dispensing facility subject to the payment of California sales tax for the sale of gasoline to the public.
- (302) RE-VERIFICATION TEST is a test or series of tests performed subsequent to the performance test on a CARB certified gasoline vapor recovery system

**Proposed Amended Rule 461 (Cont.)**      (~~Amended April 6, 2012~~ PAR 461 January 7, 2022)

to demonstrate compliance with the CARB Executive Order and District permit conditions.

- (313) SPILL BOX is an enclosed container around a Phase I fill pipe that is designed to collect gasoline spillage resulting from disconnection between the liquid gasoline delivery hose and the fill pipe.
- (324) SUBMERGED FILL TUBE is any storage tank fill tube with the highest level of the discharge opening entirely submerged, when the liquid level above the bottom of the tank is:
  - (A) 15.2 cm (6 inches), for tanks filled from the top, or
  - (B) 45.7 cm (18 inches) for tanks filled from the side.
- (335) VAPOR CHECK VALVE is a valve that opens and closes the vapor passage to the storage tank to prevent gasoline vapors from escaping when the nozzle is not in use.
- (346) VAPOR RECOVERY SYSTEM is a system installed at a gasoline transfer and dispensing facility for collection and recovery of gasoline vapors displaced or emitted from the stationary storage tanks ~~or mobile fuelers~~ (Phase I) and during refueling of vehicle fuel tanks (Phase II). A Phase II vapor recovery system may be a balance system, which operates on the principle of vapor displacement, or a vacuum-assist system, which uses a mechanical vacuum-producing device to create a vacuum, ~~or an aspirator-assist system, which uses an aspirator or eductor to create a vacuum during gasoline dispensing to capture gasoline vapors.~~
- (357) VAPOR TIGHT means the detection of less than 10,000 ppm hydrocarbon concentration, as determined by EPA Method 21, using an appropriate analyzer calibrated with methane.

(c) Equipment and Operation Requirements

- (1) Gasoline Transfer into Stationary Storage Tanks ~~and Mobile Fuelers~~ (Phase I)

A person shall not transfer, allow the transfer, or provide equipment for the transfer of gasoline from any tank truck, ~~or trailer, or railroad tank car~~ into any stationary storage tank with a capacity of 950 liters (251 gallons) or more, ~~or any mobile fueller tank of greater than 454 liters (120 gallons) capacity~~ unless all of the following conditions are met:

- (A) Underground storage tanks are equipped with a "CARB certified" enhanced vapor recovery system having a minimum volumetric

efficiency of 98% and an emission factor not exceeding 0.15 pounds per 1,000 gallons. The vapor recovery system shall be maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual and shall meet all of the following:

- (i) All fill tubes are equipped with vapor tight caps;
- (ii) All dry breaks are equipped with vapor tight seals and vapor tight caps;
- (iii) The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
- (iv) Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use; and
- (v) A "CARB certified" spill box shall be installed and maintained free of standing liquid, debris and other foreign matter. The spill box shall be equipped with an integral drain valve or other devices that are certified by CARB to return spilled gasoline to the underground stationary storage tank. The drain valve shall be maintained closed and free of vapor emissions at all times except when the valve is actively in use.

(B) Aboveground Storage Tanks are equipped with a "CARB certified" vapor recovery system having a minimum volumetric efficiency of 95% and is maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual and shall meet all of the following:

- (i) All fill tubes are equipped with vapor tight caps;
- (ii) All dry breaks are equipped with vapor tight seals and vapor tight caps;
- ~~(iii) All CARB certified coaxial fill tubes are spring loaded and operated so that the vapor passage from the stationary storage tank or the mobile fueler back to the tank truck trailer is not obstructed;~~

**Proposed Amended Rule 461 (Cont.)**      (~~Amended April 6, 2012~~ PAR 461 January 7, 2022)

- (iii~~v~~) The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
  - (vi) All vapor return lines without dry breaks are equipped with vapor tight caps; and
  - (vi) Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use.
- ~~(C) Mobile fueler tanks are equipped with a “CARB certified” vapor recovery system having a minimum volumetric efficiency of 95% and is maintained and operated according to the manufacturer’s specifications and the applicable CARB Executive Orders and shall meet all of the following:~~
- ~~(i) The capacity of a cargo tank or tank compartment shall not be greater than 5,000 gallons;~~
  - ~~(ii) Each tank or tank component shall be equipped with an overfill protection device which shall be designed to automatically close valves or shut down pumps to stop the transfer of gasoline; and~~
  - ~~(iii) The cargo tank dome hatch shall remain closed and latched at all times. It shall not be opened for the purpose of routine tank gauging operations. It may only be opened to accomplish inspections which are necessary due to equipment failures, scheduled maintenance and repairs.~~
- ~~(C~~D~~) A person shall not operate, or allow the operation of a gasoline delivery tank truck/trailer or railroad tank car, unless it is “CARB certified” and maintained in compliance with the certification requirements and shall meet all of the following:~~
- (i) Each gasoline delivery elbow is equipped with sight windows;
  - (ii) The fuel delivery lines shall be maintained liquid tight, vapor tight, and free of air ingestion. A fuel delivery that is free of air ingestion is determined by observing the fuel stream as clear and free of air bubbles through the sight windows on

the delivery system, except during the initial and final 60 seconds of fuel transferring;

- (iii) All vapor return lines are connected between the delivery tank truck/trailer or railroad tank car, and the stationary storage tank ~~or mobile fueler~~. In addition, all associated hoses, fittings, and couplings are maintained in a liquid-tight and vapor-tight condition; and
- (iv) The hatch on any tank truck/trailer shall be equipped with a vapor tight cover during gasoline transfer and pumping. The hatch shall not be opened except for visual inspection, which may be performed after at least three minutes following the completion of the gasoline transfer or pumping. Except otherwise specified by CARB, visual inspection shall be completed in three minutes or less.

(2) Gasoline Transfer into Vehicle Fuel Tanks (Phase II)

A person shall not transfer, or allow the transfer, or provide equipment for the transfer of gasoline from a stationary storage tank with a capacity of 950 liters (251 gallons) or more, ~~or any mobile fueler tank of greater than 454 liters (120 gallons) capacity~~ into any ~~mobile fueler tank of greater than 454 liters (120 gallons) capacity~~ or any motor vehicle fuel tank of greater than 19 liters (5 gallons) capacity unless all of the following conditions are met:

- (A) The dispensing unit used to transfer the gasoline from the stationary storage tank ~~or mobile fueler~~ to the ~~mobile fueler~~ or motor vehicle fuel tank is equipped with a "CARB certified" vapor recovery system as capable of recovering or processing displaced gasoline vapors by at least 95%, or having an emission factor not exceeding 0.38 pounds per 1,000 gallons, as applicable;
- (B) The vapor recovery system and associated components are operated and maintained in a manner in accordance with the manufacturer's specifications and the applicable CARB certification including the corresponding CARB approved Installation, Operation and Maintenance Manual;
- (C) The system and associated components shall be maintained vapor tight and liquid tight at all times;

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- (D) Each balance-system nozzle is equipped with a "CARB certified" insertion interlock mechanism and a CARB certified vapor check valve which shall be located in the nozzle;
  - (E) Each gasoline-dispensing nozzle is equipped with a coaxial hose as specified in the applicable CARB Executive Order;
  - (F) Unless otherwise specified in the applicable CARB Executive Orders, all liquid removal devices installed for any gasoline-dispensing nozzle with a dispensing rate of greater than five gallons per minute shall be "CARB certified" with a minimum liquid removal rate of five milliliters per gallon transferred; and
  - (G) The breakaway coupling shall be CARB certified. Any breakaway coupling shall be equipped with a poppet valve, which shall close and maintain both the gasoline vapor and liquid lines vapor tight and liquid tight when the coupling is separated. In the event of a separation due to a "drive-off", the owner/operator shall complete one of the following and document the activities pursuant to paragraph (e)(6) recordkeeping requirements:
    - (i) Conduct a visual inspection of the affected equipment and perform qualified repairs on any damaged components before placing any affected equipment back in service. In addition, the affected equipment shall be tested in accordance to applicable test methods as specified in the applicable CARB Executive Orders and the corresponding CARB approved Installation, Operation and Maintenance manual and successfully passed prior to the affected equipment dispensing gasoline into any vehicle; or
    - (ii) Conduct a visual inspection of the affected equipment and replace the affected nozzles, coaxial hoses, breakaway couplings, and any other damaged components with new or certified rebuilt components that are CARB certified, before placing any affected equipment back in service.
- (3) Additional Requirements
- (A) A person shall not supply, offer for sale, sell, install or allow the installation of any vapor recovery system or any of its components, unless the system and component are CARB certified. Each vapor

recovery system and its components shall be clearly and permanently marked with the qualified manufacturer's name and model number as certified by CARB. In addition, the qualified manufacturer's unique serial number for each component shall also be clearly and permanently marked for the dispensing nozzles. Any qualified manufacturer who rebuilds a component shall also clearly and permanently mark the corresponding information on the component.

- (B) For a breakdown (as defined in Rules 102 and 430) of a central vapor incineration or processing unit, the provisions of Rule 430 shall apply. "End of Cycle" as that term is used in Rule 430 shall be deemed to mean the completion of fueling by the last customer who was fueling at the time of the breakdown for the application of Rule 430 in subparagraph (c)(3)(B).
- (C) Any Installer/Contractor shall not install, alter, repair or replace a Phase I or Phase II enhanced vapor recovery system or any component thereof without first successfully obtaining the manufacturer's certification and successfully completed any relevant state certification program, through the International Code Council (ICC), or any equivalent state certification program required for the installation and alteration of a vapor recovery system. The requirement for obtaining relevant certification shall take effect six months after such test becomes available.
- (D) The owner/operator of an enhanced vapor recovery system or their direct employees are not considered installers/contractors when replacing any defective nozzles, hoses and breakaways with new or CARB certified re-manufactured components of the same make and model, or alternative(s) specifically identified in the latest applicable CARB Executive Order, provided that person successfully obtained the manufacturer's certification and has successfully completed any relevant state certification program, through the International Code Council (ICC), or any equivalent state certification program required for the replacement of components. The requirement for obtaining relevant certification shall take effect six months after such test becomes available.

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- (E) A person shall not perform or allow the "pump-out" (bulk transfer) of gasoline from a storage tank subject to paragraph (c)(1) unless such bulk transfer is performed using a vapor collection and transfer system capable of returning the displaced vapors to the stationary storage tank.
- (F) A person shall not store, or allow the storage of, gasoline in any stationary storage tank with a capacity of 950 liters (251 gallons) or more; ~~or any mobile fueler with a capacity of 454 liters (120 gallons) or more;~~ unless such tank complies with Rule 463 or complies with the following:
  - (i) The tank is equipped with a Phase I vapor recovery system; and
  - (ii) The tank is operated and maintained with an integral vapor-tight drain valve to return spilled gasoline to the storage tank, if the tank is equipped with a spill container ~~except for mobile fuelers.~~
- (G) The owner/operator shall conspicuously post the District-required signs specified in Attachment A of this rule in the immediate gasoline dispensing area.
- (H) For a dispenser that is not intended to be used to fuel motor vehicles, the owner/operator shall have a sign posted on it to that effect.
- (I) A person shall not store, or allow the storage of, gasoline in any stationary storage tank with a capacity of 950 liters (251 gallons) or more; ~~or any mobile fueler with a capacity of 454 liters (120 gallons) or more;~~ unless the vent pipe of the tank complies with all of the following:
  - (i) The vent pipe opening is equipped with a "CARB certified" pressure-vacuum relief valve.
  - (ii) The vent pipe opening for a stationary storage tank is at least 12 feet above the driveway level used for tank truck filling operations.
  - (iii) Unless otherwise specified in the applicable CARB Executive Orders, the pressure-vacuum relief valve for an underground storage tank vent shall be set for pressure relief at 2.5 to 6.0 inches water column and vacuum relief at 6.0 to 10.0 inches water column. The valves for vents on

aboveground tanks ~~and mobile fuelers~~ shall meet the applicable CARB certified specifications.

- (iv) Pressure-vacuum relief valves for stationary storage tanks, as supplied and installed, shall be color-coded or otherwise clearly marked to identify the pressure-vacuum setting. The valves shall be installed on the vent pipe(s) such that the color codes or marks shall be legible to ground-level observers.
- (v) For the purpose of this requirement, vent pipes of gasoline storage tanks may be manifolded to a single valve when the stationary storage tanks are manifolded according to the applicable CARB Executive Order.
- (J) A person shall not store gasoline in open container(s) of any size or handle gasoline in any manner (spillage, spraying, etc.) that allows gasoline liquid or gasoline vapors to enter the atmosphere, contaminate the ground, or the sewer.
- (K) The failure of an owner/operator to meet any requirements of subdivision (c) of this rule shall constitute a violation. Such non-compliant equipment shall be tagged "Out of Order".
- (L) Except during active repair activity, the "Out of Order" tag specified in subparagraph (c)(3)(K) shall not be removed and the non-compliant equipment shall not be used, allowed to be used, or provided for use unless all of the following conditions are satisfied:
  - (i) The non-compliant equipment has been repaired, replaced, or adjusted, as necessary; and
  - (ii) The non-compliant equipment has been reinspected and/or the repair has been reported to the Executive Officer or his designee.
- (M) The owner/operator shall repair or replace any vapor recovery component having minor defects within seven days, pursuant to Section 41960.2(e) of the California Health and Safety Codes.
- (N) The owner/operator and/or the installer/contractor shall have all underground storage tank installations and associated piping configuration inspected by the Executive Officer or his designee prior to backfilling, to verify that all underground equipment is properly installed in accordance with the requirements specified in

the applicable CARB Executive Order. The owner/operator and/or installer/contractor shall schedule a time for inspection with the District by District-approved method and obtain a confirmation number at least three days (at least one of the days shall be regular District business days) prior to the backfilling. At or before the scheduled time of inspection, the owner/operator and/or installer/contractor shall ensure that all underground storage tank installation and associated piping meet all requirements under the applicable CARB Executive Order including the corresponding Installation, Operation and Maintenance Manual and shall be in a state ready to be backfilled. After successfully passing the verification inspection, all underground piping shall be backfilled without being disturbed.

- (O) The owner/operator of any gasoline transfer and dispensing facility shall implement a maintenance program and document the program in an operation and maintenance (O&M) manual for the vapor recovery system. The O&M manual shall be kept at the facility and made available to any person who operates, inspects, maintains, repairs, or tests the equipment at the facility as well as the Executive Officer upon request. The O&M manual shall contain detailed instructions that ensure proper operation and maintenance of the vapor recovery system and its components in compliance with all applicable rules and regulations. The O&M manual shall reference all manufacturer required maintenance cycles as delineated in the CARB Executive Order that certified the system. The manual shall, at a minimum, include the following current information:
- (i) All applicable CARB Executive Orders, Approval Letters, and District Permits.
  - (ii) The manufacturer's specifications and instructions for installation, operation, repair and maintenance required pursuant to CARB Certification Procedure CP-201, and any additional instructions provided by the manufacturer.
  - (iii) System and/or component testing requirements, including test schedules and passing criteria for each of the standard tests listed under subdivision (f). The owner/operator may

include any non-CARB required diagnostic and other tests as part of the testing requirements.

- (iv) Additional O&M instructions, if any, that are designed to ensure compliance with the applicable rules, regulations, CARB Executive Orders and District permit conditions, including replacement schedules for failure or wear prone components.
- (P) Equipment subject to paragraph (c)(1) or (c)(2) is operated and maintained with no major defect.
- (Q) The owner/operator of any gasoline transfer and dispensing facility shall submit the facility's monthly gasoline throughput data for the previous calendar year to the Executive Officer on or before March 1 following each calendar year.
- (4) In lieu of compliance with paragraph (c)(2), the owner/operator of a non-retail gasoline transfer and dispensing facility shall~~may elect to comply with all of the following:~~
  - (A) If the gasoline transfer and dispensing equipment was issued a permit prior to [Date of Adoption], use either:
    - ~~(A)~~ (i) Hoses, breakaways, and nozzles that are part of a "CARB certified" vapor recovery system, ~~with~~except that the vapor return line ~~shall be~~ sealed off; or
    - (ii) CARB certified non-vapor recovery component for dispensing that includes only low permeation conventional hose assemblies and enhanced conventional nozzles identified in the most recent revision of CARB Executive Order NVR-1;
  - (B) If the gasoline transfer and dispensing equipment was issued a permit or modified after [Date of Adoption], use a CARB certified non-vapor recovery component for dispensing that includes only low permeation conventional hose assemblies and enhanced conventional nozzles identified in the most recent revision of CARB Executive Order NVR-1;
  - ~~(B) Submit an application for a permit to construct and operate the gasoline dispensing equipment and agree to comply with the following permit conditions:~~

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- ~~(C) (i) — No fuel shall be dispensed~~ Dispense only into a motor vehicle that is ~~not~~ owned or under direct control of the operator, except for a motor vehicle used in responding to an emergency;
- ~~(D) (ii) — No fuel shall be dispensed~~ Dispense only into a motor vehicle ~~not~~ equipped with an onboard refueling vapor recovery (ORVR) system, except for a motor vehicles used in responding to an emergency; ~~and~~
- ~~(E)(iii) Maintain r~~ Records of the date, and quantity of fuel dispensed by into each motor vehicle, and the motor vehicle's ~~the~~ make, model, model year, and vehicle identification number ~~of all vehicle(s) refueled at the facility.;~~
- ~~(F) Such records shall be m~~ Maintain records specified in subparagraph (c)(4)(E) ed at the facility for at least five years; ~~and shall be made~~
- ~~(G) Provide the records specified in subparagraph (c)(4)(E) available to~~ the Executive Officer upon request.

(d) Self-Compliance Program Requirements

The owner/operator of any retail gasoline transfer and dispensing facility shall implement a self-compliance program as follows:

- (1) The self-compliance program shall include the following elements:
  - (A) Daily maintenance inspections shall be conducted in accordance with the protocol specified in Attachment B to ensure proper operating conditions of all components of the vapor recovery systems.
  - (B) Periodic compliance inspections shall be conducted at least once every twelve months and in accordance with the protocol specified in Attachment C to verify the compliance with all applicable District rules and regulations, as well as all permit conditions.
  - (C) Maintenance schedules consistent with the applicable Phase I and Phase II vapor recovery systems and components installed at the gasoline transfer and dispensing facility.
  - (D) A procedure to determine and record the next required test date based on throughput during the 12 months preceding the time of a successful test.
  - (E) An employee training program including the following:

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- (i) Itemized training procedures for employees responsible for conducting any part of the self-compliance program.
  - (ii) A training schedule to periodically train any employee responsible for conducting any part of the self-compliance program.
  - (iii) A record for each employee of the dates of training provided and the next training date.
  - (iv) A procedure to review and establish any additional necessary training following any changes or updates to the CARB Executive Order for the installed vapor recovery system.
- (2) Any equipment with major defect(s) which are identified during the daily maintenance inspections or periodic compliance inspections shall be removed from service, repaired, brought into compliance, and duly entered into the repair logs required under paragraph (e)(6) before being returned to service.
- (3) Defects discovered during self inspection and repaired shall not constitute a violation of Rule 461.
- (4) Training and Certification
  - (A) A person shall not conduct daily maintenance inspections specified in subparagraph (d)(1)(A) or do required recordkeeping unless such person has completed an appropriate District-approved training program.
  - (B) A person shall not conduct periodic compliance inspections specified in subparagraph (d)(1)(B) or do required recordkeeping unless such person has completed an appropriate District-approved training program in the inspection and maintenance of vapor recovery systems and has received a certification issued by the District.
- (e) Testing, Reporting and Recordkeeping Requirements
  - (1) Within 10 calendar days after initial operation of dispensing fuel into a ~~mobile fueler or~~ a vehicle fuel tank, the owner/operator of a new or altered gasoline transfer and dispensing facility shall conduct and successfully pass the performance tests in accordance with the test methods specified in subdivision (f), and any additional tests required by the applicable CARB Executive Orders including the corresponding CARB approved Installation,

Operation and Maintenance Manual and District Permits, to verify the proper installation and operation of Phase I and Phase II vapor recovery systems. Test results shall be submitted as stated in subparagraphs (e)(3)(D) and (e)(3)(E).

- (2) The owner/operator shall conduct and successfully pass the reverification tests in accordance with the test methods specified in subdivision (f), and any additional tests required by the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual or District Permits, to verify the proper operation of the vapor recovery systems. Test results shall be submitted as stated in subparagraphs (e)(3)(D) and (e)(3)(E).

(A) The reverification tests at retail gasoline transfer and dispensing facilities shall be conducted no less frequently than as scheduled below, based on the facility's maximum monthly gasoline throughput during the 12-month period immediately preceding the required test:

- (i) The owner/operator of a facility with a maximum monthly throughput of 100,000 gallons or greater shall complete the reverification tests semiannually.
- (ii) The owner/operator of a facility with a maximum monthly throughput less than 100,000 gallons shall complete the reverification tests annually.
- (iii) The owner/operator of a facility with less than 12 months throughput data shall conduct reverification tests semiannually. In case of a change of operator of a facility, throughput under the previous owner/operator may be used to determine the applicable test frequency.

(B) The owner/operator of a non-retail gasoline transfer and dispensing facility shall complete the reverification tests annually.

(C) Once a facility reverification testing month(s) are established, subsequent reverification testing shall be conducted during the same months each year. When a new performance test schedule is required due to a facility alteration, new reverification testing months shall be established based on the date of the performance tests.

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- (D) In case of a change of operator, the new operator shall conduct the next reverification test on the same testing month as established by the previous operator, if the previous reverification testing records are available. When no testing records are available, the new operator shall complete all the applicable reverification testing within 30 calendar days of the change of operator.
- (3) A person who conducts performance or reverification tests shall comply with all of the following:
  - (A) Conduct performance or reverification tests in accordance with the applicable test methods listed in subdivision (f) and other CARB testing procedures. Tests shall be conducted using calibrated equipment meeting the calibration range and calibration intervals specified by the manufacturer.
  - (B) Notify the District and obtain a confirmation number at least three days prior to testing (at least one of the days shall be regular District business days), except as specified in paragraph (e)(4). In the event that a performance test or reverification test cannot be conducted at the scheduled date and time, the test may be re-scheduled to a later date and time provided that the District is notified at least 24 hours prior to the originally scheduled time. All notification under this subparagraph shall be provided ~~by electronically via email or other~~ District approved methods. Notwithstanding, the three-day notice may not be required for reverification tests conducted after a drive-off pursuant to clause (c)(2)(G)(i), provided that the person conducting the tests complies with all other applicable provisions of the rule.
  - (C) Conduct performance and reverification tests between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday. Notwithstanding, the Executive Officer may approve testing on a weekend day (Saturday or Sunday) based on the following criteria:
    - (i) The District shall approve a limited number of reverification testing requests per weekend on a first-come-first-served basis. These reverification tests are subject to the following restrictions:
      - (I) The person conducting the tests has notified the District pursuant to subparagraph (e)(3)(B) for

reverification tests. The requests shall be made no more than 30 calendar days in advance of the testing.

- (II) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.
  - (III) Upon request by the Executive Officer, the person who conducted the tests on a weekend day for which the District staff was not present shall repeat the reverification testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted. The GDF shall pay the cost of the repeat reverification testing.
- (ii) The District shall approve all requests for a retest on a weekend day provided that the retest meets the following conditions:
- (I) The retest on a weekend day is necessary as the repairs and retest following a failed reverification test cannot be completed by Friday.
  - (II) The person conducting the test has notified the District pursuant to subparagraph (e)(4)(A) or left a phone notification before midnight of the day before the retest.
  - (III) Tests shall be conducted from 7:00 a.m. through 5:30 p.m.
  - (IV) Upon request by the Executive Officer, the person who conducted the test on a weekend day for which the District staff was not present shall repeat the reverification testing at a mutually acceptable date but no later than 10 calendar days from the day the test was conducted. The GDF shall pay the cost of the repeat reverification testing.
- (D) Submit a copy of the PASS/FAIL test results electronically ~~via~~ a District approved ~~method~~ format to the Executive Officer within 72 hours after each test is conducted. The PASS/FAIL test results are a summary of the overall results of each test.
- (E) Submit the final test report demonstrating compliance within 14 calendar days of the date when all tests were passed. The test report

shall include all the required records of all tests performed, test data, current AQMD facility ID number of the location being tested, the equipment Permit to Operate or Application number, the AQMD ID number of the company performing the tests, a statement whether the system or component tested meets the required standards, and the name, AQMD tester ID number and signature of the person responsible for conducting the tests.

- (F) Successfully completed the District's Tester Orientation class.
  - (G) Successfully completed the International Code Council (ICC) tester certifications (or equivalent state certifications) examination during the previous 24 months. This provision shall take effect six months after such a test becomes available.
  - (H) Successfully re-completed the District's Tester Orientation class after having been cited within any 6-month period for at least two violations of subparagraph (e)(3)(A) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a performance or reverification test. The tester shall cease conducting any performance or reverification test after receiving the second notice of violation until such time that the tester has successfully re-completed the District Tester Orientation class.
  - (I) Not committed more than three violations of subparagraph (e)(3)(A) of this rule or CARB vapor recovery regulations in such a manner that the violations could have affected the accuracy of a performance or reverification test during any 12-month period.
- (4) Notwithstanding subparagraph (e)(3)(B), the owner/operator of a gasoline transfer and dispensing facility that has failed a reverification test or portions thereof may retest the facility prior to resuming operation provided that the person conducting the tests has complied with one of the following:
- (A) Notify the District ~~electronically by telephone or other~~ via a District approved methods and obtain a confirmation number at least 12 hours prior to retesting (at least six of the hours shall be regular District business hours); or
  - (B) When all necessary repairs are performed during the same day the facility has failed any of the applicable reverification tests, the owner/operator may retest the facility on the same day without re-

notification, provided that the reasons for the test failure and any repairs performed are properly documented in the test reports and the repair logs pursuant to subparagraphs (e)(6)(B) and (e)(6)(C).

- (5) The owner/operator shall not operate or resume operation of a gasoline transfer and dispensing facility, unless the facility has successfully passed the applicable performance or reverification tests. Notwithstanding the above, when a dispenser associated with any equipment that has failed a reverification test is isolated and shut down, the owner/operator may continue operation or resume operation of the remaining equipment at the facility, provided that test results demonstrate that the remaining equipment is in good operating condition. All test results and the method of isolating the defective equipment shall be documented in the test reports to be submitted to the Executive Officer pursuant to subparagraphs (e)(6)(C), (e)(3)(D) and (e)(3)(E).

(6) Recordkeeping

A person who performs the installation of components, self-compliance inspections, repairs or testing at any gasoline transfer and dispensing facility, including, but not limited to, the activities for normal operation and maintenance, performance testing, reverification testing and those following a drive-off, shall provide to the owner/operator all records listed below, as applicable, at the end of each day when the service is provided. The owner/operator of any retail or non-retail gasoline transfer and dispensing facility shall maintain all records listed below and any other test results or maintenance records that are required to demonstrate compliance on site for a period of at least two years (or five years for Title V facilities). Notwithstanding, records for non-retail gasoline dispensing facilities that are unmanned may be kept at other locations approved by the Executive Officer. All records shall be made available to the Executive Officer upon request both on site during inspections and offsite as specified.

- (A) Records of all components installed, defective components identified or repaired during self-compliance inspections.
- (B) Repair logs, which shall include:
- (i) Date and time of each repair.
  - (ii) The name of the person(s) who performed the repair, and, if applicable, the name, address and phone number of the person's employer.

- (iii) Description of service performed.
  - (iv) Each component that was installed, repaired, serviced, or removed, including the required component identification information pursuant to subparagraph (c)(3)(A).
  - (v) Each component that was installed as replacement, if applicable, including the required component identification information pursuant to subparagraph (c)(3)(A).
  - (vi) Receipts for parts used in the repair and, if applicable, work orders, which shall include the name and signature of the person responsible for performing the repairs.
- (C) Records of tests, which shall include:
- (i) Date and time of each test.
  - (ii) District confirmation number of notifications.
  - (iii) Name, affiliation, address and phone number of the person(s) who performed the test.
  - (iv) Test data and calibration data for all equipment used.
  - (v) Date and time each test is completed and the facility owner/operator is notified of the results. For a test that fails, a description of the reasons for the test failure shall also be included.
  - (vi) For a retest following a failed performance or reverification test, description of repairs performed pursuant to subparagraph (e)(4)(B).
  - (vii) Copies of test reports in District approved format.
- (D) Monthly gasoline throughput records.
- (E) Records to prove that the installer/contractor that installed or altered the ~~e~~Enhanced ~~v~~Vapor ~~r~~Recovery equipment has successfully completed a manufacturer training program and any relevant state certification program applicable to the Phase I and Phase II ~~e~~Enhanced ~~v~~Vapor ~~r~~Recovery systems and associated components as specified in subparagraph (c)(3)(A).
- (f) Performance and Reverification Test Methods
- All required tests shall be conducted in accordance with the most recently CARB approved version of CARB test methods or as stated in the applicable CARB Executive Orders including the corresponding Installation, Operation and

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Maintenance Manual test procedures or any other test methods approved in writing by the USEPA, CARB, or the District.

(g) Exemptions

- (1) The provisions of this rule shall not apply to the transfer of gasoline into testing equipment used to verify the efficiency of the vapor recovery system by CARB or the District or testing contractors, the accuracy of the gasoline dispensing equipment by the Department of Weight and Measures, and the fire safety standards by the Fire Department.
- (2) The requirements of paragraph (c)(2) shall not apply to the fueling of Tournament of Roses parade floats.
- (3) For the purposes of this rule, any requirement for equipment or component(s) to be CARB certified where an applicable valid Executive Order has not been issued by CARB shall not apply until an applicable Executive Order becomes effective.

(h) Rule 1402 Inventory Requirements

A retail gasoline transfer and dispensing facility that is in compliance with all applicable provisions of this rule, CARB Executive Orders, and District permit conditions shall not be required to submit an emission inventory to the Executive Officer, pursuant to subparagraph ~~(n)(1)(B)~~(p)(1)(B) of Rule 1402 - Control of Toxic Air Contaminants from Existing Sources, and is deemed in compliance with the requirements of Rule 1402, unless the facility exceeds the significant risk level as defined in Rule 1402.

**ATTACHMENT A**

**AQMD-REQUIRED SIGNS**

- I. The operator shall post nozzle operating instructions and the following signs:
- (A) SCAQMD toll-free telephone number: "If you have nozzle problems, please call the Air Quality Management District at the toll-free number (800) 242-4020;" or equivalent information approved in writing by the Executive Officer; and
  - (B) A "warning" stating:

**"TOXIC RISK - FOR YOUR OWN PROTECTION  
DO NOT BREATHE FUMES  
DO NOT TOP TANKS"**

- II. All required signs shall conform to all of the following:
- (A) For decal signs:
    - (i) Each sign shall be visible from all fueling positions it serves; and
    - (ii) Sign shall be readable from a distance of 3 feet.
  - (B) All other signs:
    - (i) For pump toppers, one double-back sign per island;
    - (ii) For permanent (non-decal) signs, two single-sided or one double-sided sign(s) per two (2) dispensers.
    - (iii) All signs shall be readable from a distance of 6 feet.

**ATTACHMENT B**

**DAILY MAINTENANCE INSPECTION PROTOCOL**

The owner/operator of a retail gasoline transfer and dispensing facility shall at minimum verify the following during the daily maintenance inspections:

**(A) PHASE I VAPOR RECOVERY SYSTEM INSPECTION**

1. The spill container is clean and does not contain gasoline. The spill containment drain valve shall be vapor-tight.
2. The fill caps are not missing, damaged or loose.
3. If applicable:
  - a. the ~~spring-loaded~~-submerged fill tube seals properly against the ~~coaxial~~-fitting
  - b. the dry break (poppet valve) is not missing or damaged.
4. The submerged fill tube is not missing or damaged.

**(B) PHASE II VAPOR RECOVERY SYSTEM INSPECTION**

1. The fueling instructions are clearly displayed with the appropriate toll-free complaint phone number and toxic warning signs.
2. The following nozzle components are in place and in good condition, as specified in CARB Executive Orders:
  - a. faceplate/facecone; vapor splash guard/fill guard/efficiency compliance device (ECD)/VEG
  - b. bellows
  - c. latching device spring
  - d. vapor check valve
  - e. spout (proper diameter/vapor collection holes)
  - f. insertion interlock mechanism
  - g. automatic shut-off mechanism
  - h. hold open latch
3. The hoses are not torn, flattened or crimped.
4. For vacuum-assist systems, the vapor processing unit and burner are functioning properly.

**(C) RECORDS OF DEFECTIVE COMPONENTS**

**ATTACHMENT C**

**PERIODIC COMPLIANCE INSPECTION PROTOCOL**

The owner/operator of a retail gasoline transfer and dispensing facility shall at minimum verify the following during the periodic compliance inspections:

**(A) GENERAL INSPECTION**

1. The District permit is current.
2. The equipment and District permit description match.
3. The facility complies with all permit conditions.
4. The required sign is properly posted and the sign contains all the necessary information. (i.e., toll-free complaint phone number, toxic warning sign, etc.)

**(B) PHASE I VAPOR RECOVERY SYSTEM INSPECTION**

1. The spill container is clean and does not contain gasoline.
2. The fill caps are not missing, damaged or loose.
3. If applicable:
  - a. the spring-loaded submerged fill tube seals properly against the coaxial fitting
  - b. the dry break (poppet valve) is not missing or damaged.
4. The submerged fill tube is not missing or damaged.
5. The distance between the highest level of the discharge opening of the submerged fill tube and the bottom of the stationary storage tank does not exceed six inches (6").
6. The Phase I vapor recovery system complies with required CARB certification and is properly installed.
7. The spill box complies with required CARB certification and is properly installed.
8. The vent pipes are equipped with required pressure/vacuum relief valves.

**(C) PHASE II VAPOR RECOVERY SYSTEM INSPECTION**

1. The fueling instructions are clearly displayed.
2. Each nozzle is the current CARB-certified model.

**ATTACHMENT C - CONTINUED**

3. Each nozzle is installed in accordance with the applicable CARB Executive Orders.
4. The following nozzle components are in place and in good condition, as specified in CARB Executive Orders or California Code of Regulations, Title 17, Part III, Chapter 1, subchapter 8, section 94006 or Health and Safety Code Section 41960.2 (e):
  - a. faceplate/facecone; vapor splash guard/fill guard/efficiency compliance device (ECD)
  - b. bellows
  - c. latching device spring
  - d. vapor check valve
  - e. spout (proper diameter/vapor collection holes)
  - f. insertion interlock mechanism
  - g. automatic shut-off mechanism
  - h. Hold open latch
5. The hoses are not torn, flattened or crimped.
6. The vapor recovery hoses are the required size and length.
7. The hoses with retractors are adjusted to maintain a proper loop, and the bottom of the loop is within the distance from the island surface certified by the CARB Executive Order for that particular dispenser configuration.
8. The vapor recovery nozzles are equipped with required hoses.
9. The bellows-equipped vapor recovery nozzles are equipped with CARB certified insertion interlock mechanisms.
10. If required, the flow limiter is not missing and is installed properly.
11. The swivels are not missing, defective, or leaking, and the dispenser-end swivels, if applicable, are Fire-Marshall approved with 90-degree stops.
12. If required, the liquid removal devices comply with required CARB certifications and are properly installed.
13. For bellows-less nozzles, the hoses are inverted coaxial type ~~except for Hirt systems~~, and the vapor collection holes are not obstructed.
14. For vacuum-assist systems, the vapor processing unit and burner are functioning properly.

~~ATTACHMENT C CONTINUED~~

15. ~~For aspirator assist systems, the major components (i.e. aspirator or jet pump, modulating valve, and vapor check valve) are present inside each dispenser. For aspirator assist systems with certification required calibration stickers, the current calibration sticker is present.~~

**ATTACHMENT F-3**

(PAR 219 January 7, 2022)

**PROPOSED AMENDED RULE 219      EQUIPMENT NOT REQUIRING A  
WRITTEN PERMIT PURSUANT TO REGULATION II**  
**[Rule Index to be updated after adoption]**

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(Amended May 5, 2017)(Amended April 6, 2018) (PAR 219 January 7, 2022)

**PROPOSED AMENDED RULE 219 - EQUIPMENT NOT REQUIRING A  
WRITTEN PERMIT PURSUANT TO REGULATION II**

Purpose

The purpose of this rule is to identify equipment, processes, or operations that emit small amounts of air contaminants that shall not require written permits, unless such equipment, process or operation is subject to subdivision (s) – Exceptions. In addition, exemption from written permit requirements in this rule is only applicable if the equipment, process, or operation is in compliance with subdivision (t).

Written permits are not required for:

- (a) Mobile Equipment
- (1) motor vehicle or vehicle as defined by the California Vehicle Code; or
  - (2) marine vessel as defined by Health and Safety Code Section 39037.1; or
  - (3) a motor vehicle or a marine vessel that uses one internal combustion engine to propel the motor vehicle or marine vessel and operate other equipment mounted on the motor vehicle or marine vessel; or
  - (4) equipment which is mounted on a vehicle, motor vehicle or marine vessel if such equipment does not emit air contaminants;
  - (5) asphalt pavement heaters (which are any mobile equipment used for the purposes of road maintenance and new road construction) provided a filing pursuant to Rule 222 is submitted to the Executive Officer.

This subdivision does not apply to air contaminant emitting equipment which is mounted and operated on motor vehicles, marine vessels, mobile hazardous material treatment systems, mobile day tankers [except those carrying solely fuel oil with an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at 21.1 °C (70 °F)].

- (b) Combustion and Heat Transfer Equipment

- (1) Internal combustion engines with a manufacturer's rating of 50 brake horsepower or less; or internal combustion engines, used exclusively for electrical generation at remote two-way radio transmission towers where no utility, electricity or natural gas is available within a ½ mile radius, with a manufacturer's rating of 100 brake horsepower or less and are fired exclusively on diesel #2 fuel, compressed natural gas (CNG) or liquefied petroleum gas (LPG); or stationary gas turbine engines including micro-turbines, with a rated maximum heat input capacity of 3,500,000 British thermal units (Btu) per hour or less, provided that the cumulative power output of all such engines at a facility is less than two megawatts, and that the engines are certified at the time of manufacture with the state of California or were in operation prior to May 3, 2013 provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
- (2) Boilers, process heaters, or any combustion equipment that has a rated maximum heat input capacity of 2,000,000 Btu per hour (gross) or less and are equipped to be heated exclusively with natural gas, methanol, liquefied petroleum gas, or any combination thereof; or diesel fueled boilers that have a rated maximum heat input capacity of 2,000,000 Btu per hour or less, are fueled exclusively with diesel #2 fuel, and are located more than 4,000 feet above sea level or more than 15 miles offshore from the mainland, and where the maximum NOx emission output of the equipment is less than one pound per day and uses less than 50 gallons of fuel per day, and have been in operation prior to May 3, 2013 provided a filing pursuant to Rule 222 is submitted to the Executive Officer. This exemption does not apply to internal combustion engines or turbines. This exemption does not apply whenever there are emissions other than products of combustion, except for food ovens with a rated maximum heat input capacity of 2,000,000 Btu/hour or less, that are fired exclusively on natural gas and where the process VOC emissions are less than one pound per day, and provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
- (3) Portable diesel fueled heaters, with a rated maximum heat input capacity of 250,000 Btu per hour or less, and that are equipped with burner(s) designed to fire exclusively on diesel fuel only provided a filing pursuant to Rule 222 is submitted to the Executive Officer.

- (4) Power pressure washers and hot water or steam washers and cleaners, that are equipped with a heater or burner that is designed to be fired on diesel fuel, has a rated maximum heat input capacity of 550,000 Btu per hour or less, is equipped with non-resettable chronometer, and the maximum NOx emission output of the equipment is less than one pound per day and uses no more than 50 gallons of fuel per day provided a filing pursuant to Rule 222 is submitted to the Executive Officer. This exemption does not apply to internal combustion engines or turbines.
  - (5) Fuel cells, which produce electricity in an electro-chemical reaction and use phosphoric acid, molten carbonate, proton exchange membrane, or solid oxide technologies; and associated heating equipment, provided the heating equipment:
    - (A) does not use a combustion source; or
    - (B) notwithstanding paragraph (b)(2), is fueled exclusively with natural gas, methanol, liquefied petroleum gas, or any combination thereof, including heaters that have a rated maximum heat input capacity of greater than 2,000,000 Btu per hour, provided that the supplemental heat used is 90,000 therms per year or less and provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
  - (6) Test cells and test stands used for testing burners or internal combustion engines provided that the equipment uses less than 800 gallons of diesel fuel and 3,500 gallons of gasoline fuel per year, or uses other fuels with equivalent or less emissions.
  - (7) Internal combustion engines used exclusively for training at educational institutions.
  - (8) Portable combustion equipment, pursuant to subdivision (r).
- (c) Structures and Equipment - General
- (1) Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.
  - (2) Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.
  - (3) Identical replacement in whole or in part of any equipment where a permit to operate had previously been granted for such equipment under Rule 203, except seals for external or internal floating roof storage tanks.

- (4) Replacement of floating roof tank seals provided that the replacement seal is of a type and model which the Executive Officer has determined is capable of complying with the requirements of Rule 463.
  - (5) Equipment utilized exclusively in connection with any structure which is designed for and used exclusively as a dwelling for not more than four families, and where such equipment is used by the owner or occupant of such a dwelling. .
  - (6) Laboratory testing and quality control testing equipment used exclusively for chemical and physical analysis, non-production bench scale research equipment, and control equipment exclusively venting such equipment. Laboratory testing equipment does not include engine test stands or test cells unless such equipment is also exempt pursuant to paragraph (b)(4).
  - (7) Vacuum-producing devices used in laboratory operations or in connection with other equipment not requiring a written permit.
  - (8) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.
  - (9) Hoods, stacks, or ventilators.
  - (10) Passive and intermittently operated active venting systems used at and around residential structures to prevent the accumulation of naturally occurring methane and associated gases in enclosed spaces.
  - (11) Sub-slab Ventilation systems including associated air pollution control equipment with an aggregate flow rate of less than 200 standard cubic feet per minute (scfm) where vacuum suction pits do not penetrate more than 18 inches below the bottom of the slab, provided the inlet total organic compounds concentration does not exceed 15 ppmv, measured as hexane, and provided the ventilations system is connected to air pollution control equipment consisting of a carbon adsorber sized to handle at least 200 scfm, or equivalent air pollution control.
- (d) Utility Equipment - General
- (1) Comfort air conditioning or ventilating systems which are not designed or used to remove air contaminants generated by, or released from, specific equipment units, provided such systems are exempt pursuant to paragraph (b)(2).
  - (2) Refrigeration units except those used as or in conjunction with air pollution control equipment.

- (3) Water cooling towers and water cooling ponds, both not used for evaporative cooling of process water or used for evaporative cooling of water from barometric jets or from barometric condensers and in which no chromium compounds are contained, including:
    - (A) Cooling towers used for comfort cooling; and
    - (B) Industrial cooling towers located in a chemical plant, refinery or other industrial facility, provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
  - (4) Equipment used exclusively to generate ozone and associated ozone destruction equipment for the treatment of cooling tower water or for water treatment processes.
  - (5) Equipment used exclusively for steam cleaning provided such equipment is also exempt pursuant to paragraph (b)(2).
  - (6) Equipment used exclusively for space heating provided such equipment is exempt pursuant to paragraph (b)(2).
  - (7) Equipment used exclusively to compress or hold purchased quality natural gas, except internal combustion engines not exempted pursuant to paragraph (b)(1).
  - (8) Emergency ventilation systems used exclusively to scrub ammonia from refrigeration systems during process upsets or equipment breakdowns.
  - (9) Emergency ventilation systems used exclusively to contain and control emissions resulting from the failure of a compressed gas storage system.
  - (10) Passive carbon adsorbers, with a maximum vessel capacity of no more than 120 gallons, without mechanical ventilation, and used exclusively for odor control at wastewater treatment plants, food waste slurry storage tanks, or sewer collection systems, including sanitary sewers, manholes, and pump stations.
  - (11) Refrigerant recovery and/or recycling units. This exemption does not include refrigerant reclaiming facilities.
  - (12) Carbon arc lighting equipment provided such equipment is exempt pursuant to paragraph (b)(1).
- (e) Glass, Ceramic, Metallurgical Processing, and Fabrication Equipment
- (1) Crucible-type or pot-type furnaces with a brimful capacity of less than 7400 cubic centimeters (452 cubic inches) of any molten metal and control equipment exclusively venting the equipment.

- (2) Crucible furnaces, pot furnaces, or induction furnaces with a capacity of 450 kilograms (992 pounds) or less each, and control equipment used to exclusively vent the equipment where no sweating or distilling is conducted and where only the following materials are poured or held in a molten state:
  - (A) Aluminum or any alloy containing over 50 percent aluminum,
  - (B) Magnesium or any alloy containing over 50 percent magnesium,
  - (C) Tin or any alloy containing over 50 percent tin,
  - (D) Zinc or any alloy containing over 50 percent zinc,
  - (E) Copper or any alloy containing over 50 percent copper,
  - (F) Precious metals, and
  - (G) Ceramic materials, including glass and porcelain.Provided these materials do not contain alloying elements of arsenic, beryllium, cadmium, chromium and/or lead and such furnaces are exempt pursuant to paragraph (b)(2).
- (3) Molds used for the casting of metals and control equipment used to exclusively vent the equipment.
- (4) Inspection equipment used exclusively for metal, plastic, glass, or ceramic products and control equipment used to exclusively vent such equipment.
- (5) Ovens used exclusively for curing potting materials or castings made with epoxy resins, provided such ovens are exempt pursuant to paragraph (b)(2).
- (6) Hand-held or automatic brazing and soldering equipment, and control equipment that exclusively vents such equipment, provided that the equipment uses one quart per day or less or 22 quarts per calendar month or less of material containing VOC. This exemption does not include hot oil, hot air, or vapor phase solder leveling equipment and related control equipment.
- (7) Brazing ovens where no volatile organic compounds (except flux) are present in the materials processed in the ovens, provided such ovens are exempt pursuant to paragraph (b)(2).
- (8) Welding equipment, oxygen gaseous fuel-cutting equipment, hand-held plasma-arc cutting equipment, hand-held laser cutting equipment, laser etching or engraving equipment and associated air pollution control equipment. This exemption does not include cutting equipment described in this paragraph that is used to cut stainless steel, or alloys containing 0.1% by weight or more of chromium, nickel, cadmium or lead, unless the

equipment is used exclusively for maintenance or repair operations. In addition this exemption does not include laser cutting, etching and engraving equipment that are rated more than 400 watts,.

- (9) Sintering equipment used exclusively for the sintering of metal (excluding lead) or glass where no coke or limestone is used, and control equipment exclusively venting such equipment, provided such equipment is exempt pursuant to paragraph (b)(2).
- (10) Mold forming equipment for foundry sand to which no heat is applied, and where no volatile organic materials are used in the process, and control equipment used to exclusively vent such equipment.
- (11) Metal forming equipment or equipment used for heating metals for forging, rolling, pressing, or drawing of metals provided that any lubricants used have 50 grams or less of VOC per liter of material or a VOC composite partial pressure of 20 mm Hg or less at 20 °C (68 °F) provided such heaters are exempt pursuant to paragraph (b)(2) and control equipment exclusively venting the equipment.
- (12) Heat treatment equipment and associated water quench tanks used exclusively for heat treating glass or metals (provided no volatile organic compound materials are present), or equipment used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects, provided any combustion equipment involved is exempt pursuant to paragraph (b)(2).
- (13) Ladles used in pouring molten metals.
- (14) Tumblers used for the cleaning or deburring of solid materials, and associated air pollution control equipment.
- (15) Die casting machines, except those used for copper base alloys, those with an integral furnace having a brimful capacity of more than 450 kg (992 lbs.), or those using a furnace not exempt pursuant to paragraph (b)(2).
- (16) Furnaces or ovens used for the curing or drying of porcelain enameling, or vitreous enameling provided such furnaces or ovens are exempt pursuant to paragraph (b)(2).
- (17) Wax burnout kilns where the total internal volume is less than 0.2 cubic meter (7.0 cubic feet) or kilns used exclusively for firing ceramic ware, provided such kilns are exempt pursuant to paragraph (b)(2) and control equipment used to exclusively vent the equipment.

- (18) Shell-core and shell-mold manufacturing machines.
  - (19) Furnaces used exclusively for melting titanium materials in a closed evacuated chamber where no sweating or distilling is conducted, provided such furnaces are exempt pursuant to paragraph (b)(2).
  - (20) Vacuum metallizing chambers which are electrically heated or heated with equipment that is exempt pursuant to paragraph (b)(2), and control equipment used to exclusively vent such equipment, provided the control equipment is equipped with a mist eliminator or the vacuum pump used with control equipment demonstrates operation with no visible emissions from the vacuum exhaust.
  - (21) Notwithstanding the exemptions in paragraph (e)(12), equipment existing as of May 5, 2017 that is subject to the exemption in paragraph (e)(12) that is an integral part of an operation requiring a written permit shall continue to be exempt, provided the equipment is identified, described in detail and submitted for inclusion into the permit equipment description with any associated application for Permit to Construct or Permit to Operate. Equipment described in this paragraph includes, but is not limited to quench tanks that are part of a heat treating operation.
- (f) Abrasive Blasting Equipment
- (1) Blast cleaning cabinets in which a suspension of abrasive in water is used and control equipment used to exclusively vent such equipment.
  - (2) Manually operated abrasive blast cabinet, vented to a dust-filter where the total internal volume of the blast section is 1.5 cubic meters (53 cubic feet) or less, and any dust filter exclusively venting such equipment.
  - (3) Enclosed equipment used exclusively for shot blast removal of flashing from rubber and plastics at sub-zero temperatures and control equipment exclusively venting such equipment.
  - (4) Shot peening operations, flywheel type and control equipment used to exclusively vent such equipment.
  - (5) Portable sand/water blaster equipment and associated internal combustion engine provided the water in the mixture is 66 percent or more by volume is maintained during operation of such equipment. Internal combustion engines must be exempt pursuant to paragraph (b)(1).
- (g) Mechanical Equipment

- (1) Equipment used exclusively for buffing (except tire buffers), polishing, carving, mechanical cutting, drilling, machining, pressing, routing, sanding, stamping, surface grinding or turning provided that any lubricants, coolants, or cutting oils used have 50 grams or less of VOC per liter of material or a VOC composite partial pressure of 20 mm Hg or less at 20 °C (68 °F) and control equipment used to exclusively vent such equipment. This exemption does not include asphalt pavement grinders, or portable asphalt recycling equipment.
  - (2) Wood Products: Equipment used exclusively for shredding of wood, or the extruding, handling, or storage of wood chips, sawdust, or wood shavings and control equipment used to exclusively vent such equipment, provided the source of the wood does not include wood that is painted or treated for exterior exposure, or wood that is comingled with other construction and demolition materials. This exemption does not include internal combustion engines over 50 bhp, which are used to supply power to such equipment. In addition, this exemption does not include the shredding, extruding, handling or storage of any organic waste material generated from gardening, agricultural, or landscaping activities including, but not limited to, leaves, grass clippings, tree and shrub trimmings and plant remains.
  - (3) Equipment used exclusively to mill or grind coatings or molding compounds where all materials charged are in the paste form.
  - (4) Equipment used for separation or segregation of plastic materials intended for recycling, provided there is no mechanical cutting, shredding or grinding and where no odors are emitted.
- (h) **Printing and Reproduction Equipment**
- (1) Printing and related coating and/or laminating equipment and associated dryers and curing equipment, as well as associated air pollution control equipment, provided such dryers and curing equipment are exempt pursuant to paragraph (b)(2), and air pollution control equipment is not required for source specific rule compliance, and provided that:
    - (A) the VOC emissions from such equipment (including clean-up) are three pounds per day or less or 66 pounds per calendar month or less; or
    - (B) the total quantity of plastisol type inks, coatings and adhesives and associated VOC containing solvents (including clean-up) used is six

(6) gallons per day or less or 132 gallons per calendar month or less;  
or

- (C) the total quantity of UV/EB/LED (non-solvent based and non-waterborne) inks, coatings, and adhesives, fountain solutions (excluding water) and associated VOC containing solvents (including clean-up) is six (6) gallons per day or less, or 132 gallons per calendar month or less; or
- (D) the total quantity of inks, coatings and adhesives not specified in (B) or (C) above, fountain solutions (excluding water) and associated VOC containing solvents (including clean-up) used is two (2) gallons per day or less or 44 gallons per calendar month or less; or
- (E) all inks, coatings and adhesives, fountain solutions, and associated VOC containing solvents (excluding cleanup solvents) contain fifty (50) grams or less of VOC per liter of material and all cleanup solvents contain twenty five (25) grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed one ton per calendar year, and provided that either:
  - (i) a filing pursuant to Rule 222 is submitted to the Executive Officer; or
  - (ii) within 60 days after start-up for new, relocated, or modified facilities, or by March 1, 2018 for facilities existing as of May 5, 2017, a low-VOC verification is submitted to the Executive Officer, in a format approved by the Executive Officer, to demonstrate compliance with material and cleanup solvent VOC concentration limits and the annual VOC emission limit.

If combination of the inks, coatings, and adhesives identified in (B), (C) and/or (D) are used in any equipment, this exemption is only applicable if the operations meet the criteria specified in (A) or (E), or the total usage of inks, coatings, adhesives, fountain solutions (excluding water) and associated VOC containing solvents (including cleanup) meets the most stringent applicable limit in (B) (C) or (D). For exemptions based on usage, solvent based UV and waterborne UV materials are subject to the usage limits in (D). VOC emissions shall be determined using test methods approved by the District, CARB and U.S. EPA. In the absence of

approved test methods, the applicant can submit VOC calculation procedures acceptable to the District.

- (2) Photographic process equipment by which an image is reproduced upon material sensitized by radiant energy and control equipment exclusively venting such equipment, excluding wet gate printing utilizing perchloroethylene and its associated control equipment.
  - (3) Lithographic printing equipment which uses laser printing.
  - (4) Printing equipment used exclusively for training and non-production at educational institutions.
  - (5) Flexographic plate making and associated processing equipment.
  - (6) Corona treating equipment and associated air pollution control equipment used for surface treatment in printing, laminating and coating operations.
  - (7) Hand application of materials used in printing operations including but not limited to the use of squeegees, screens, stamps, stencils, any hand tools, and associated air pollution control equipment used to exclusively vent the hand application of materials in printing operations unless such air pollution control equipment is required for source specific rule compliance.
- (i) Pharmaceuticals, Cosmetics, and Food Processing and Preparation Equipment
- (1) Smokehouses for preparing food in which the maximum horizontal inside cross-sectional area does not exceed 2 square meters (21.5 square feet) and control equipment exclusively venting the equipment.
  - (2) Smokehouses exclusively using liquid smoke, and which are completely enclosed with no vents to either a control device or the atmosphere.
  - (3) Confection cookers where products are edible and intended for human consumption, provided such equipment is exempt pursuant to (b)(2).
  - (4) Grinding, blending, or packaging equipment used exclusively for tea, cocoa, roasted coffee, flavor, fragrance extraction, dried flowers, or spices, provided that the facility uses less than one gallon per day or twenty-two (22) gallons per month of VOC containing solvents, and control equipment used to exclusively vent such equipment.
  - (5) Equipment used in eating establishments for the purpose of preparing food for human consumption.
  - (6) Equipment used to convey or process materials in bakeries or used to produce noodles, macaroni, pasta, food mixes, and drink mixes where products are edible and intended for human consumption provided that the

facility uses less than one gallon per day or twenty-two (22) gallons per month of VOC containing solvents, and control equipment exclusively venting such equipment. This exemption does not include storage bins located outside buildings, or equipment not exempt pursuant to paragraph (b)(2).

- (7) Cooking kettles where the entire product in the kettle is edible and intended for human consumption. This exemption does not include deep frying equipment used in facilities other than eating establishments.
- (8) Coffee roasting equipment with a maximum capacity of 15 kilograms or less, and control equipment used to exclusively vent the equipment.
- (9) Equipment used exclusively for tableting, or packaging vitamins, or coating vitamins, herbs, or dietary supplements provided that the equipment uses waterborne solutions that contain a maximum VOC content of no more than 25 grams per liter, or the facility uses less than one gallon per day or twenty-two (22) gallons per month of VOC containing solvents, and control equipment used exclusively to vent such equipment.
- (10) Equipment used exclusively for tableting or packaging pharmaceuticals and cosmetics, or coating pharmaceutical tablets, provided that the equipment uses waterborne solutions that contain a maximum VOC content of no more than 25 grams per liter, or the facility uses less than one gallon per day or twenty-two (22) gallons per month of VOC containing solvents, and control equipment used exclusively to vent such equipment.
- (11) Modified atmosphere food packaging equipment using mixture of gases of no more than 0.4% of carbon monoxide by volume.
- (12) Charbroilers, barbecue grills, and other underfired grills fired on solid or gaseous fuels used in multi-family residential units only if used by the owner or occupant of such dwelling for non-commercial purposes.
- (13) Equipment used to brew beer for human consumption at breweries that produce less than 1,000,000 gallons of beer per calendar year and associated equipment cleaning, provided all equipment used in the manufacturing operation is exempt pursuant to paragraph (b)(2). This exemption does not apply to boilers.
- (14) Equipment used to manufacture dehydrated meat for human or pet consumption, provided non-combustion VOC and PM emissions, including emissions from materials used for cleaning are each one pound per day or

less, and the operating temperature is less than 190 degrees Fahrenheit for dehydrating ovens, and provided such equipment is either fired exclusively on natural gas with a maximum heat input capacity of 2,000,000 Btu/hour or less, or is electric.

- (j) **Plastics, Composite, and Rubber Processing Equipment**
- (1) Presses or molds used for curing, post curing, or forming composite products and plastic products where no VOC or chlorinated blowing agent is present, and control equipment is used exclusively to vent these presses or molds.
  - (2) Presses or molds with a ram diameter of less than or equal to 26 inches used for curing or forming rubber products and composite rubber products excluding those operating above 400 °F.
  - (3) Ovens used exclusively for the forming of plastics or composite products, where no foam forming or expanding process is involved.
  - (4) Equipment used exclusively for softening or annealing plastics, provided such equipment is exempt pursuant to paragraph (b)(2). This exemption does not include equipment used for recycling of expanded polystyrene.
  - (5) Extrusion equipment used exclusively for extruding rubber products or plastics where no organic plasticizer is present, or for pelletizing polystyrene foam scrap, except equipment used to extrude or to pelletize acrylics, polyvinyl chloride, polystyrene, and their copolymers.
  - (6) Injection or blow molding equipment for rubber or plastics where no blowing agent is used, or where only compressed air, water or carbon dioxide is used as a blowing agent, and control equipment used to exclusively vent such equipment.
  - (7) Mixers, roll mills and calendars for rubber or plastics where no material in powder form is added and no VOC containing solvents, diluents or thinners are used.
  - (8) Ovens used exclusively for the curing of vinyl plastisols by the closed-mold curing process, provided such ovens are exempt pursuant to paragraph (b)(2).
  - (9) Equipment used exclusively for conveying and storing plastic materials, provided they are not in powder form and control equipment exclusively venting the equipment.
  - (10) Hot wire cutting of expanded polystyrene foam and woven polyester film.

- (11) Photocurable stereolithography equipment and associated post curing equipment.
- (12) Laser sintering equipment used exclusively for the sintering of nylon or plastic powders and control equipment exclusively venting such equipment, provided such equipment is exempt pursuant to paragraph (b)(2).
- (13) Roller to roller coating systems that create 3-dimensional images provided:
  - (A) the VOC emissions from such equipment (including cleanup) are three (3) pounds per day or less or 66 pounds per calendar month or less; or
  - (B) the coatings contain twenty five (25) grams or less of VOC per liter of material provided that the coating used on such equipment is 12 gallons per day or less or 264 gallons per calendar month or less; or
  - (C) the coatings contain fifty (50) grams or less of VOC per liter of material, and using exclusively cleanup solvents containing twenty five (25) grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed one ton per calendar year, and provided a filing pursuant to Rule 222 is submitted to the Executive Officer.

VOC emissions shall be determined using test methods approved by the District, CARB and U.S. EPA. In the absence of approved test methods, the applicant can submit VOC calculation procedures acceptable to the District.

(k) **Mixing, Blending, and Packaging Equipment**

- (1) Batch mixers, which have a brimful capacity of 55 gallons or less (7.35 cubic feet) and control equipment used exclusively to vent the equipment, and associated filling equipment.
- (2) Equipment used exclusively for mixing and blending of materials where no VOC containing solvents are used and no materials in powder form are added, and associated filling equipment.
- (3) Equipment used exclusively for mixing and blending of materials to make water emulsions of asphalt, grease, oils, or waxes where no materials in powder or fiber form are added.
- (4) Equipment used to blend, grind, mix, or thin liquids to which powders may be added, with a capacity of 950 liters (251 gallons) or less, where no

- supplemental heat is added and no ingredient charged (excluding water) exceeds 135 °F and control equipment exclusively venting the equipment.
- (5) Cosmetics filling stations where the filling equipment is hard piped to the cosmetics mixer or the holding tank feeding the filling equipment provided that the mixer and holding tank is exempt under this rule.
  - (6) Concrete mixers, with a rated working capacity of one cubic yard or less and control equipment used exclusively to vent the equipment.
  - (7) Equipment used exclusively for the packaging of lubricants or greases.
  - (8) Equipment used exclusively for the packaging of sodium hypochlorite-based household cleaning or sodium hypochlorite-based pool products and control equipment used exclusively to vent the equipment.
  - (9) Foam packaging equipment using twenty (20) gallons per day or less or 440 gallons per calendar month or less of liquid foam material or containing fifty (50) grams of VOC per liter of material, or less.
- (1) **Coating and Adhesive Process/Equipment**
- (1) Equipment used exclusively for coating objects with oils, melted waxes or greases which contain no VOC containing materials, including diluents or thinners.
  - (2) Equipment used exclusively for coating objects by dipping in waxes or natural and synthetic resins which contain no VOC containing materials including, diluents or thinners.
  - (3) Batch ovens with 1.5 cubic meters (53 cubic feet) or less internal volume where no melting occurs, provided such equipment is exempt pursuant to paragraph (b)(2). This exemption does not include ovens used to cure vinyl plastisols or debond brake shoes.
  - (4) Ovens used exclusively to cure 30 pounds per day or less or 660 pounds per calendar month or less of powder coatings, provided that such equipment is exempt pursuant to paragraph (b)(2).
  - (5) Spray coating equipment operated within control enclosures.
  - (6) Coating or adhesive application or laminating equipment such as air, airless, air-assisted airless, high volume low pressure (HVLV), air brushes, electrostatic spray equipment, roller coaters, dip coaters, vacuum coaters, flow coaters and spray machines provided that:

- (A) the VOC emissions from such equipment (including clean-up) are three (3) pounds per day or less or 66 pounds per calendar month or less; or
- (B) the total quantity of UV/EB/LED (non-solvent based and non-waterborne) coatings adhesives and associated VOC containing solvents (including clean-up) used in such equipment is six (6) gallons per day or less or 132 gallons per calendar month or less; or
- (C) the total quantity of organic solvent based coatings and adhesives and associated VOC containing solvents (including clean-up) used in such equipment is one (1) gallon per day or less or 22 gallons per calendar month or less; or
- (D) the total quantity of water reducible or waterborne coatings and adhesives and associated VOC containing solvents (including clean-up) used in such equipment is three (3) gallons per day or less or 66 gallons per calendar month or less; or
- (E) the total quantity of polyester resin and gel coat type materials and associated VOC containing solvents (including clean-up) used in such equipment is one (1) gallon per day or less or 22 gallons per calendar month or less; or
- (F) all coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (excluding cleanup solvents) contain fifty (50) grams or less of VOC per liter of material and all cleanup solvents contain twenty five (25) grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed one ton per calendar year, and provided that:
  - (i) a filing pursuant to Rule 222 is submitted to the Executive Officer; or
  - (ii) within 60 days after start-up for new, relocated, or modified facilities, or by March 1, 2018 for facilities existing as of May 5, 2017, a low-VOC verification is submitted to the Executive Officer, in a format approved by the Executive Officer, to demonstrate compliance with material and cleanup solvent VOC concentration limits and the annual VOC emission limit.

If combination of the coatings, adhesives and polyester resin and gel coat type materials identified in (B), (C), (D) and/or (E) are used in any equipment, this exemption is only applicable if the operations meet the criteria specified in (A) or (F), or the total usage of coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (including cleanup) meets the most stringent applicable limit in (B), (C), (D) or (E). For exemptions based on usage, solvent-based UV and waterborne UV materials are subject to the usage limits in (C) and (D), respectively. VOC emissions shall be determined using test methods approved by the District, CARB and U.S. EPA. In the absence of approved test methods, the applicant can submit VOC calculation procedures acceptable to the District.

- (7) Spray coating and associated drying equipment and control enclosures used exclusively for educational purposes in educational institutions.
- (8) Control enclosures with an internal volume of 27 cubic feet or less, provided that aerosol cans, air brushes, or hand applications are used exclusively.
- (9) Portable coating equipment and pavement stripers used exclusively for the application of architectural coatings, and associated internal combustion engines provided such equipment is exempt pursuant to subdivision (a) or paragraph (b)(1), and provided no supplemental heat is added during pavement striping operations.
- (10) Hand application of resins, adhesives, dyes, and coatings using devices such as brushes, daubers, rollers, and trowels.
- (11) Drying equipment such as flash-off ovens, drying ovens, or curing ovens associated with coating or adhesive application or laminating equipment provided the drying equipment is exempt pursuant to paragraph (b)(2), and provided that:
  - (A) the total quantity of VOC emissions from all coating and/or adhesive application, and laminating equipment that the drying equipment serves is three (3) pounds per day or less or 66 pounds per calendar month or less; or
  - (B) the total quantity of UV/EB/LED (non-solvent based and non-waterborne) coatings and adhesives, and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating equipment that the drying equipment

serves is six (6) gallons per day or less or 132 gallons per calendar month or less; or

- (C) the total quantity of solvent based coatings and adhesives and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating equipment that the drying equipment serves is one (1) gallon per day or less or 22 gallons per calendar month or less; or
- (D) the total quantity of water reducible or waterborne coating and adhesives and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating equipment that the drying equipment serves is three (3) gallons per day or less or 66 gallons per calendar month or less; or
- (E) the total quantity of polyester resin and gel coat type materials and associated VOC containing solvents (including clean-up) used in all coating, adhesive application, and laminating equipment that the drying equipment serves is one (1) gallon per day or less or 22 gallons per calendar month or less; or
- (F) all coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (excluding cleanup solvents) contain fifty (50) grams or less of VOC per liter of material and all cleanup solvents contain twenty five (25) grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed one ton per calendar year, and provided that either:
  - (i) a filing pursuant to Rule 222 is submitted to the Executive Officer; or
  - (ii) within 60 days after start-up for new, relocated, or modified facilities, or by March 1, 2018 for facilities existing as of May 5, 2017, a low-VOC verification is submitted to the Executive Officer, in a format approved by the Executive Officer, to demonstrate compliance with material and cleanup solvent VOC concentration limits and the annual VOC emission limit.

If combination of the coatings, adhesives and polyester resin and gel coat type materials identified in (B), (C), (D) and/or (E) are used in any equipment, this exemption is only applicable if the operations meet the

criteria specified in (A) or (F), or the total usage of coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (including cleanup) meets the most stringent applicable limit in (B), (C), (D) or (E). For exemptions based on usage, solvent-based UV and waterborne UV materials are subject to the usage limits in (C) and (D), respectively. VOC emissions shall be determined using test methods approved by the District, CARB and US EPA. In the absence of approved test methods, the applicant can submit VOC calculation procedures acceptable to the District.

(m) Storage and Transfer Equipment

- (1) Equipment used exclusively for the storage and transfer of fresh, commercial or purer grades of:
  - (A) Sulfuric acid or phosphoric acid with an acid strength of 99 percent or less by weight.
  - (B) Nitric acid with an acid strength of 70 percent or less by weight.
  - (C) Water based solutions of salts or sodium hydroxide.
- (2) Equipment used exclusively for the storage and/or transfer of liquefied gases, not including:
  - (A) LPG greater than 10,000 pounds.
  - (B) Hydrogen fluoride greater than 100 pounds.
  - (C) Anhydrous ammonia greater than 500 pounds.
- (3) Equipment used exclusively for the transfer of less than 75,700 liters (20,000 gallons) per day of unheated VOC containing materials, with an initial boiling point of 150 °C (302 °F) or greater, or with an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at 21.1 °C (70 °F).
- (4) Equipment used exclusively for the storage including dispensing of unheated VOC containing materials with an initial boiling point of 150 °C (302 °F) or greater, or with an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at 21.1 °C (70 °F). This exemption does not include liquid fuel storage greater than 160,400 liters (40,000 gallons).
- (5) Equipment used exclusively for transferring VOC containing liquids, materials containing VOCs, or compressed gases into containers of less than 225 liters (60 gallons) capacity, except equipment used for transferring more than 4,000 liters (1,057 gallons) of materials per day with a vapor pressure greater than 25.8 mm Hg (0.5 psia) at operating conditions.

- (6) Equipment used exclusively for the storage and transfer of liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, waxes and wax emulsions.
- (7) Equipment used exclusively for the storage and transfer of refined lubricating or hydraulic oils and control equipment used to exclusively vent such equipment.
- (8) Equipment used exclusively for the storage and transfer of crankcase drainage oil and control equipment used to exclusively vent such equipment.
- (9) Equipment used exclusively for VOC containing liquid storage or transfer to and from such storage, of less than 950 liters (251 gallons) capacity or equipment used exclusively for the storage of odorants for natural gas, propane, or oil with a holding capacity of less than 950 liters (251 gallons) capacity and associated transfer and control equipment used exclusively for such equipment provided a filing pursuant to Rule 222 is submitted to the Executive Officer. This exemption does not include asphalt or a mobile fueler of any gasoline capacity. In addition, this exemption does not apply to a group of more than one VOC-containing liquid or odorant tank where a single product is stored, where the combined storage capacity of all tanks exceeds 950 liters (251 gallons), and where the tanks are mounted on a shared mobile platform and stored at a facility.
- (10) A retail mobile fueler with a cumulative storage capacity less than or equal to 10 gallons of gasoline, excluding one individual portable fuel container with a capacity up to 6.6 gallons of gasoline.
- (11) A non-retail mobile fueler with a cumulative storage capacity less than or equal to 120 gallons of gasoline, excluding one individual portable fuel container with a capacity up to 6.6 gallons of gasoline.
- (12) Until July 1, 2022, a mobile fueler with a cumulative storage capacity less than 251 gallons of gasoline. This exemption does not apply to a mobile fueler where the combined gasoline storage capacity of all mounted tanks exceeds 251 gallons.
- ~~(10)~~ (13) Equipment used exclusively for the storage and transfer of "top white" (i.e., Fancy) or cosmetic grade tallow or edible animal fats intended for human consumption and of sufficient quality to be certifiable for United States markets.

- (~~44~~14) Equipment, including tar pots (or tar kettles), used exclusively for the storage, holding, melting and transfer of asphalt or coal tar pitch with a maximum holding capacity of less than 600 liters (159 gallons); or equipment, including tar pots (or tar kettles), used exclusively for the storage, holding, melting and transfer of asphalt or coal tar pitch with a maximum holding capacity of no more than 3,785 liters (1,000 gallons), is equipped with burner(s) designed to fire exclusively on liquefied petroleum gases, and provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
- (~~42~~15) Pumps used exclusively for pipeline transfer of liquids.
- (~~43~~16) Equipment used exclusively for the unheated underground storage of 23,000 liters (6,077 gallons) or less, and equipment used exclusively for the transfer to or from such storage of organic liquids with a vapor pressure of 77.5 mm Hg (1.5 psi) absolute or less at actual storage conditions.
- (~~44~~17) Equipment used exclusively for the storage and/or transfer of an asphalt-water emulsion heated to 150 °F or less.
- (~~45~~18) Liquid fuel storage tanks piped exclusively to emergency internal combustion engine-generators, turbines or pump drivers.
- (~~46~~19) Bins used for temporary storage and transport of material with a capacity of 2,080 liters (550 gallons) or less.
- (~~47~~20) Equipment used for material storage where no venting occurs during filling or normal use.
- (~~48~~21) Equipment used exclusively for storage, blending, and/or transfer of water emulsion intermediates and products, including latex, with a VOC content of 5% by volume or less or a VOC composite partial pressure of 5 mm Hg (0.1 psi) or less at 20 °C (68 °F).
- (~~49~~22) Equipment used exclusively for storage and/or transfer of sodium hypochlorite solution.
- (~~20~~23) Equipment used exclusively for the storage of VOC containing materials which are stored at a temperature at least 130 °C (234 °F) below its initial boiling point, or have an organic vapor pressure of 5 mm Hg (0.1 psia) absolute or less at the actual storage temperature. To qualify for this exemption, the operator shall, if the stored material is heated, install and maintain a device to measure the temperature of the stored VOC containing

material. This exemption does not include liquid fuel storage greater than 160,400 liters (40,000 gallons), asphalt storage, or coal tar pitch storage.

- (~~24~~24) Stationary equipment used exclusively to store and/or transfer organic compounds that do not contain VOCs.
- (~~22~~25) Unheated equipment including associated control equipment used exclusively for the storage and transfer of fluorosilicic acid at a concentration of 30% or less by weight and a vapor pressure of 24 mm Hg or less at 77 °F (25 °C). The hydrofluoric acid concentration within the fluorosilicic acid solution shall not exceed 1% by weight.
- (~~23~~26) Equipment, including asphalt day tankers, used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch, that is mounted on a motor vehicle with a maximum holding capacity of less than 600 liters (159 gallons); or equipment, including asphalt day tankers, used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch, that is mounted on a motor vehicle, with a maximum holding capacity of no more than 18,925 liters (5,000 gallons), is equipped with burner(s) designed to fire exclusively on liquefied petroleum gases only, and provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
- (~~24~~27) Tanks for aqueous urea solutions with a capacity of 6,500 gallons or less, provided a filing pursuant to Rule 222 is submitted to the Executive Officer. This exemption does not include tanks used for blending powdered urea and water.
- (~~25~~28) Replacement of a pole float used to control emissions from slotted guidepoles in floating roof storage tanks with a pole sleeve or a pole sleeve in combination with a flexible enclosure system. Paragraph (s)(1) does not apply to equipment utilizing this provision, but this does not excuse the duty to comply with any requirements of regulations listed in paragraph (s)(1) as those requirements may separately apply to the equipment.

(n) Natural Gas and Crude Oil Production Equipment

- (1) Well heads and well pumps, provided a filing pursuant to Rule 222 is submitted to the Executive Officer.
- (2) Crude oil and natural gas pipeline transfer pumps, provided a filing pursuant to Rule 222 is submitted to the Executive Officer for natural gas pipeline transfer pumps.

- (3) Gas, hydraulic, or pneumatic repressurizing equipment, provided a filing pursuant to Rule 222 is submitted to the Executive Officer for natural gas repressurizing equipment
- (4) Equipment used exclusively as water boilers, water or hydrocarbon heaters, and closed heat transfer systems (does not include steam generators used for oilfield steam injection) that have:
  - (A) a maximum heat input rate of 2,000,000 Btu per hour or less, and
  - (B) been equipped to be fired exclusively with purchased quality natural gas, liquefied petroleum gas, produced gas which contains less than 10 ppm hydrogen sulfide, or any combination thereof.
- (5) The following equipment used exclusively for primary recovery, and not associated with community lease units:
  - (A) Gas separators and boots.
  - (B) Initial receiving, gas dehydrating, storage, washing and shipping tanks with an individual capacity of 34,069 liters (9,000 gallons) or less.
  - (C) Crude oil tank truck loading facilities (does not include a loading rack), and gas recovery systems exclusively serving tanks exempted under subparagraph (n)(5)(B).
  - (D) Produced gas dehydrating equipment.
- (6) Gravity-type oil water separators with a total air/liquid interfacial area of less than 45 square feet and the oil specific gravity of 0.8251 or higher (40.0 API or lower).

The following definitions will apply to subdivision (n) above:

**PRIMARY RECOVERY** - Crude oil or natural gas production from "free-flow" wells or from well units where only water, produced gas or purchased quality gas is injected to repressurize the production zone.

**COMMUNITY LEASE UNITS** - Facilities used for multiple-well units (three or more wells), whether for a group of wells at one location or for separate wells on adjoining leases.

**SHIPPING TANKS** - Fixed roof tanks, which operate essentially as "run down" tanks for separated crude oil where the holding time is 72 hours or less.

WASH TANKS - Fixed roof tanks which are used for gravity separation of produced crude oil/water, including single tank units, and which are used concurrently for receipt, separation, storage and shipment.

(o) Cleaning

The exemptions in this subdivision do not include any equipment using solvents that are greater than 5 percent by weight of perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof, with either a capacity of more than 7.6 liters (2 gallons) or was designed as a solvent cleaning and drying machine regardless of size. In addition, the exemptions specified in this subdivision apply only if the equipment is also exempt pursuant to paragraph (b)(2) of this rule.

(1) Cleaning equipment and associated waste storage tanks used exclusively to store the solutions drained from this equipment:

(A) unheated batch, provided:

- (i) the volume of the solvent reservoir is one (1) gallon or less, or
- (ii) the VOC emissions from the equipment are not more than 3 pounds per day or 66 pounds per calendar month.

(B) devices used for cleaning of equipment used for the application of inks, adhesives, and coatings provided:

- (i) the volume of the solvent reservoir is five (5) gallons or less, or
- (ii) the VOC emissions from the equipment are not more than three (3) pounds per day or 66 pounds per calendar month.

(C) remote reservoir cleaners, provided the solvent from the sink-like area immediately drains into an enclosed solvent container while the parts are being cleaned.

(2) Vapor degreasers with an air/vapor interface surface area of 1.0 square foot or less, provided such degreasers have an organic solvent loss of 3 gallons per day or less excluding water or 66 gallons per calendar month or less excluding water.

(3) Cleaning equipment using materials with a VOC content of twenty-five (25) grams of VOC per liter of material, or less, and associated dryers exclusively serving these cleaners, provided such equipment is also exempt pursuant to paragraph (b)(2). This exemption does not include equipment

used for cleaning of diesel particulate filters (DPF) or associated control equipment used to vent such equipment.

- (4) Hand application of solvents for cleaning purposes including but not limited to the use of rags, daubers, swabs, and squeeze bottles as well as associated air pollution control equipment, unless air pollution control equipment is required for source specific rule compliance.

(p) **Miscellaneous Process Equipment**

- (1) Equipment, including dryers, used exclusively for dyeing, stripping, or bleaching of textiles where no VOC containing materials, including diluents or thinners are used, provided such equipment is also exempt pursuant to paragraph (b)(2) and control equipment exclusively venting the equipment.
- (2) Equipment used exclusively for bonding lining to brake shoes, where no VOC containing materials are used and control equipment exclusively venting such equipment.
- (3) Equipment used exclusively to liquefy or separate oxygen, nitrogen, or the rare gases from air, except equipment not exempt pursuant to paragraph (b)(1) or (b)(2).
- (4) Equipment used exclusively for surface preparation, including but not limited to paint stripping, pickling, desmutting, de-scaling, passivation, and/or deoxidation, and any water and associated rinse tanks and waste storage tanks exclusively to store the solutions drained from the equipment, that exclusively uses any one or combination of the materials in subparagraphs (p)(4)(A) through (p)(4)(H). This exemption does not include any tank that contains chromium, or contains nickel, lead or cadmium and is rectified, sparged or heated.
- (A) organic materials containing 50 grams or less of VOCs per liter of material;
- (B) formic acid, acetic acid, boric acid, citric acid, phosphoric acid, and sulfuric acids;
- (C) hydrochloric acid in concentrations of 12 percent by weight or less;
- (D) alkaline oxidizing agents;
- (E) hydrogen peroxide;
- (F) salt solutions, except for air-sparged, heated or rectified processes with salt solutions containing hexavalent chromium, chromates, dichromates, nickel, cadmium, or lead;

- (G) sodium hydroxide, provided the process is not sparged or rectified;  
or
- (H) nitric acid, hydrochloric acid, or hydrofluoric acid, provided that the equipment in which it is used has an open surface area of one square foot or less, is unheated, and produces no visible emissions.

This exemption does not include chemical milling or circuit board etching using ammonia-based etchants.

- (5) Equipment used exclusively for the plating, stripping, or anodizing of metals as described in subparagraphs (p)(5)(A) through (p)(5)(G). This exemption does not include any tank that contains chromium, or contains nickel, lead or cadmium and is rectified, sparged or heated.
  - (A) electrolytic plating of exclusively brass, bronze, copper, iron, tin, zinc, and precious metals;
  - (B) electroless nickel plating, provided that the process is not air-sparged and no electrolytic reverse plating occurs;
  - (C) the electrolytic stripping of brass, bronze, copper, iron, tin, zinc, and precious metals, provided no chromic, hydrochloric, nitric or sulfuric acid is used;
  - (D) the non-electrolytic stripping of metals, provided the stripping solution is not sparged and does not contain nitric acid.
  - (E) anodizing using exclusively sulfuric acid and/or boric acid with a total bath concentration of 20 percent acids or less by weight and using 10,000 amp-hours per day or less of electricity;
  - (F) anodizing using exclusively phosphoric acid with a bath concentration of 15 percent or less phosphoric acid by weight and using 20,000 amp-hours per day or less of electricity; or
  - (G) water and associated rinse tanks and waste storage tanks used exclusively to store the solutions drained from equipment used for the plating, stripping, or anodizing of metals.
- (6) Closed loop solvent recovery systems used for recovery of waste solvent generated on-site using refrigerated or liquid-cooled condenser, or air-cooled (where the solvent reservoir capacity is less than 10 gallons) condenser.

- (7) Equipment used exclusively for manufacturing soap or detergent bars, including mixing tanks, roll mills, plodders, cutters, wrappers, where no heating, drying or chemical reactions occur.
- (8) Inert gas generators, except equipment not exempt pursuant to paragraph (b)(2).
- (9) Hammermills used exclusively to process aluminum and/or tin cans, and control equipment exclusively venting such equipment.
- (10) Paper shredding and carpet and paper shearing, fabric brushing and sueding as well as associated conveying systems, baling equipment, and control equipment venting such equipment. This exemption does not include carpet and fabric recycling operations.
- (11) Chemical vapor type sterilization equipment where no Ethylene Oxide is used, and with a chamber volume of two (2) cubic feet or less used by healthcare facilities and control equipment exclusively venting the equipment. This exemption does not include equipment used for incineration.
- (12) Hot melt adhesive equipment.
- (13) Pyrotechnic equipment, special effects or fireworks paraphernalia equipment used for entertainment purposes, provided such equipment is exempt pursuant to subdivision (b).
- (14) Ammunition or explosive testing equipment.
- (15) Fire extinguishing equipment using halons.
- (16) Industrial wastewater treatment equipment which only does pH adjustment, precipitation, gravity separation and/or filtration of the wastewater, including equipment used for reducing hexavalent chromium and/or destroying cyanide compounds. This exemption does not include treatment processes where VOC and/or toxic materials are emitted, or where the inlet concentration of cyanide salts through the wastewater treatment process prior to pH adjustment exceeds 200 mg/liter.
- (17) Rental equipment operated by a lessee and which is not located more than twelve consecutive months at any one facility in the District provided that the owner of the equipment has a permit to operate issued by the District and that the lessee complies with the terms and conditions of the permit to operate.

- (18) Industrial wastewater evaporators treating water generated from on-site processes only, where no VOC and/or toxic materials are emitted and provided that the equipment is exempt pursuant to paragraph (b)(2).
  - (19) Foam application equipment using two-component polyurethane foam where no VOC containing blowing agent is used, excluding chlorofluorocarbons or methylene chloride, and control equipment exclusively venting this equipment.
  - (20) Toner refilling and associated control equipment.
  - (21) Evaporator used at dry cleaning facilities to dispose of separator wastewater and control equipment exclusively venting the equipment.
  - (22) Equipment used to recycle aerosol cans by puncturing the can in an enclosed system which is vented through an activated carbon filter. This exemption shall only apply to aerosol recycling systems where the aerosol can to be recycled was used as part of their operation at the facility or from facilities under common ownership.
  - (23) Notwithstanding the exemptions in subdivision (p), equipment existing as of May 5, 2017 that is subject to the aforementioned exemptions and that is an integral part of an operation requiring a written permit shall continue to be exempt, provided the equipment is identified, described in detail and submitted for inclusion into the permit equipment description with any associated application for Permit to Construct or Permit to Operate. Equipment described in this paragraph includes, but is not limited to, rinse tanks, dye tanks and seal tanks that are part of a metal finishing operation, including but not limited to plating, anodizing and surface preparation.
- (q) Agricultural Sources
- (1) Notwithstanding the exemption under this subdivision, any internal combustion engines, or gasoline transfer and dispensing equipment purchased or modified after July 7, 2006 that are not exempt pursuant to paragraphs (b)(1), (b)(6), and (m)(9) of this rule shall be subject to permit requirements. Emergency internal combustion engines are exempt from permit requirements for these agricultural sources.
  - (2) Except as provided in paragraph (q)(1), agricultural permit units at agricultural sources not subject to Title V with actual emissions less than the amounts listed in the following table:

**Table**

| <b>Pollutant<br/>(Tons/Year)</b>           | <b>South<br/>Coast<br/>Air Basin</b> | <b>Riverside County<br/>Portion of Salton<br/>Sea Air Basin</b> | <b>Riverside County<br/>Portion of Mojave<br/>Desert Air Basin</b> |
|--|--------------------------------------|---|--|
| VOC  | 5.0                                  | 12.5  | 50.0   |
| NOx  | 5.0                                  | 12.5  | 50.0   |
| SOx  | 35.0                                 | 35.0  | 50.0   |
| CO   | 25.0                                 | 50.0  | 50.0   |
| PM10                                       | 35.0                                 | 35.0  | 50.0   |
| Single Hazardous<br>Air Pollutant          | 5.0                                  | 5.0   | 5.0  |
| Combination<br>Hazardous Air<br>Pollutants | 12.5                                 | 12.5  | 12.5   |

Emissions of fugitive dust and emissions from soil amendments and fertilizers are not to be counted when evaluating emissions for purposes of this subdivision.

- (3) Orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 brake horsepower provided the engine is operated no more than 30 hours per calendar year.
  - (4) Orchard heaters approved by the California Air Resources Board to produce no more than one gram per minute of unconsumed solid carbonaceous material.
- (f) Registered Equipment and Filing Program
- (1) Any portable equipment, including any turbines qualified as military tactical support equipment under Health and Safety Code Section 41754 registered in accordance with the Statewide Portable Equipment Registration Program (PERP) adopted pursuant to California Health and Safety Code Section 41750 et seq.
  - (2) PERP registered engines used in the Outer Continental Shelf (OCS), provided that:
    - (A) notification is submitted to the Executive Officer via submittal of a filing pursuant to Rule 222;
    - (B) the equipment shall not reside at one location for more than 12 consecutive months; and

- (C) notwithstanding the exemption applicability under Health and Safety Code §2451 of the Statewide Portable Equipment Registration Program (PERP) for engines operating in the OCS, all operators using this permit exemption shall comply with PERP and with California Air Resources Board-issued registration requirements.
- (3) PERP registered equipment operated at a RECLAIM Facility shall be classified as Major Source, Large Source or Process Units in accordance with Rule 2011 (c) and (d) for SOx emissions and Rule 2012 (c), (d) and (e) for NOx emissions for purposes of determining the applicable requirements for Monitoring, Reporting and Recordkeeping (MRR). Use of RECLAIM MRR Protocols for Rule 219 equipment as specified in Rule 2011 (Rule 2011 Protocol, Appendix A, Chapter 3, Subsection F) and Rule 2012 (Rule 2012 Protocol, Appendix A, Chapter 4, Subsection F) is only allowed if the registered PERP equipment also qualifies for an exemption from permit under a separate provision of this Rule.
- (4) Any equipment listed in Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II.
- (s) **Exceptions**  
Notwithstanding equipment identified in (a) through (r) of this rule, written permits are required pursuant to paragraphs (s)(1), (s)(2), and (s)(4), and filings are required under Rule 222 pursuant to paragraph (s)(3):
  - (1) Equipment, process materials or air contaminants subject to:
    - (A) Regulation IX – Standards of Performance for New Stationary Sources (NSPS); or
    - (B) Regulation X – National Emission Standards for Hazardous Air Pollutants (NESHAP - Part 61, Chapter I, Title 40 of the Code of Federal Regulations); or
    - (C) Emission limitation requirements of either the state Air Toxic Control Measure (ATCM) or NESHAP - Part 63, Title 40 of the Code of Federal Regulations; or
  - (2) Equipment when the Executive Officer has determined that:

- (A) the risk will be greater than identified in subparagraph (d)(1)(A), or paragraphs (d)(2) or (d)(3) in Rule 1401 – New Source Review of Toxic Air Contaminants; or,
- (B) the equipment may not operate in compliance with all applicable District Rules and Regulations, including but not limited to SCAQMD Rule 402 – Nuisance.

Once the Executive Officer makes such a determination and written notification is given to the equipment owner or operator, the equipment shall thereafter be subject to Rules 201 and 203 for non-RECLAIM sources, Rule 2006 for RECLAIM sources, and Regulation XXX – Title V Permits for major sources.

- (3) The following equipment, processes or operations that are located at a single facility, which does not hold a written permit for any other equipment, processes or operations, and emit four (4.0) tons or more of VOCs in any Fiscal Year (July 1 to June 30) beginning July 1, 2007 or emitted four (4.0) tons or more of VOCs in the Fiscal Year July 1, 2006 – June 30, 2007. The four (4.0) ton per Fiscal Year threshold shall be calculated cumulatively for all categories of equipment, processes or operations listed in subparagraphs (A) through (C) below. One filing shall be required for all of the categories of equipment, processes or operations subject to this provision as listed in subparagraphs (A) through (C) below. Associated VOC emissions shall be reported under the Annual Emissions Reporting program and fees shall be paid pursuant to Rule 301, subdivision (u).
  - (A) Printing operations individually exempted under paragraph (h)(1) and (h)(7).
  - (B) Coating or adhesive application or laminating equipment and devices individually exempted under paragraphs (l)(6) and (l)(10).
  - (C) Hand applications of VOC containing materials individually exempted under paragraph (o)(4).
- (4) Equipment or control equipment subject to permitting requirements pursuant to Regulation XIV - Toxics and Other Non-criteria Pollutants.

(t) Recordkeeping

Any person claiming exemptions under the provisions of this Rule shall provide adequate records pursuant to Rule 109 and any applicable Material Safety Data Sheets (MSDS), to verify and maintain any exemption. Any test method used to

verify the percentages, concentrations, vapor pressures, etc., shall be the approved test method as contained in the District's Test Method Manual or any method approved by the Executive Officer, CARB, and the EPA.

(u) Compliance Date

- (1) The owner/operator of equipment previously not requiring a permit pursuant to Rule 219 shall comply with Rule 203 – Permit to Operate within one year from the date the rule is amended to remove the exemption unless compliance is required before this time by written notification by the Executive Officer. Effective on or after July 11, 2003 for purpose of Rule 301(e), emissions from equipment that has been removed from an exemption shall be considered “permitted” beginning January 1 or July 1, whichever is sooner, after Rule 219 is amended to remove the exemption, even if an application has not been submitted to obtain a permit.
- (2) Agricultural sources constructed or operating prior to January 1, 2004 requiring Title V permits shall submit Title V permit applications on or before June 29, 2004.
- (3) Existing agricultural permit units constructed or operating prior to January 1, 2004 at agricultural sources requiring Title V permits and requiring written permits pursuant to paragraph (q)(1) shall submit applications for a Permit to Operate by December 17, 2004. For the purpose of Rule 301(e), emissions from agricultural permit units subject to this paragraph shall be considered “permitted” July 1, 2005.
- (4) Existing agricultural permit units constructed or operating prior to January 1, 2004 at agricultural sources not subject to Title V with actual emissions equal to or greater than the amounts listed in the table in subdivision (q) and requiring written permits pursuant to paragraph (q)(2) shall submit applications for a Permit to Operate by June 30, 2005. For the purpose of Rule 301(e), emissions from agricultural permit units subject to this paragraph shall be considered “permitted” July 1, 2005.
- (5) Agricultural permit units built, erected, altered, modified, installed or replaced after January 1, 2004, but prior to January 1, 2005 if written permits are required pursuant to subdivision (q), shall submit applications for a Permit to Operate by March 5, 2005. For the purpose of Rule 301(e), emissions from agricultural permit units subject to this paragraph shall be considered “permitted” July 1, 2005.

- (6) Agricultural permit units built, erected, altered, modified, installed or replaced on or after January 1, 2005, if written permits are required pursuant to subdivision (q) shall comply with Rule 201. For the purpose of Rule 301(e), emissions from agricultural permit units subject to this paragraph shall be considered “permitted” July 1, 2005.
- (7) Notwithstanding paragraph (u)(1), effective July 5, 2017, an owner/operator submitting an application for Permit to Construct or Permit to Operate pursuant to Rules 201 or 203 shall comply with paragraphs (e)(21) and (p)(23).

## ATTACHMENT G

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### **Final Staff Report**

### **Proposed Rule 461.1 - Gasoline Transfer and Dispensing for Mobile Fueling Operations**

### **Proposed Amended Rule 461 – Gasoline Transfer and Dispensing**

### **Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II**

**January 2022**

#### **Deputy Executive Officer**

Planning, Rule Development and Area Sources  
Sarah Rees, Ph.D.

#### **Assistant Deputy Executive Officer**

Planning, Rule Development and Area Sources  
Susan Nakamura

---

Author: Britney Gallivan – Air Quality Specialist  
Min Sue – Air Quality Specialist

Contributors: Jason Aspell – Deputy Executive Officer  
Ryan Banuelos – Air Quality Specialist  
Shah Dabirian – Program Supervisor  
Nathaniel Dickel – Air Quality Engineer II  
Paul Macias – Air Quality Inspector II  
Randy Matsuyama – Air Quality Engineer II  
Kevin Ni – Air Quality Specialist  
Barbara Radlein – Program Supervisor  
Rafael Reynosa – Sr. Enforcement Manager  
Han Tran – Supervising Air Quality Inspector  
Brian Vlasich – Air Quality Specialist  
Jillian Wong – Assistant Deputy Executive Officer

Reviewed by: Barbara Baird – Chief Deputy Counsel  
Neil Fujiwara – Program Supervisor  
Karin Manwaring – Senior Deputy District Counsel

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

Chair: BEN J. BENOIT  
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Cities of Riverside County

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Mayor, Yorba Linda  
Cities of Orange County

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Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

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## **CHAPTER 1 – BACKGROUND**

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INTRODUCTION

EMISSIONS IN GASOLINE VAPORS

REGULATORY BACKGROUND

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FOR MOBILE FUELERS

GASOLINE DISPENSING PROCESS DESCRIPTION

CONTROLS FOR GASOLINE TRANSFER AND DISPENSING  
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RETAIL MOBILE FUELING

CATEGORIES OF RETAIL MOBILE FUELERS

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## INTRODUCTION

Rule 461 – Gasoline Transfer and Dispensing (Rule 461) applies to the transfer of gasoline from any tank truck trailer, or railroad tank car into a stationary storage tank or mobile fueler, and from any stationary storage tank or mobile fueler into any motor vehicle fuel tank. Rule 461 controls volatile organic compound (VOC) and toxic emissions during the filling of storage tanks and when dispensing gasoline from both stationary gasoline dispensing facilities and mobile fuelers. Over the past several years, an emerging business model for on-demand retail dispensing of gasoline using mobile fuelers has developed. Although Rule 461 includes provisions for mobile fuelers, the variation of retail mobile fuelers was not envisioned when these provisions were established over 20 years ago. This rulemaking seeks to prevent emissions from previously exempt equipment and ensures consistency for equipment used in mobile fueling operations.

Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations (PR 461.1) would continue to regulate mobile fueling operations in a separate rule and incorporate similar requirements from Rule 461 in order to address both retail and non-retail mobile fueling operations. PR 461.1 would establish requirements for retail mobile fueler and non-retail mobile fueler with a cumulative capacity greater than 10 gallons and 120 gallons, respectively, to ensure VOC and toxic emissions are well controlled. Amendments to Rule 461 are also needed to remove the provisions pertaining to mobile fuelers. Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II (Rule 219) will be amended to address previously exempt equipment to be consistent with PR 461.1 and PAR 461.

## EMISSIONS IN GASOLINE VAPORS

Gasoline is a source of volatile organic compounds (VOCs) and Toxic Air Contaminants (TAC). VOC emissions are a pre-cursor to the formation of ozone. The South Coast Air Basin has been designated as extreme non-attainment of federal ozone standards and is required to implement all feasible measures to reduce pollutants that contribute to ozone such as VOC emissions. Gasoline is very volatile with a high vapor pressure (meaning it has a tendency to escape into the vapor phase), making the control of gasoline vapors critical in the minimization of VOC and TAC fugitive emissions that can affect the public.

The primary ~~TAC~~~~toxic air contaminants~~ associated with gasoline vapors are benzene, ethyl benzene, and naphthalene which are carcinogens. In California, the Office of Environmental Health Hazard Assessment (OEHHA) is responsible for the scientific evaluation and determination of the health values for TACs that guide regulatory actions, including those of South Coast AQMD. Based on OEHHA's assessment health values, South Coast AQMD determined that benzene is the primary cancer risk driver for gasoline dispensing stations<sup>1</sup>. The table below summarizes the cancer ~~and non-cancer~~ acute health values for benzene, ethyl benzene, and naphthalene from OEHHA<sup>2</sup>.

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<sup>1</sup> South Coast AQMD. (2007, January). *Emission Inventory and Risk Assessment Guidelines for Gasoline Dispensing Stations*. South Coast Air Quality Management District. [https://www.aqmd.gov/docs/default-source/planning/risk-assessment/gas\\_station\\_hra.pdf?sfvrsn=0](https://www.aqmd.gov/docs/default-source/planning/risk-assessment/gas_station_hra.pdf?sfvrsn=0)

<sup>2</sup> OEHHA/CARB. (2020, October 2). *Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values*. California Air Resources Board. <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/healthval/contable.pdf>

**Table 1–1  
Gasoline Health Risks for Toxic Air Contaminants – Cancer**

| Chemical     | Cancer Inhalation Unit Risk<br>( $\mu\text{g}/\text{m}^3$ ) <sup>-1</sup> |
|--------------|---|
| Benzene      | 0.000029  |
| Ethylbenzene | 0.0000025   |
| Naphthalene  | 0.000034  |

## REGULATORY BACKGROUND

Gasoline transfer and dispensing operations are regulated by both California Air Resources Board (CARB) and South Coast Air Quality Management District (South Coast AQMD). CARB adopts procedures and performance standards for systems for the control of gasoline vapor emissions and then certifies the equipment in accordance with those procedures and performance standards. South Coast AQMD requires the use of CARB certified equipment to meet rule requirements. Gasoline transfer and dispensing operations in the South Coast AQMD’s jurisdiction are regulated through Rule 461. Rule 461 was originally adopted by the South Coast AQMD on January 9, 1976, and focuses primarily on stationary retail gasoline dispensing facilities through requirements for vapor recovery systems that are tested and certified by CARB.

### California Air Resources Board (CARB)

#### Portable Fuel Containers

Portable fuel containers, also known as gas cans, are used to fill a variety of equipment including lawnmowers, motor vehicles, and personal watercraft. As of July 1, 2007, all portable fuel containers with a capacity of 10 gallons or less sold in California must be certified by CARB<sup>3</sup> to meet the low-emission requirements. The process to be certified involves providing the portable fuel container to CARB so that it may be tested pursuant to Test Procedures TP-501 and TP-502 at an independent laboratory. The purpose of certifying is to ensure that spillage and evaporative emissions are minimized or eliminated through the implementation of low permeation plastics and automatic sealing nozzles.

#### CARB Certification Process for Gasoline Dispensing Equipment

State law requires CARB to adopt procedures and certify systems designed to control gasoline vapor emissions.<sup>4</sup> All California air districts rely on CARB certified equipment for gasoline transferring and dispensing. The vapor recovery certification process can take a few months up to several years. The process to get a vapor recovery certification by CARB<sup>5</sup> is comprised of two

<sup>3</sup> CARB. (n.d.-a). *Final Regulation Order for Portable Fuel Containers*. California Air Resources Board. Retrieved October 5, 2021, from <https://ww2.arb.ca.gov/sites/default/files/2021-02/pfcreg2016.pdf>

<sup>4</sup> California Health and Safety Code §41954. State of California. (2001, January 1). *HEALTH AND SAFETY CODE Section 41954*. California Legislative Information. [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&ionNum=41954](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&ionNum=41954).

<sup>5</sup> CARB. (n.d.-b). *Vapor Recovery Certification Process – Gasoline Dispensing Facilities | California Air Resources Board*. California Air Resources Board. Retrieved October 6, 2021, from <https://ww2.arb.ca.gov/vapor-recovery-certification-process-gasoline-dispensing-facilities>

main elements: pre-application process and the CARB certification process which are outlined below.

- Pre-application process involves the applicant:
  1. Requesting a research and development site approval, referred to as an “R&D letter”
  2. Conducting research and development at approved site
  3. Prepare and submit initial application for certification
- CARB certification process:
  1. Determining the application is complete
  2. Creating a test plan and conducting the emissions tests
  3. Preparing and submitting Executive Order for review
  4. Having applicant submit approvals from other state agencies
  5. Issuing signed Executive Order

To date, CARB has certified three mobile fuelers:

- 1) On October 6, 1995, CARB issued Executive Order G-70-166 for the Certification of the Sacramento Municipal Utility District Mobile Motor Vehicle Fueler Phase II Vacuum Assist Vapor Recovery System.
- 2) On December 9, 1999, CARB issued Executive Order G-70-193 for Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems (referred to herein as Model 1).
- 3) On February 19, 2021, CARB Executive Order VR-601 Related to the Certification of Mobile Dispensing System Non-Vapor Recovery Components for Booster Fuels, Inc. Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles (referred to herein as Model 2).

The vapor recovery systems on these mobile fuelers are discussed further below. Staff research indicates that only two of the mobile fuelers certified by CARB have operated in the South Coast Air Basin: CARB Executive Order G-70-193 (Model 1) and CARB Executive Order VR-601 (Model 2).<sup>6</sup>

### **South Coast AQMD Permit to Operate – South Coast AQMD Rules 201, 203, and 219**

Gasoline storage equipment beyond a specified capacity or equipped with pollution controls requires permits with South Coast AQMD. South Coast AQMD has several rules that establish the requirements to have a permit.

#### **Rule 201 – Permit to Construct and Rule 203 – Permit to Operate**

Rule 201 – Permit to Construct requires authorization by the South Coast AQMD prior to the construction of equipment and Rule 203 – Permit to Operate requires a person to not use or operate equipment which may cause, reduce, or control the emission of air contaminants without a permit to operate and requires for the permitted equipment to operate pursuant to the conditions of the issued permit to operate. Rule 203 requires a Permit to Operate for the basic equipment and the air pollution control system that is being installed to control emissions. For gasoline dispensing,

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<sup>6</sup> Staff research indicates the mobile fueler certified pursuant to CARB Executive Order G-70-166 has not operated in South Coast Air Basin and is not available for purchase.

equipment to control vapors from gasoline transfer and dispensing such as Phase I and Phase II vapor recovery systems are required to have a permit pursuant to Rule 203.

### **Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II**

Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II specifies equipment or operations that are exempt from permitting requirements as they have limited or no emissions. Rule 219 (a) provides an exemption for equipment mounted on a motor vehicle, motor vehicle, or marine vessel but only if such equipment does not emit air contaminants. Equipment on mobile fuelers used to transfer or dispense gasoline emits air contaminants and is not exempt. For gasoline storage and transfer, Rule 219 also exempts equipment used exclusively for VOC containing liquid storage or transfer to and from such storage, of less than 251 gallons capacity. However, this exemption does not apply where the combined storage capacity of all tanks exceeds 251 gallons and the tanks are mounted on a shared mobile platform. Rule 219 (s)(2)(A) further states that permits are required when the maximum individual cancer risk, cancer burden, chronic hazard index, or acute hazard index will be greater than applicable risk thresholds identified in Rule 1401.

Any mobile fueler with a cumulative capacity equal to or greater than 251 gallons requires a permit as it is not exempt through Rule 219 (m)(9) and any mobile fueler with vapor control requires a permit as gasoline control equipment is also not exempt through Rule 219. If the mobile fueler dispenses into a motor vehicle and an individual tank is greater than 120 gallons, Rule 461 requires control equipment and the mobile fueler must be permitted. Mobile fuelers with a cumulative capacity of less than 251 gallons, or using tanks with a capacity of less than 120 gallons, and dispensing gasoline without controls are a regulatory gap this rule making seeks to address.

### **South Coast AQMD – Rule 461**

Rule 461 – Gasoline Transfer and Dispensing was adopted by South Coast AQMD on January 9, 1976, and regulates mobile and stationary gasoline dispensing facilities. Provisions for gasoline dispensing from mobile fuelers has been included in Rule 461 since 1995 and relied on the same approach as stationary gasoline dispensing which required the use of CARB certified Phase I and Phase II vapor recovery systems.

The most recent amendment in 2012 allowed for an alternative to compliance with requirements for installation of CARB certified Phase II enhanced vapor recovery (EVR) systems for fleets. The amendment allowed the owner or operator of a gasoline dispensing facility to dispense gasoline into their fleet motor vehicles provided they:

- Use existing CARB certified Phase II vapor recovery system with vapor return lines blocked off
- Only dispense into motor vehicles that are equipped with Onboard Refueling Vapor Recovery (ORVR) and are owned or under direct control by the operator
- Maintain additional recordkeeping

Rule 461 requires that stationary gasoline dispensing facilities and mobile fuelers use CARB certified equipment when transferring and dispensing gasoline. South Coast AQMD relies on the CARB certification process to certify equipment for transferring and dispensing gasoline. The Hill-Vac Vapor Recovery System is the only mobile fueling system in use in the District with both CARB certified Phase I and Phase II vapor recovery systems. Details of the Hill-Vac Vapor Recovery System are discussed later in Chapter 1 in Controls for Gasoline Transfer and Dispensing

Emissions. Instead of having performance tests for each individual component, Rule 461 requires the use of specific control technologies that have been certified by CARB to control gasoline vapors at a specific control efficiency for both mobile fuelers and stationary gasoline dispensing facilities. This CARB certified equipment falls under two categories for all gasoline transfer and dispensing. The two categories of CARB certified equipment for mobile fuelers are:

- Phase I Vapor Recovery Systems – during transfer of gasoline into the tank of the mobile fueller
- Phase II Vapor Recovery Systems – during dispensing of gasoline into the tank of the motor vehicle

Other requirements under Rule 461 include operational requirements to ensure that the equipment is operated in a manner that minimizes gasoline vapors. Regular maintenance, inspections, repairs, and testing ensure equipment is operating according to manufacturer specifications and CARB certifications. Required recordkeeping and reporting of the above activities ensures compliance with Rule 461.

### **LEGAL AUTHORITY TO REGULATE GASOLINE DISPENSING FOR MOBILE FUELERS**

Health and Safety Code Section 40000 provides that local and regional authorities have the primary responsibility for control of air pollution from all sources, other than emissions from motor vehicles.<sup>7</sup> PR 461.1 seeks to control emissions not from motor vehicles but rather from the transfer and dispensing of gasoline while a mobile fueller is stationary. Health and Safety Code Section 41954(a) provides that the state board (CARB) adopts procedures and performance standards for systems for the control of gasoline vapor emissions during gasoline marketing, including storage and transfer operations. Section 41954(g)(1) states that except as authorized by other law or this subdivision (g), no district may adopt or enforce stricter procedures or performance standards than those adopted by the state board. Section 41954(g)(3) goes on to provide that “any stricter procedures or performance standards shall not be implemented until at least two systems meeting the stricter performance standards have been certified by the state board.” CARB has certified three mobile fuelers, all equipped, ~~all~~ with a Phase I vapor recovery system. For the dispensing of gasoline, only two of the mobile fuelers CARB has certified are equipped with a Phase II vapor recovery system as discussed later in Chapter 1.<sup>8</sup> Rule 461 has required Phase II vapor recovery systems since 1995 for both stationary gasoline dispensing facilities and mobile fuelers that dispense gasoline. However, as neither mobile fuelers equipped with a Phase II vapor recovery system are available for purchase, PR 461.1 will not require that mobile fuelers must be certified with a Phase II vapor recovery system until 60 months after at least two mobile fuelers with Phase II vapor recovery systems have been certified by CARB and notification form the Executive Officer is issued.

BARCT requirements do not apply to gasoline vapor recovery rules. As discussed above, CARB establishes the performance standard for vapor recovery requirements for gasoline transfer and

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<sup>7</sup> All section references are to the California Health & Safety Code unless otherwise specified. ~~Section 41954(g)(1) states that except as authorized by other law or this subdivision (g), no district may adopt or enforce stricter procedures or performance standards than those adopted by the state board.~~

<sup>8</sup> CARB. (1999b, December 9). *Executive Order G-70-193 for Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems*. California Air Resources Board. <https://arb.ca.gov/vapor/eos/eo-193/g70193all.pdf>

dispensing. As a result, a Best Available Retrofit Control Technology (BARCT) technology assessment has not been conducted for PR 461.1, nor is a BARCT limit established. Section 40406. In this case, Section 41954(g) significantly circumscribes the South Coast District's discretion in setting performance standards and limits it to systems that have been certified by CARB. The South Coast AQMD does not have the legal ability to conduct a BARCT analysis which would require compliance with Section 40920.6. Moreover, PR 461.1 is being adopted following the requirements of Section 41954, which is found in an entirely separate Part and Article of the Health and Safety Code (Part 4, Nonvehicular Air Pollution Control, Chapter [Chapter 3 "Emissions Limitations"] and Article 5, ["Gasoline Vapor Control"]) from the provisions relating to BARCT. This buttresses the conclusion that BARCT requirements do not apply to gasoline vapor recovery rules. But even if those provisions applied as a general rule, they do not apply to this case. This is because PR 461.1 was not setting a new performance standard or new BARCT. Instead the standard was set by CARB many years ago for vapor recovery systems and has been applicable to mobile fuelers in the South Coast AQMD since 1995 under existing Rule 461. PR 461.1 does not make a standard more stringent, but rather aligns with the existing standard required by Rule 461. If anything, the proposal is making the existing standard less stringent until 60 months after notification from the Executive Officer is issued indicating at least two mobile fuelers equipped with Phase II has been certified by CARB. Accordingly, BARCT cost-effectiveness requirements under Section 40920.6 do not apply. For the same reason, Section 40703, requiring a finding concerning the cost-effectiveness of a proposed control measure, does not apply.

### **GASOLINE DISPENSING PROCESS DESCRIPTION**

Bulk loading terminals store and load gasoline into either a truck with cargo tanks that deliver to gasoline dispensing facilities, or directly into the mobile fuelers. Stationary gasoline dispensing facilities either dispense gasoline into motor vehicles or into the cargo tanks of mobile fuelers.

#### **Bulk Loading Terminals**

Bulk loading terminals are subject to Rule 462 – Organic Liquid Loading and Rule 463 – Organic Liquid Storage requirements. Rule 462 requires that gasoline loading operations to a transport vessel's (bulk tanker's) tank(s) or compartment(s) of a tank (e.g. bulk tankers or mobile fuelers) to be equipped with a vapor recovery system certified by CARB. Large bulk loading terminals routinely transfer thousands of gallons of gasoline into transport bulk tankers that make deliveries to stationary gasoline dispensing facilities or other storage tanks. A mobile fueler equipped with CARB certified Phase I vapor recovery system can be loaded with gasoline at these bulk loading terminals. The mobile fuelers that are allowed to be loaded are equipped with a loading line and vapor return line. Other types of mobile fuelers would not be able to be loaded at the bulk loading terminal.

#### **Stationary Gasoline Transfer and Dispensing Facility**

When bulk tankers arrive at a stationary gasoline dispensing facility, the gasoline is unloaded from the bulk tanker into either an underground storage tank (UST) or an aboveground storage tank (AST). Gasoline is loaded into the tanks by using a CARB certified Phase I vapor recovery system that uses a separate loading line and vapor return line. The tanks can either be used to load into a mobile fueler, motor vehicle, or other equipment. Motor vehicles receive gasoline from dispensing pumps that are equipped with a CARB certified Phase II vapor recovery system.

Mobile fuelers that are unable to obtain gasoline at a bulk loading terminal, load gasoline into the mobile fueler from stationary gasoline facilities. Phase I vapor recovery systems are a critical

component of a mobile fueler to ensure vapors are captured during transfer of fuel into the cargo tank of the mobile fueler. A mobile fueler that is not equipped with loading and vapor return lines, will splash load gasoline into the mobile fueler cargo tank which creates additional vapors that are not captured through any pollution control and vented to the atmosphere.

### Mobile Fueler

Mobile fuelers are mobile gasoline dispensing units that can dispense gasoline at various locations as they are a motor vehicle equipped with a gasoline cargo tank. Gasoline is either loaded at the bulk terminal or at a stationary gasoline dispensing facility. Since mobile fuelers can move to various locations, mobile fueling operations present unique challenges that are different than stationary gasoline dispensing facilities, including knowing the location of dispensing activities and verifying compliance.

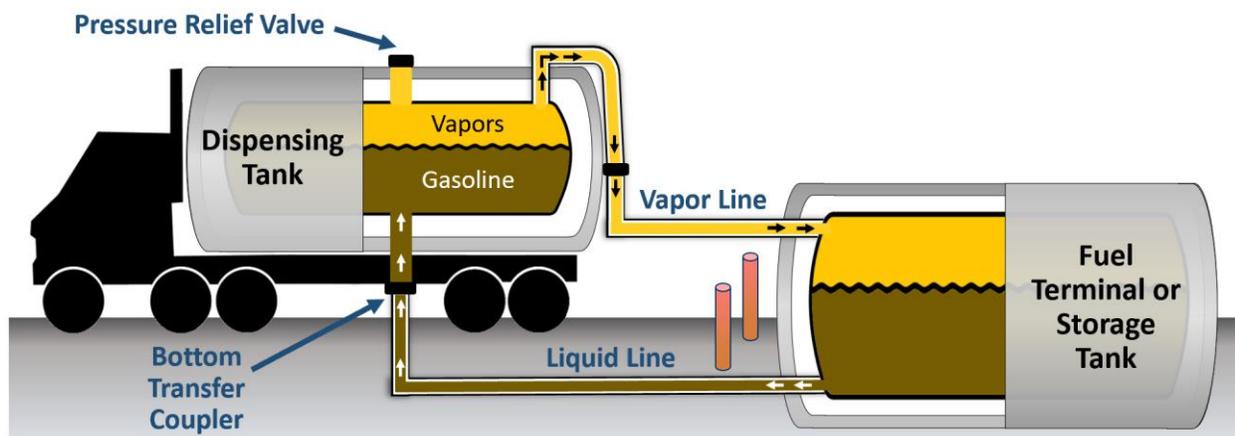
The discussion below focuses on the gasoline transfer and dispensing operations associated with control equipment on mobile fuelers and the equipment that mobile fuelers dispense gasoline into, typically a motor vehicle.

## CONTROLS FOR GASOLINE TRANSFER AND DISPENSING EMISSIONS

### CARB Certified Phase I Vapor Recovery System for a Mobile Fueler

Phase I vapor recovery is a system installed on a mobile fueler cargo tank for the collection and recovery of gasoline vapors displaced or emitted during the transfer of gasoline into and out of a mobile fueler cargo tank, except when dispensing. Figure 1-1 depicts the loading of gasoline into a mobile fueler equipped with a Phase I vapor recovery system. A mobile fueler with Phase I vapor recovery is loaded from the bottom of the tank (referred to as bottom loading) to reduce splashing of the fuel which can increase vapors. In general, cargo tanks on mobile fuelers are fueled either at a bulk loading terminal or from a stationary storage tank.

**Figure 1-1**  
**Mobile Fueler CARB Certified Phase I Vapor Recovery System**



Mobile fueler Phase I vapor recovery systems are certified through CARB's Vapor Recovery Certification Procedure CP-204 – Certification Procedure for Vapor Recovery Systems of Cargo

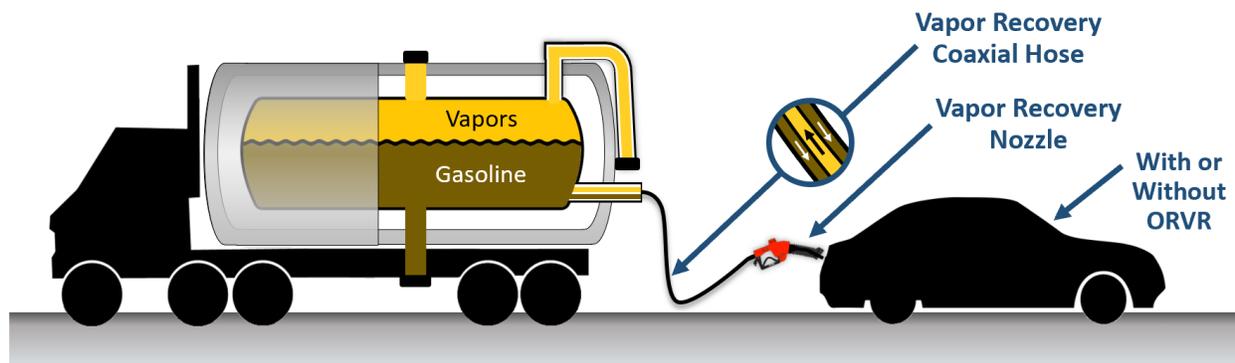
Tanks<sup>9</sup> (CP-204). The CARB vapor recovery test procedures and performance standards required by CP-204 are listed below:

- CARB Vapor Recovery Test Procedure TP-204.1 - Determination of Five Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks (TP-204.1)
- CARB Vapor Recovery Test Procedure TP 204.2 – Determination of One Minute Static Pressure Performance Vapor Recovery Systems of Cargo Tanks (TP-204.2)
- CARB Vapor Recovery Test Procedure TP-204.3 – Determination of Leak(s) (TP-204.3)

### **CARB Certified Phase II Vapor Recovery System for a Mobile Fueler**

A Phase II vapor recovery system is installed on a mobile fueler cargo tank for the collection and recovery of gasoline vapors displaced or emitted during the dispensing of gasoline from a mobile fueler cargo tank into a motor vehicle fuel tank. There are two types of Phase II vapor recovery dispensing equipment. A vacuum assist Phase II vapor recovery system dispenses gasoline through the exterior of the coaxial hose and utilizes a vacuum-producing device to create a vacuum to draw vapors back into the cargo tank through the interior of the coaxial hose. A balance Phase II vapor recovery system dispenses gasoline through the interior of the coaxial hose and utilizes the principle of vapor displacement to draw vapors back into the cargo tank through the exterior of the coaxial hose. Figure 1-2 depicts a mobile fueler which is equipped with a Phase II vapor recovery system with a vacuum assist coaxial hose dispensing gasoline into a motor vehicle fuel tank.

**Figure 1-2  
Mobile Fueler CARB Certified Phase II Vapor Recovery System**



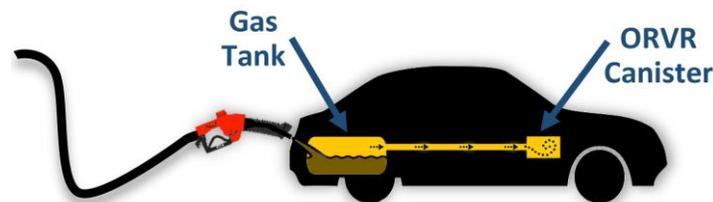
Mobile fueler Phase II vapor recovery systems are CARB certified through CARB's Vapor Recovery Certification Procedure CP-205 - Certification Procedure for Vapor Recovery Systems of Novel Facilities (CP-205). CP-205 requires the Phase II vapor recovery system efficiency be determined using CARB's Vapor Recovery Test Procedure TP-205.2 which is the Determination of Efficiency of Phase II Vapor Recovery Systems of Novel Facilities (TP-205.2) and it certifies vapor recovery systems to meet a minimum vapor recovery performance standard of ninety percent (90%) or ninety-five (95%) by weight.

<sup>9</sup> CARB. (2014b, November 7). *CP-204 – Certification Procedure for Vapor Recovery Systems of Cargo Tanks*. California Air Resources Board. Retrieved October 20, 2021, from [https://ww2.arb.ca.gov/sites/default/files/2020-02/CP-204\\_Amended\\_11.07.2014r.pdf](https://ww2.arb.ca.gov/sites/default/files/2020-02/CP-204_Amended_11.07.2014r.pdf)

### Other Vapor Controls

ORVR is designed for on-road motor vehicles to control gasoline vapors during the filling of the motor vehicle's gas tank and is depicted in Figure 1-3. Key characteristics of ORVR are a narrower fill tube, valve to prevent vapors from returning to the fill tube, and a carbon canister, and is designed so that displaced gasoline vapors go into the carbon canister. ORVR systems were introduced for 1998 model year motor vehicles and are now required on all new cars and trucks. ORVR is mandated by Title 13 of the California Code of Regulations (CCR), Section 1978 and 40 Code of Federal Regulations (CFR) Part 86. The ORVR phase-in period for passenger vehicles, light duty truck, and medium duty vehicles (up to 8500 lbs. GVWR) was already scheduled to meet 100% of fleets by 2006. ORVR systems must meet the regulatory standard of 95% control efficiency<sup>10</sup>. While ORVR has been demonstrated to be effective in controlling emissions, there are still many older cars without ORVR being operated on public roads and highways.

**Figure 1-3  
Onboard Refueling Vapor Recovery**



### CARB Executive Orders for Mobile Fuelers

As noted above, the three mobile fuelers certified by CARB are:

- 4) CARB Executive Order G-70-166 for the Certification of the Sacramento Municipal Utility District Mobile Motor Vehicle Fueler Phase II Vacuum Assist Vapor Recovery System
- 5) CARB Executive Order G-70-193 for Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems<sup>87</sup> (referred to herein as Model 1) and
- 6) CARB Executive Order VR-601 Related to the Certification of Mobile Dispensing System Non-Vapor Recovery Components for Booster Fuels, Inc. Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles<sup>11</sup> (referred to herein as Model 2)

### CARB Certification of the Sacramento Municipal Utility District Mobile Motor Vehicle Fueler Phase II Vacuum Assist Vapor Recovery System

On October 6, 1995, CARB Executive Order G-70-166 for Certification of the Sacramento Municipal Utility District Mobile Motor Vehicle Fueler Phase II Vacuum Assist Vapor Recovery

<sup>10</sup> Environmental Protection Agency. (1994, April 6). *Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Refueling Emission Regulations for Light-Duty Vehicles and Light-Duty Trucks*. Federal Register. <https://www.govinfo.gov/content/pkg/FR-1994-04-06/html/94-4752.htm>

<sup>11</sup> CARB. (2021, February 19). *Executive Order VR-601-A Related to the Certification of Mobile Dispensing System Non-Vapor Recovery Components for Booster Fuels, Inc. Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles*. California Air Resources Board. <https://arb.ca.gov/vapor/eos/eo-vr601/eo-vr601a.pdf>

System was issued. The mobile fueler was equipped with pre-EVR Phase I and Phase II vapor recovery systems that was certified pursuant to Draft Vapor Recovery Certification Procedure CP-205. The Phase II vapor recovery system also includes requirements designed to prevent absorption of sunlight by the cargo tank and temperature fluctuations that included cargo tank to be insulated with two inches of polyurethane, white in color, and maintained in good operating condition.

Additionally, the Phase II vapor recovery system was required to be equipped with cargo tank turbine pump with a built-in siphon that is connected to the vapor return line liquid pump, pressure gauges, and pressure/vacuum valve. CARB Executive Order G-70-166 applied to the Sacramento Municipal Utility District Mobile Motor Vehicle Fueler with License Plate Number E751905. Based on conversations with the manufacturer, this mobile fueler is no longer operated. This CARB Executive Order was specific to Sacramento Municipal Utility District and not commercially available.

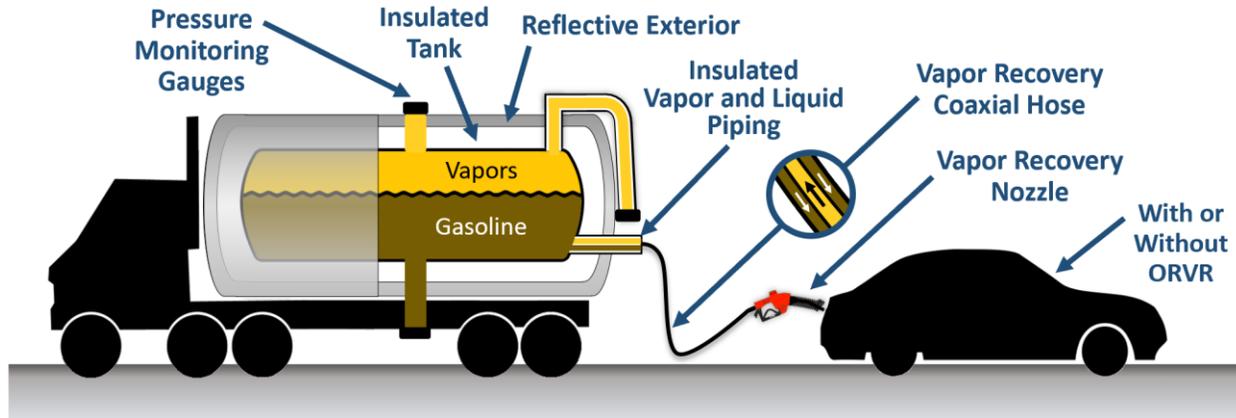
#### **CARB Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems**

CARB Executive Order G-70-193 for Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems was first issued on December 9, 1999. The mobile fueler is equipped with pre-EVR Phase I and Phase II vapor recovery systems that are CARB certified to be 95% effective. The Phase II vapor recovery system also includes requirements designed to prevent absorption of sunlight by the cargo tank and temperature fluctuations. The requirements resulted in lower diurnal pressure variations that ultimately leads to decreased emission venting. Some of these key requirements include:

- Tank exterior is wrapped in 1/16 inch 304 stainless steel to achieve a better reflectivity value and reduce solar energy transfer to the fuel
- Cargo tank is insulated with 3 inches of cellular polymer foam providing an insulating value of R-15-9
- Insulated with a minimum of 0.5 inch of seamless rigid polyurethane foam or pre-formed foam pipe insulation
- Equipped with removable covers that surround the jet pump to reduce solar energy transferred to the fuel during dispensing

Additionally, the Phase II vapor recovery system is required to be equipped with pressure gauges to monitor the vapor return line vacuum, gasoline supply, and cargo tank vapor space as well as to maintain these gauges within parameters. Figure 1-4 depicts this mobile fueler that is equipped with CARB certified Phase I and Phase II vapor recovery systems dispensing gasoline into a motor vehicle fuel tank.

**Figure 1-4**  
**Mobile Fueler Equipped with CARB Certified**  
**Phase I and Phase II Vapor Recovery Systems**



Since 2019, a crucial component of the CARB certified Phase II vapor recovery system has not been available. The Phase II vapor recovery system is certified for use with Healy Model 400 ORVR nozzles that are each equipped with two Healy Model 100 Jet Pumps that were manufactured by Franklin Fueling Systems. However, Franklin Fueling Systems discontinued manufacturing Healy Model 100 Jet Pumps. In response, Franzen-Hill, the owner of the certification, created the Hill-Vac Model 20 and Model 2020 Jet Pumps to function as a replacement for the Healy Model 100 Jet Pump. As of December 2021, Franzen-Hill is undergoing the recertification process with CARB to make available a mobile fueler equipped with CARB certified Phase I and Phase II vapor recovery systems with the replacement part. While Franzen-Hill has the Healy Model 100 Jet Pump in stock to service existing mobile fuelers, they are not producing new mobile fuelers with the Healy Model 100 Jet Pump. Therefore, until the recertification is complete, no new mobile fuelers equipped with a CARB certified Phase I and Phase II vapor recovery system are commercially available. There are 67 mobile fuelers subject to Rule 461 that are operating with South Coast AQMD permits to operate and all of these are Model 1 mobile fuelers.

**CARB Certification Related to the Certification of Mobile Dispensing System Non-Vapor Recovery Components for Booster Fuels, Inc. Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles**

CARB Executive Order VR-601 Related to the Certification of Mobile Dispensing System Non-Vapor Recovery Components for Booster Fuels, Inc. Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles was first issued on February 19, 2021. This mobile fueler is equipped with a pre-EVR Phase I vapor recovery system but is not equipped with a Phase II vapor recovery system. The key operational requirements of the Executive Order include:

- Comply with all applicable local air district rules and permitting requirements;
- Meet all local fire and life safety standards and permitting requirements of the local Fire Marshal and/or Certified Unified Program Agency (CUPA), where applicable;
- Dispense gasoline only to motor vehicles equipped with ORVR. This Executive Order pre-empts any District ORVR fleet exemption level established in District rules. Dispensing gasoline to non-ORVR vehicles, or any gasoline containers, is prohibited;
- Perform all loading of gasoline into MFOD tank vehicles at terminals with CARB certified vapor recovery systems. MFOD tank vehicles shall be filled from the bottom per CARB Executive Order G-70-10-A;

- Prohibit operators and employees from “splash loading” gasoline, or loading in a means other than bottom loading or filling without a submerged fill pipe, i.e., dispensing with a nozzle through an open compartment dome lid into MFOD tank vehicles, under all circumstances unless in the case of an emergency as determined by local, state, and/or federal fire and life safety standards;
- Annually test and certify all MFOD tank vehicles as required by CARB Certification Procedure for Vapor Recovery Systems of Cargo Tanks (CP-204), and affix a current CARB decal indicating compliance;
- Maintain records, in an electronic format approved by the Executive Officer, demonstrating that only ORVR vehicles are refueled by MFOD tank vehicles. Such records shall be provided to the district as directed by the district, and to CARB upon request; and
- Maintain copies of all required permits in each individual MFOD tank vehicle and make these available to all permitting agencies upon request.

Unlike Model 1, this certification does not include requirements designed to reduce the tank temperature and diurnal pressure variations that can lead to greater vapor losses. It also does not include any requirements for pressure gauge monitoring or specify requirements for tank insulation or color.

Although CARB Executive Order VR-601 for the mobile fueler is CARB certified through CP-205, the mobile fueler is not certified through TP-205.2, which is the test procedure CP-205 requires to determine the efficiency of a Phase II vapor recovery. The cover letter for CARB Executive Order VR-601 states that the “Booster Tank Vehicle does not meet CARB requirements for Phase II vapor recovery, and therefore does not control gasoline vapors when fueling non-ORVR vehicles or other fuel tanks.” CARB Executive Order VR-601 requires that the mobile fueler only fuel ORVR motor vehicles and prohibits dispensing gasoline into non-ORVR motor vehicles and other fuel tanks.

CARB certified Phase II vapor recovery and CARB certified non-vapor recovery components fueling ORVR equipped motor vehicles are not equivalent. Phase II vapor recovery systems provide additional reductions when fueling motor vehicles equipped with ORVR. CARB and South Coast AQMD agree that additional benefits are provided when both ORVR and Phase II are deployed but have not reached consensus on quantifying the added benefits.

### **RETAIL MOBILE FUELING**

Within South Coast AQMD’s jurisdiction, retail gasoline fueling of motor vehicles has nearly exclusively taken place at stationary gasoline dispensing facilities. In comparison, non-retail gasoline fueling of motor vehicles is where the owner of the gasoline dispensing equipment is the same as the owner of the motor vehicle fleet or equipment. Non-retail mobile fueling predominately takes place at non-retail stationary gasoline dispensing facilities, but also includes non-retail mobile fueling of stationary equipment such as emergency backup generators, off-road equipment such as construction equipment or amusement park attractions, fueling of fleet motor vehicles, and emergency fueling of motor vehicles owned by utility providers.

Although the retail gasoline mobile fueling of motor vehicles is allowed by Rule 461, until recent years, Rule 461 mobile fuelers have mostly been used for non-retail purposes. A non-retail mobile fueler typically provides support to a facility’s primary operation, such as providing gasoline to a

fleet or back-up engines. The amount of gasoline dispensed is limited because the non-retail mobile fueler is only providing gasoline to motor vehicles or equipment owned by the same company. This contrasts to retail mobile fuelers that sell gasoline to customers because retail mobile fueling is not limited to equipment or motor vehicles owned by the mobile fueling company. Staff has been aware of roadside assistance providers delivering gasoline in small portable fuel containers to stranded motor vehicles, but these operations appear to be de minimis and occur out of necessity.

As communication technologies developed, technology companies were able to fulfill consumer demands to immediate access to goods and services through on-demand services. Mobile fueling on-demand (MFOD) services allows fuel to be delivered directly to the consumer's location and dispensed into the motor vehicle when requested. Staff has observed the following regarding MFOD, indicating a developing industry:

- Deployment of on-demand fuel delivery smartphone apps;
- Mobile fueling services offered at local sports<sup>12</sup> and entertainment<sup>13</sup> venues; and
- Advertisements for MFOD services.

In 2018 Booster Fuels, Inc (Booster Fuels) approached the South Coast AQMD and applied for a research and development permit under Rule 441 – Research Operations for five (5) retail mobile fuelers. These Model 2 mobile fueling units were unable to be permitted under Rule 203 because they are not equipped with a CARB certified Phase II vapor recovery system as required by Rule 461. On February 19, 2021, Booster Fuels received final certification of their model with CARB Executive Order VR-601-A<sup>14</sup>. This certification does not include Phase II vapor recovery equipment and limits operation to only fueling into ORVR motor vehicles.

### **Compliance Challenges with Mobile Fueling**

Gasoline dispensing is a well regulated industry. Inspectors visit gasoline dispensing facilities to verify compliance with Rule 461 and permit conditions to ensure that the dispensing equipment is in good operating condition, operators are adhering to throughput limits in permit, and the recordkeeping, monitoring, and testing requirements are implemented pursuant to Rule 461. Mobile fueling presents unique challenges relative to stationary gasoline dispensing facilities because the fueling location is not fixed and there is no specific day and time that fueling is occurring at each location. Adding to the complexity of regulating mobile fueling is the need for verification that motor vehicles fueled must be equipped with ORVR for mobile fuelers that are dispensing with a CARB certified non-vapor recovery components. In the past, the South Coast AQMD staff has expended significant resources verifying ORVR status, determining the amount of fuel transferred into a mobile fueler is representative of the amount of the fuel dispensed, and surveilling to insure that mobile fuelers are not splash loading. As a result, PR 461.1 includes specific provisions that limit opening of the dome hatch, and additional monitoring, recordkeeping

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<sup>12</sup> Prisbell, E. (2020, March 5). *On-demand fuel delivery coming to Dodger Stadium this year*. The Business Journals. <https://www.bizjournals.com/losangeles/news/2020/03/05/on-demand-fuel-delivery-coming-to-dodger-stadium.html>

<sup>13</sup> Pankey, R. (2020, February 21). *AEG to Fill Up With Fuelster*. Los Angeles Business Journal. <https://labusinessjournal.com/news/2020/feb/21/Aeg-Fuelster-Gas-Delivery/>  
<https://labusinessjournal.com/news/2020/feb/21/aeg-fuelster-gas-delivery/>

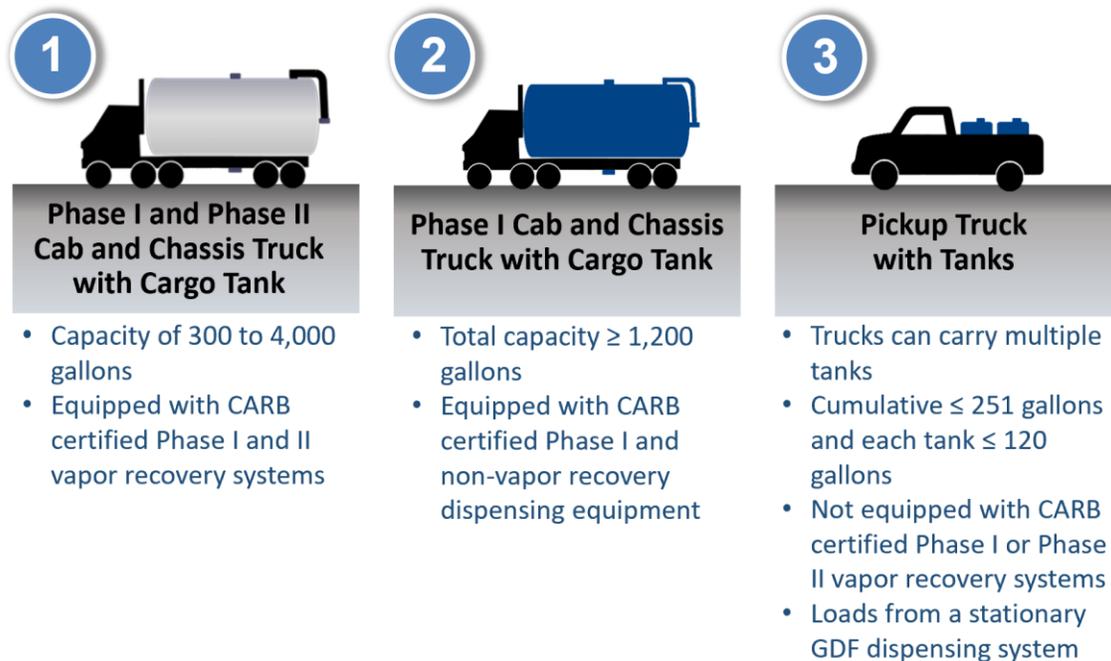
<sup>14</sup> CARB. (2021, February 19). *EXECUTIVE ORDER VR-601-A*. California Air Resources Board. <https://arb.ca.gov/vapor/eos/eo-vr601/eo-vr601a.pdf>

and reporting requirements beyond Rule 461 to address these compliance challenges unique to mobile fueling operations.

### CATEGORIES OF RETAIL MOBILE FUELERS

As part of the rule making process, staff distributed a survey of mobile fueling operations to collect information to accurately account for various types of operations, properly assess potential impacts, and to help inform the rulemaking efforts for mobile fueling operations. Based on the survey results, news articles, internet searches, and discussions with stakeholders, staff identified three categories of gasoline mobile fuelers. The models were characterized based on use of Phase I and Phase II vapor recovery systems, gasoline cargo tank capacity, and number of gasoline containers. Staff research indicates three models of mobile fuelers operate in the South Coast Basin, including pickup trucks with tanks (Model 3), which is the regulatory gap this rule seeks to address. Figure 1-5 illustrates these three models of mobile fuelers.

**Figure 1-5**  
**Mobile Fueler Model Categories**



Staff analyzed the current Rule 461 applicability and has illustrated in Table 1-2 which models are currently allowed, not allowed, or unregulated by Rule 461.

**Table 1-2  
Mobile Fueler Rule 461 Regulatory Applicability**

| Mobile Fueling System   | Cumulative Capacity (Gallons) | Allowed in Rule 461 |             |
|---|-------------------------------|---------------------|-------------|
|   |                               | Non-Retail          | Retail      |
| <br>1<br>Phase I and Phase II<br>Cab and Chassis Truck with Cargo Tank | 300 - 4,000                   | Allowed             | Allowed     |
| <br>2<br>Phase I<br>Cab and Chassis Truck with Cargo Tank              | ≥ 1,200                       | Allowed             | Not Allowed |
| <br>3<br>Pickup Truck with Tanks                                       | < 251 <sup>1</sup>            | Unregulated         | Unregulated |

<sup>1</sup> Each individual tank is ≤ 120 gallons

#### **Model 1 Mobile Fueler – Phase I and Phase II Vapor Recovery System**

Model 1 mobile fuelers are equipped with CARB certified Phase I and Phase II vapor recovery systems, this is the Hill-Vac Vapor Recovery System previously described. Rule 461 allows these models for the retail and non-retail dispensing of gasoline into motor vehicles. The permitted mobile fueler primarily consists of this model of mobile fueler. As discussed earlier, the Hill-Vac Vapor Recovery system is the only mobile fueler with CARB certified Phase I and Phase II vapor recovery systems, but this model is currently commercially unavailable for new purchases.

#### **Model 2 Mobile Fueler – Phase I Vapor Recover and No Phase II Vapor Recovery**

Model 2 mobile fuelers are equipped with CARB certified Phase I vapor recovery systems, but no Phase II vapor recovery. Rule 461 allows these models for non-retail dispensing of gasoline into ORVR equipped motor vehicles, but does not allow use for retail dispensing of gasoline. Staff is aware of two operators of this model, the first operates with a South Coast AQMD permit for non-retail purposes which is not equipped with CARB certified non-vapor recovery components for dispensing and does not dispense into motor vehicles. The second operator of this model operates with South Coast AQMD research and development permits for retail purposes. This Model 2 mobile fueler is equipped with CARB certified non-vapor recovery components for dispensing and only dispenses into motor vehicles equipped with ORVR. The research and development permitted equipment is equipped with non-vapor recovery components for dispensing and the CARB executive order restricts the mobile fueler from dispensing into anything other than ORVR equipped motor vehicle.

#### **Model 3 Mobile Fueler – No Phase I and No Phase II**

Model 3 mobile fuelers do not have CARB certified Phase I or Phase II vapor recovery systems. Rule 461 does not allow this model for the fueling motor vehicles if the cumulative gasoline storage capacity is greater than 251 gallons or if an individual tank is greater than 120 gallons. Model 3 mobile fuelers below these capacities are unregulated by the vapor recovery requirements

of Rule 461 and exempt from permitting. Staff is aware of both retail and non-retail use of this model operating with capacities that are unregulated by Rule 461 and exempt from permitting. Unregulated Model 3 mobile fuelers could be used to circumvent the permitting and vapor recovery costs of a Model 1 or Model 2 mobile fueler. PR 461.1 seeks to address this regulatory gap. Table 1-3 – Regulatory Gap for Mobile Fuelers outlines the regulatory gap for mobile fuelers Model 1, 2, and 3.

**Table 1-3  
Regulatory Gap for Mobile Fuelers**

| Mobile Fueling System   | Cumulative Capacity (Gallons) | Requires a South Coast AQMD Permit to Operate? | Regulatory Gap  |
|---|-------------------------------|--|---|
| <br>1<br>Phase I and Phase II<br>Cab and Chassis Truck with Cargo Tank | 300 - 4,000                   | Yes  | None  |
| <br>2<br>Phase I<br>Cab and Chassis Truck with Cargo Tank              | ≥ 1,200                       | Yes  | Permit required, but cannot be issued for retail fueling since it is not allowed under Rule 461 |
| <br>3<br>Pickup Truck with Tanks                                       | < 251 <sup>1</sup>            | No   | Not required to be permitted and Rule 461 does not currently apply to this equipment            |

<sup>1</sup> Each individual tank is ≤ 120 gallons

**International Fire Code Section 5707 – On-Demand Mobile Fueling Operations**

Introduced in 2016, International Fire Code (IFC) Section 5707 – On-Demand Mobile Fueling Operations model code was approved for inclusion with an effective date of July 1, 2018. At the state and local level, fire authorities may elect to adopt the model code to make it law and enforceable. The Office of the State Fire Marshal (Cal Fire or OSFM) incorporated the mobile fueling model codes into Chapter 57 Section 5707 – On-Demand Mobile Fueling Operations, but did not adopt the code. The Orange County Fire Authority did not adopt the model code, but does allow mobile fuelers to conduct fleet fueling (retail and non-retail). Based on conversations with the Los Angeles Fire Department, the model code has not been adopted and they have not issued any permits. Los Angeles Fire Department does not allow any on-demand retail fueling operations but does allow non-retail fleet fueling.

IFC On-Demand Mobile Fueling Operations Section 5707’s key components for mobile fueling include:

- Regulation describes on-demand mobile fueling as motor vehicles mounted with a tank >110 gallons and chassis-mounted tanks or containers where the aggregate cargo capacity < 1,200 gallons
- Applicable to on-demand mobile fueling operations that dispense gasoline and other combustible or flammable liquids into fuel tanks of motor vehicles
- Regulations provide requirements for technical and administrative safety controls
  - Mobile fueling operations require an approved permit from the fire officials
  - Specifies requirements for safety and emergency response plans, training records, site plans, equipment, and operations

- Prohibits mobile fueling on public streets, public ways, or inside buildings and fueling on the roof level of parking structures or other buildings

### **NEED FOR RULEMAKING**

Unlike stationary gasoline dispensing facilities which operate at a fixed address (site), these retail mobile fuelers operate at various locations. This is important because during the permitting process at the South Coast AQMD, the health risk from the facility (gas station) is evaluated to ensure that the facility emissions do not pose a health risk to sensitive receptors nearby. In addition, the retail mobile fuelers are not all equipped with vapor recovery systems that are required of stationary gas stations.

Retail mobile fuelers have higher emissions per gallon of gasoline dispensed compared to stationary gasoline dispensing facilities that comply with Rule 461. There are increased loading emissions for mobile fuelers that lack CARB certified Phase I vapor recovery systems and increased dispensing emissions for mobile fuelers that are not equipped with a CARB certified Phase II vapor recovery system. In addition, the storage of gasoline in above ground storage tanks are insulated and have a reflective exterior to reduce the tank temperature which will result in lower evaporative emissions than mobile fuelers that are not insulated and have a darker or non-reflective exterior.

Based on the regulatory gap for mobile fueling operations, rulemaking is needed to address these operations to ensure public health is protected by establishing operating requirements and permitting requirements to evaluate the retail mobile fueling operation. The approach to addressing this issue is to regulate mobile fueling operations in PR 461.1 while amending Rule 461 to limit its applicability to stationary gasoline transfer and dispensing facilities. Additionally Rule 219 are being amended to modify permitting requirements for previously exempt mobile fuelers.

### **AFFECTED INDUSTRIES/FACILITIES**

Based on the South Coast AQMD permit database and survey for PR 461.1, staff estimates that there are approximately 80 mobile fuelers operating at 38 facilities in the South Coast AQMD's jurisdiction that would be affected by PR 461.1, PAR 461, or PAR 219. The number of Model 3 mobile fuelers (the pickup truck with tanks) operating in the South Coast Basin is unknown but staff research indicates multiple companies have utilized this type of mobile fueler in recent years.

### **PUBLIC PROCESS**

Development of PR 461.1, PAR 461, and PAR 219 is being conducted through a public process. A PR 461.1, PAR 461, and PAR 219 Working Group was formed to provide the public and stakeholders an opportunity to discuss important details about the proposed rule and provide staff with input during the rule development process. The Working Group is composed of representatives from businesses, environmental groups, public agencies, and consultants. Staff has held nine Working Group Meetings conducted in a virtual format using Zoom due to COVID-19 restrictions. The meetings were held on September 2, 2020, December 16, 2020, March 18, 2021, June 2, 2021, June 24, 2021, August 4, 2021, September 22, 2021, November 9, 2021, and December 2, 2021. A Public Workshop was held on October 27, 2021 to present PR 461.1, PAR 461, PAR 222, and PAR 219 and receive public comment.

## **CHAPTER 2 - SUMMARY OF PROPOSED RULE 461.1**

OVERVIEW OF PR 461.1  
PROPOSED RULE 461.1

**OVERVIEW OF PR 461.1**

PR 461.1's objective is to reduce VOC and TAC emissions from mobile fueling operations due to the transfer and dispensing of gasoline. PR 461.1 accomplishes this by incorporating similar requirements found in Rule 461 – Gasoline Transfer and Dispensing specifically the use of CARB certified Phase I and Phase II vapor recovery systems for mobile fuelers, both retail and non-retail. Requirements currently in Rule 461 for mobile fuelers will be removed through PAR 461 resulting in the requirements to apply to only stationary gasoline transfer and dispensing facilities.

PR 461.1 would apply to mobile fueling operations and apply to the transfer of gasoline from any source into or out a mobile fueller as well as the dispensing of gasoline from the mobile fueller to any motor vehicle fuel, container, or equipment. Persons conducting testing, installations, maintenance, and sellers and manufacturers of CARB certified equipment for mobile fuelers would also be subject to PR 461.1.

As discussed in Chapter 1, as of December 2021 there are no CARB certified Phase I and Phase II vapor recovery systems commercially available to purchase for new mobile fuelers. Interim operating requirements are included in PR 461.1 to temporary allow mobile fuelers lacking CARB certified Phase II systems to operate until two CARB certified Phase I and Phase II vapor recovery systems become certified and notice is issued by the Executive Officer.

**Need for Proposed Rule 461.1**

As previously discussed, CARB certified Phase I and Phase II vapor recovery systems are the standard for gasoline transfer and dispensing operations for both stationary and mobile fueling operations for Rule 461. Rule 461 does not address small mobile fuelers that are either not permitted to operate and/or unregulated in the South Coast AQMD's jurisdiction. Previously these small mobile fuelers were operating in limited non-retail function, however, the concern is that retail mobile fuelers could be operating, similar to stationary gasoline dispensing facility, at locations that have not been evaluated for health risk to sensitive receptors unlike larger mobile fuelers that have a permit to operate. The emissions from retail gasoline mobile fueling operations need to be evaluated so as to not exceed health risk thresholds at dispensing locations. This will be accomplished using throughput limits and a risk assessment during the permit evaluation process to allow for higher throughputs.

While CARB has certified a mobile fueller with only Phase I vapor recovery system, that mobile fueller does not meet the requirements of Rule 461 since it not equipped with a certified Phase II vapor recovery system. PR 461.1 is needed to provide a pathway to allow the operation of mobile fuelers that are equipped with Phase I vapor recovery systems, until two mobile fuelers equipped with Phase II vapor recovery systems are certified by CARB and the Executive Officer has issued a notification.

PR 461.1 is needed to ensure that emissions of VOC and TACs found in gasoline vapors are controlled during mobile gasoline transfer and dispensing operations. PR 461.1 would address mobile fueling operations. Additional health protective measures based on nearest sensitive receptors would be incorporated during the permit evaluation process that will include a risk assessment based on a dispensing location.

**PROPOSED RULE 461.1****Purpose – Subdivision (a)**

The purpose of PR 461.1 is to reduce emissions of volatile organic compounds and toxic emission from mobile fueling operations. A mobile fueler is a mobile motor vehicle that has one or more cargo tanks on-board or tows one or more cargo tanks as defined in subdivision (c). Mobile fuelers may be either retail or non-retail.

**Applicability – Subdivision (b)**

This rule applies to the owner or operator of a mobile fueler that conducts retail or non-retail operations. The rule also applies to any person that conducts testing, installation, repairs, provides parts or maintenance on mobile fuelers with CARB certified equipment as well as any manufacturer of CARB certified equipment or associated components thereof. The applicability of this rule is not limited to the dispensing of gasoline into motor vehicles and may include portable fuel containers and other combustion equipment.

**Definitions – Subdivision (c)**

PR 461.1 includes definitions for specific terms used in other subdivisions. Many of the definitions are based on Rule 461 with slight modifications, while other definitions are specific to PR 461.1. For certain definitions, additional clarification is provided where the definition is used in specific subdivisions. Please refer to PR 461.1 subdivision (c) for definitions used in the proposed rule. Some key definitions are explained below or in the subdivisions where they occur.

- **CONTROL EQUIPMENT** means a Phase I Vapor Recovery System, a Phase II Vapor Recovery System, or a Non-Vapor Recovery Component for Dispensing.

References to control equipment in the rule are specific to Phase I vapor recovery systems, Phase II vapor recovery system, or non-vapor recovery equipment for dispensing on mobile fuelers. This equipment would need to receive final certification from CARB before it would satisfy vapor recovery requirements in PR 461.1.

- **CUMULATIVE CAPACITY** means the mobile fueler's combined capacity of the storage capacity of each cargo tank that is on a mobile fueler at a given time, excluding one individual portable fuel container with a capacity up to 6.6 gallons.

The requirements in PR 461.1 are based on the cumulative storage capacity of the mobile fuelers and the type of equipment that is dispensed, retail or non-retail. As discussed in Chapter 1, smaller mobile fuelers may have multiple cargo tanks that contain gasoline. By specifying the cumulative capacity accounts to all tanks, except a single portable fuel container, clarifies how to determine if the mobile fueler would be subject to the requirements of the rule. The exclusion of a single portable fuel container up to 6.6 gallons is for the dispensing of gasoline into a motor vehicle or equipment that cannot be reached by the mobile fueler's dispensing hose and nozzle, such as emergency backup generators or irrigation pumps. It also allows emergency roadside services to dispense enough gasoline into the motor vehicle of a stranded motorist in order to reach a nearby gas station. Portable fuel containers with a capacity up to 6.6 gallons was excluded to be consistent with the definition of portable fuel containers in ASTM F852-19 – Standard Specification for Portable Gasoline, Kerosene, and Diesel Containers for Consumer Use.

- **NON-RETAIL MOBILE FUELER** means a mobile fueler with a cumulative capacity greater than 120 gallons and the owner or operator of the mobile fueler is not compensated for the transfer or dispensing of gasoline.

Non-retail operators are mostly comprised of owner or operators that dispense gasoline from their mobile fueler into their own fleet of motor vehicles. These include government, public utility, and large corporations.

- **RETAIL MOBILE FUELER** means a mobile fueler with a cumulative capacity greater than 10 gallons and the owner or operator of the mobile fueler is compensated for the transfer or dispensing of gasoline.

Mobile fuelers that transfer or dispense gasoline to customers who compensate the owner or operator of the mobile fueler are classified as retail. This would include mobile fuelers that are compensated specifically for the gasoline, but also include business models that could be subscription based where gasoline is provided as part of a service package. The capacity threshold of 10 gallons was established for retail mobile fuelers to exclude emergency roadside service providers and discourage the use of unregulated smaller mobile fueler configuration for retail purposes. Additionally, as previously discussed in Chapter 1, portable fuel containers up to a 10-gallon capacity are regulated by CARB and would not need to be regulated individually under PR 461.1.

#### **Vapor Recovery Requirements for Mobile Fuelers – Subdivision (d)**

Subdivision (d) specifies the vapor recovery requirements for both transfer and dispensing for retail and non-retail mobile fuelers.

Paragraphs (d)(1) requires all transfers into and from a mobile fueler be controlled with a CARB Certified Phase I vapor recovery system. Unlike Rule 461, this would include motor vehicle and non-motor vehicles. CARB established CP-204 as the process to certify cargo tanks that are equipped with vapor recovery to demonstrate compliance with performance standards.

Paragraph (d)(2) prohibits mobile fuelers from fueling into motor vehicles unless the mobile fueler is equipped with a CARB certified Phase II vapor recovery system. Additionally, mobile fuelers are prohibited from dispensing into motor vehicles unless CARB has issued a single Executive Order certifying the Mobile Fueler with both CARB certified Phase I and Phase II vapor recovery systems, unless the mobile fueler is complying with paragraph (d)(3). As discussed in Chapter 1, CARB certifies systems and equipment, but has issued Executive Orders for an entire mobile fueler. This ensures that all vapor recovery equipped on the mobile fueler is evaluated and not individual systems or components, as individual components may not perform as intended. Additionally, CARB may add requirements to a mobile fueling Executive Order to ensure that the mobile fueler would achieve the performance standard. This can include insulation, pressure limitations, or operational restrictions proscribing the type of motor vehicle that can receive fuel from the mobile fueler. These additional requirements are unknown during the initial step of research and development site approval and are not typically included in the “R&D letter” issued by CARB. Issuance of a single Executive Order certifying the Mobile Fueler with both CARB certified Phase I and Phase II vapor recovery systems enables the District to rely on CARB’s expertise and ensures that a mobile fueler as an entire system meets CARB’s performance standards.

#### **Interim Provisions for Non-Vapor Recovery Component for Gasoline Dispensing**

Paragraph (d)(3) provides an alternative interim option for a mobile fueler that is equipped with a CARB certified Phase I vapor recovery system and a CARB certified non-vapor recovery component for dispensing, provided CARB issued an Executive Order certifying the mobile fueler.

The Executive Order would identify the control equipment for both transferring and dispensing. As discussed in Chapter 1, Model 1 represents the one CARB certified Phase I and Phase II vapor recovery system for mobile fuelers. Model 1 operates in the District, but is not currently available for new purchases and is undergoing a re-certification process. As a result, there is no mobile fuelers with CARB certified Phase I and Phase II vapor recovery system that are commercially available to purchase, but there are currently permitted mobile fuelers equipped with CARB certified Phase I and Phase II vapor recovery system that continue to be operational. As of December 2021, the only other mobile fueler with a CARB certification for dispensing is the Model 2 mobile fueler identified in CARB Executive Order VR-601 that is equipped with CARB certified Phase I vapor recovery and non-vapor recovery components for dispensing that is specific to Booster Fuels. CARB Executive Order VR-601 stipulates a series of conditions of the certification which includes provisions that have been incorporated into PR 461.1 including the prohibition of splash loading and limitation of dispensing gasoline only into ORVR motor vehicles.

Paragraph (d)(3) provides an interim allowance for retail mobile fuelers and non-retail mobile fuelers operating with CARB certified Phase I vapor recovery systems and non-vapor recovery components for dispensing to operate without CARB certified Phase II vapor recovery systems, until after 60 months the Executive Officer has issued a notification that two mobile fuelers equipped with Phase I and Phase II vapor recovery systems have been certified by CARB. As discussed in Chapter 1, there were two mobile fuelers equipped with Phase I and Phase II vapor recovery systems that have been certified by CARB. Therefore, Health and Safety Code Section 41954 (g)(3) which provides that “Any stricter procedures or performance standards shall not be implemented until at least two systems meeting the stricter performance standards have been certified by the state board,” has been satisfied and South Coast AQMD has the authority to require Phase I and Phase II vapor recovery system for mobile fuelers. As described above, one system is subject to recertification and the other system is not available for purchase. Accordingly, due to the lack of commercial availability of both certified mobile fuelers, PR 461.1 temporarily allows the use of mobile fuelers equipped with non-vapor recovery component for dispensing for 60 months following issuance of a notification by the Executive Officer as required in paragraph (d)(4).

The owner of operator of a retail mobile fueler or non-retail mobile fueler operating under the interim operating requirements of paragraph (d)(4) is required to:

- Use a mobile fueler equipped with CARB certified Phase I vapor recovery system and non-vapor recovery component for dispensing;
- Dispense gasoline only into ORVR equipped motor vehicles;
- Maintain additional recordkeeping for dispensing operations; and
- Report monthly the additional recordkeeping for dispensing operations to the Executive Officer

Pursuant to paragraph (d)(4), upon issuance of notification by South Coast AQMD’s Executive Officer that CARB has certified at least two mobile fuelers equipped with Phase II vapor recovery system, the owner or operator of the mobile fueler equipped with a CARB certified Phase I vapor recovery system and non-vapor recovery components for dispensing would be required to cease operating the CARB certified mobile fueler equipped with a Phase I vapor recovery system and non-vapor recovery component after 60 months. The 60 months following issuance of notification

provides sufficient time for the owner or operator to purchase a replacement CARB certified mobile fueler equipped with Phase I and Phase II vapor recovery systems, submit applications for the new mobile fueler, and receive delivery of the new mobile fueler. For the purpose of California Health and Safety Code § 41954 (g)(3), CARB Executive Orders G-70-166 (issued in 1995) and G-70-193 (issued in 1999) established the authority to require the existing Phase II vapor recovery system performance standard. However, staff research indicates that the mobile fueler with CARB Executive Order G-70-166 is not currently in use and has never operated in the South Coast AQMD's jurisdiction. Therefore, staff is excluding this CARB certified mobile fueler from the total count of CARB certified mobile fuelers only for the purposes of (d)(4).

#### **Mobile Fueling Cargo Tank Requirements – Subdivision (e)**

Paragraph (e)(1) limits the maximum cumulative capacity to 5,000 gallons for cargo tank(s) on a retail mobile fueler or non-retail mobile fueler that dispense gasoline into motor vehicles, the same limit specified in Rule 461. Mobile fuelers that would not operate on a public highway would not be subject to this restriction. This would include mobile fuelers that operate at an airport or recreational racetrack, provided these mobile fuelers were dedicated to those locations only.

Paragraph (e)(2) requires that each retail mobile fueler is equipped with a non-resettable totalizer that accurately registers the quantity of gasoline dispensed, except gasoline dispensed from a single portable fuel container up to 6.6 gallons. A non-resettable totalizer is an element interfaced with the measuring or weighing element that indicates the cumulative registration of the measured quantity with no means to return to zero.<sup>15</sup>

Paragraph (e)(3) prohibits more than one portable fuel container to be on-board a retail mobile fueler or a non-retail mobile fueler.

#### **Operational Requirements – Subdivision (f)**

PR 461.1 requires owners and operators to equip and operate their mobile fuelers specified in subdivision (f) depending on the type of mobile fueler specified in each paragraph of this subdivision.

Paragraph (f)(1) requires the owner or operator to store gasoline containers in a manner that minimizes release of gasoline vapors by keeping containers closed when not in use and proper operations during gasoline transfer and dispensing activities to avoid spillage.

Paragraph (f)(2) prohibits the use of dispensing hose greater than 75 feet in length. The greater the hose length, the greater potential for gasoline vapors created due to the evaporation of gasoline from the hose surface due to hose permeation of the gasoline through the wall of the hose. Gasoline remains inside the hose even between dispensing operations, trapped between the cargo tank and the closed valve at the dispensing nozzle.

Paragraph (f)(3) requires that only the owner or operators may dispense the gasoline from the mobile fueler. Operation by employees trained in the use of the CARB certified dispensing equipment is needed to ensure that required recordkeeping will be accurate and complete.

Paragraph (f)(4) requires the owner or operator comply with Out of Order Protocol specified in Appendix A for major defects found by the South Coast AQMD staff.

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<sup>15</sup> [https://www.cdffa.ca.gov/dms/programs/Publications/FRM/2018/3-2018\\_FRM\\_Chapter%201\\_Part\\_3\\_3.30-3.40.pdf](https://www.cdffa.ca.gov/dms/programs/Publications/FRM/2018/3-2018_FRM_Chapter%201_Part_3_3.30-3.40.pdf)

Paragraph (f)(5) requires the operation and maintenance of CARB certified equipment in accordance with the manufacturers' specifications and CARB Executive Order and associated Installation, Operation, and Maintenance Manuals. Additional requirements focus on keeping the equipment liquid and vapor tight at the seals, valve, caps, hatch, and couplings.

**Mobile Fueling Location Requirements – Subdivision (g)**

Subdivision (g) specifies the requirements for the owner or operator of the retail and non-retail mobile fuelers when operating at a dispensing location and other locations.

Paragraph (g)(1) requires the owner or operator of a retail mobile fueler submit the documentation required in paragraph (m)(1) prior to any transfer or dispensing operation for the dispensing location.

Paragraph (g)(2) prohibits the transfer or dispensing of gasoline at the dispensing location to no more than one retail mobile fueling company during a single calendar month.

If a dispensing location desires to change mobile fueling companies, the new retail mobile fueler must submit documentation pursuant to paragraph (m)(1).

For example, if a mobile fueling company is operating at a specific location and will no longer be operating at that location mid-month, a second mobile fueling company could not start operating at that same location until the beginning of the following month. This provision is to ensure that multiple mobile fuelers are not operating at a single location where the combined monthly through could create a significant health risk.

Paragraph (g)(3) prohibits the operation of either a retail mobile fueler or non-retail mobile fueler that is dispensing fuel at a dispensing location that is that is located 1,000 feet or less from a school from dispensing gasoline during the hours between 7:30 a.m. and 4:30 p.m. on days when the school is in session. The distance between the school and dispensing location is measured from the property line of the dispensing location is measured from the property line of the dispensing location that is closest to the school to the property line of the school that is closest to the dispensing location. As previously discussed, gasoline emissions include benzene emissions which is a carcinogen. Paragraph (g)(3) provides additional protections for school children to minimize potential exposure to benzene emissions. Restricting operations during school hours is consistent with the requirements of Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines and Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants.

Paragraph (g)(4) requires the owner or operator of a retail mobile fueler to have approval by the responsible fire department or other designated fire authority to operate at a dispensing location or written statement that approval is not required before any transfer or dispensing of gasoline is conducted. The approval letter or written statement from the fire department or fire authority must identify the dispensing location where the owner or operator of the mobile fueler may operate. The document may specify a larger geographical area than the dispensing location, however the owner or operator of the mobile fueler would still be limited to the dispensing location listed in the permit to operate.

Paragraph (g)(5) prohibits the owner or operator of a retail or non-retail mobile fueler to conduct mobile fueling operations, both transfer and dispensing, on public streets. Based on discussions with various fire authorities, fueling on a public street is also prohibited under the IFC Section

5707<sup>16</sup>. Non-retail and retail mobile fuelers may fuel on public streets provided they are dispensing into a motor vehicle or equipment that is responding to an emergency or to maintain public infrastructure. Records of dispensing on a public street shall be maintained pursuant to (k)(9) and reported pursuant to (m)(2). PR 461.1 defines emergency as any sudden, unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services caused by either air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake. An event that would persist for an extended period or did not require immediate action would not be considered an emergency.

Paragraph (g)(6) requires the owner or operator of a retail mobile fueler to only transfer or dispense gasoline into a container, equipment, or motor vehicle that is located at the same dispensing location as the mobile fueler. Mobile fuelers with a certified non-vapor recovery component are limited to dispensing only into motor vehicles equipped with ORVR. A retail mobile fueler would be prohibited from having any part of the mobile fueler located at one dispensing location and dispensing or transferring gasoline into a container, equipment, or motor vehicle located at a different dispensing location or on a public street.

#### **Labeling Requirements for Mobile Fuelers – Subdivision (h)**

Subdivision (h) requires a retail mobile fueler and non-retail mobile fueler to post and maintain signs on both sides of the mobile fueler where the public can report potential air related issues regarding the operation of the mobile fueler to 1-800-CUT SMOG. The signs should be unobstructed and clearly visible to the public.

#### **Installation, Maintenance, and Repair Requirements – Subdivision (i)**

Subdivision (i) specifies the installation, maintenance, and repair requirements for CARB certified Phase I and II vapor recovery systems as well as CARB certified non-vapor recovery component for dispensing. The requirements incorporate existing requirements for installation, maintenance, and repair requirements from Rule 461. The requirements ensure proper installation, maintenance, and repair by qualified and trained persons.

#### **Self-Compliance Program Requirements – Subdivision (j)**

Subdivision (j) specifies the self-compliance program requirements for the owner or operator of a retail mobile fueler or a non-retail mobile fueler. The requirements incorporate existing requirements for self-compliance program from Rule 461 that applied to retail gasoline transfer and dispensing facilities. The daily maintenance inspection and periodic compliance inspection are specified in Attachment B – Daily Maintenance Inspection Protocol and Attachment C – Periodic Compliance Inspection Protocol. The protocols were modified for mobile fuelers from existing protocols in Rule 461. Additionally, a person who conducts a Performance or Reverification test is required by subdivision (l) to complete the South Coast AQMD’s Tester Orientation class, but the owner or operator of mobile fueler is not required to take a class.

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<sup>16</sup> International Code Council. (2020). 2021 International Fire Code (International Code Council Series) (1st ed.). ICC (distributed by Cengage Learning).

**Recordkeeping – Subdivision (k)**

Recordkeeping requirements for PR 461.1 are largely based on Rule 461 recordkeeping requirements, with the addition of recordkeeping requirements to verify compliance per dispensing location.

Paragraph (k)(1) requires that the owner or operator implement and document the Operation and Maintenance (O&M) manual for CARB certified control equipment.

Paragraph (k)(2) requires the owner or operator of a retail mobile fueler to maintain information for each dispensing location where the retail mobile fueler dispenses gasoline. This would also include documentation from the owner or operator of the dispensing location that the mobile fueling company would be the only mobile fueling company operating a retail mobile fueler at the dispensing location.

Paragraph (k)(3) requires the owner or operator of a retail mobile fueler or non-retail mobile fueler with a permit to operate specifying a throughput limit by dispensing location to maintain daily records by dispensing location. As of December 2021, the mobile fuelers with South Coast AQMD permits to operate have been used for non-retail purposes and have been issued with a throughput limit for each mobile fueler. The mobile fuelers with South Coast AQMD permits to operate that indicate a throughput limit for the mobile fueler and not per dispensing location would not be subject to this requirement. It is anticipated that mobile fueler permits would have throughput limits based on the location and would be subject to this requirement.

Paragraph (k)(4) requires the recording of each transfer of gasoline from and into a retail mobile fueler or a non-retail mobile fueler. The transfer records and dispensing records would allow the verification of gallons transferred into and out of the applicable mobile fueler.

Paragraph (k)(5) requires the owner or operator of a retail mobile fueler to maintain totalizer and inventory reconciliation records. During the rule development, staff became aware of a process to reset the amount of gasoline that was being stored in the cargo tanks of mobile fuelers. This occurred when loading the mobile fueler at a bulk loading facility due to the inventory not being accurately measured as mobile fueler was on an incline. If the mobile fueler is equipped with one individual portable fuel container with a capacity up to 6.6 gallons of gasoline, the owner or operator of the mobile fueler would not need to maintain totalizer records for the portable fuel container.

Paragraph (k)(6) requires the recording of the monthly dispensing throughput for each dispensing location for a retail mobile fueler or a non-retail mobile fueler with a dispensing location throughput limit.

Paragraph (k)(7) requires the recording of the monthly dispensing throughput for each mobile fueler for a non-retail mobile fueler without a monthly throughput limit. The monthly records for the non-retail mobile fueler would be used verify the monthly or annual throughput limit.

Paragraph (k)(8) requires monthly throughput records be maintained for a retail mobile fueler complying with semi-annual testing frequency. This is an additional recordkeeping requirement to the dispensing location throughput requirements.

Paragraph (k)(9) requires the owner or operator of a retail mobile fueler or a non-retail mobile fuelers that dispenses gasoline to maintain records of when gasoline was dispensed on a public street maintain. These records include the type of emergency or the type of public infrastructure being maintained, the contact information for the responsible person of the organization that

authorized the dispensing into the motor vehicle or equipment, and general gasoline dispensing information.

Paragraph (k)(11) requires any person who performs installation, inspection, repairs, or testing of a mobile fueler equipped with a CARB certified control equipment to maintain records needed for required reporting in subdivision (m) and provide them to the owner or operator by the end of the day.

Paragraph (k)(12) and (13) require that records be maintained for a minimum of two years unless the mobile fueler is permitted to operate at a Title V facility where it shall be maintained a minimum of five years. Records are required to be provided to the Executive Officer upon request.

### **Testing – Subdivision (l)**

Subdivision (l) specifies the performance and reverification test for CARB certified Phase I and Phase II vapor recovery systems. Periodic testing ensures that the vapor recovery system are performing as certified. The requirements for testing were incorporated from Rule 461 and modified to be specific for mobile fuelers.

### **Reporting – Subdivision (m)**

Paragraph (m)(1) requires that dispensing location information be electronically submitted in a format:

- No less than 48 hours prior to initially dispensing at the dispensing location where records required in (k)(2) have not been submitted for the dispensing location
- No less than 48 hours prior to dispensing at the dispensing location where a different mobile fueling company dispensed gasoline during a prior calendar month

This ensures that the Executive Officer is aware of any new dispensing location and if there is a change in mobile fueling company at a dispensing location.

Subdivision (m)(2) requires that the owner or operator of a retail mobile fueler or a non-retail mobile fuelers that dispenses gasoline on a public street into a motor vehicle or equipment that was responding to an emergency or maintaining public infrastructure electronically submit the information maintained pursuant to paragraph (k)(9) no later than 48 hours after the conclusion of the dispensing.

Subdivision (m)(3) is incorporated from existing requirements in Rule 461 and requires the owner or operator of a retail or non-retail mobile fueler to provide the monthly gasoline dispensing records required by paragraph (k)(6) through (k)(8) for the previous calendar year to the Executive Officer in an approved format on or before March 1.

Subdivision (m)(4) is incorporated from existing requirements in Rule 461 and requires a person who conducts performance or reverification tests to submit a copy of the PASS/FAIL test results, showing a summary of the overall results of each test, within 72 hours after each test is conducted to the Executive Officer in a South Coast AQMD approved electronic format.

Subdivision (m)(5) is incorporated from existing requirements in Rule 461 and requires a person who conducts performance or reverification tests to submit the final test report demonstrating compliance within 14 calendar days of the date when all tests were passed. These records would include all the required records of all tests performed, test data, current South Coast AQMD facility ID number of the Mobile Fueler being tested, the equipment permit to operate or application number, the South Coast AQMD ID number of the company performing the tests, a statement

whether the system or component tested meets the required standards, and the name, South Coast AQMD tester ID number and signature of the person responsible for conducting the tests.

**Exemptions – Subdivision (n)**

Subdivision (n) specifies the exemption from either specific provisions of the rule or the entire rule. There are exemptions that sunset after July 2022 to allow for the delayed implementation for mobile fuelers that were previously exempt under Rule 461 or for adjusting to the new requirements regarding dispensing location. The delayed requirements are synchronized with PAR 219 for permitting.

Paragraphs (n)(1) through (n)(2) are exemptions from Rule 461 for the transfer of gasoline for testing purposes and the fueling of The Tournament of Roses floats.

Paragraph (n)(3) and (n)(4) delays the implementation for requirements related to CARB certified Phase I vapor recovery systems or Phase II vapor recovery systems for mobile fuelers that were previously exempt based on the mobile fueler’s cumulative capacity or individual cargo tank capacity to allow time to comply with the new requirements.

Paragraph (n)(5) delays implementation for requirements for mobile fueling location requirements in subdivision (g) for the owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler.

## **CHAPTER 3 - SUMMARY OF PROPOSED AMENDED RULE 461**

INTRODUCTION

PROPOSED AMENDED RULE 461

## **INTRODUCTION**

Rule 461 – Gasoline Transfer and Dispensing was originally adopted by South Coast AQMD on January 9, 1976 and most recently amended on April 6, 2012. This rule requires the use of Phase I and Phase II vapor recovery systems to control volatile organic compound (VOC) and toxic emissions from both the loading of gasoline into storage tanks and the dispensing of gasoline into motor vehicle fuel tanks at both stationary and mobile gasoline transfer and gasoline dispensing facilities.

In 2012, provisions were adopted to exempt non-retail gasoline dispensing facilities fueling only fleet motor vehicles equipped with ORVR from upgrading their existing Phase II pre-EVR dispensing equipment to a Phase II enhanced vapor recovery (EVR) system by the April 1, 2012 deadline. This was allowed because non-retail facilities:

- Can verify if the motor vehicle they own is equipped with ORVR
- Dispense less gasoline than a retail gasoline dispensing facility
- Have direct control over the motor vehicles they fuel

Instead of upgrading to the Phase II EVR, non-retail facilities had the option to block off their CARB certified Phase II nozzle and fuel fleet motor vehicles equipped with ORVR.

### **Need for Proposed Amended Rule 461**

As previously discussed, CARB certified Phase I and II vapor recovery systems are effective in reducing emissions from gasoline transfer and dispensing operations. However, owner or operators of mobile fuelers subject to Rule 461 would also be subject to the requirements of PR 461.1. PR 461.1 builds on the requirements for mobile fuelers found in Rule 461. This would cause duplicate requirements for most mobile fuelers, except the previously unregulated models. In order to avoid duplicate requirements and to provide clarity between stationary and mobile gasoline operations, PAR 461 will remove definitions and provisions for mobile fuelers. In addition, the process for alternative compliance with Phase II requirements will be amended to allow existing facilities to continue using equipment from an older CARB Executive Order while new or modified facilities would be required to use equipment specified in the most recent CARB Executive Order.

### **Overview of Proposed Amended Rule 461**

Proposed Rule 461.1 (PR 461.1) – Gasoline Transfer and Dispensing for Mobile Fueling Operations will reduce emissions of VOC and Toxic Air Contaminant (TAC) emissions from mobile fueling operations. Proposed Amended Rule 461's (PAR 461) objective is to remove the specific requirements for mobile fuelers from Rule 461 as PR 461.1 will address mobile fuelers VOC and TAC emissions. In addition, PAR 461 allows the owner or operator of a stationary non-retail gasoline dispensing facility with modified dispensing equipment used in lieu of complying with Phase II requirements to continue using these modified components until the permit to operate is modified, at which time those modified components must be replaced with hose and nozzle components from the most recent CARB Executive Order.

## **PROPOSED AMENDED RULE 461**

### **Applicability – Subdivision (a)**

PAR 461 modifies the applicability by removing references to mobile fuelers.

### **Definitions – Subdivision (b)**

PAR 461 deletes the following terms as they are no longer needed or modifies the term as explained below. Please refer to PAR 461 for actual definitions.

- COAXIAL FILL TUBE (deleted)
- GASOLINE TRANSFER AND DISPENSING FACILITY (modified)
- INSTALLER/CONTRACTOR (modified)
- MOBILE FUELER (deleted)
- VAPOR RECOVERY SYSTEM (modified)

GASOLINE TRANSFER AND DISPENSING FACILITY has been modified to remove reference to a mobile system as PAR 461 will no longer apply to mobile fuelers.

INSTALLER/CONTRACTOR has been modified from “gasoline dispensing facility” to “gasoline transfer and dispensing facility” to be consistent with that defined term.

VAPOR RECOVERY SYSTEM has been modified to remove reference to mobile fuelers as well as remove references to components no longer used.

#### **Requirements – Subdivision (c)**

PAR 461 removes requirements and references to mobile fuelers as those requirements are moved to PR 461.1, removes requirements related to COAXIAL FILL TUBES as they are no longer used, and adds railroad tank car to be consistent with rule applicability.

PR 461 removes the earlier process in paragraph (c)(4) that allowed a facility to use modified components from a CARB certified “vapor recovery system” in lieu of complying with Phase II requirements of paragraph (c)(2). Rule 461 allowed this as there was not a CARB certified system at the time compatible with ORVR equipped cars.

Subparagraph (c)(4)(A) allows those facilities to continue use of those modified components. However, if the owner or operator modifies the permit to operate associated with the modified components, subparagraph (c)(4)(B) requires the owner or operator to replace the modified components with components from the most recent CARB certified Executive Order NVR-1 (as of December 2021 was NVR-1-F<sup>17</sup>).

An owner or operator applying for a new permit to construct would be required to use components from the most recent CARB certified Executive Order NVR-1. Stationary non-retail gasoline dispensing facilities, without Phase 2 equipment, would continue to be allowed to only dispense gasoline into ORVR equipped motor vehicles, except those used in responding to an emergency.

#### **Testing, Reporting and Recordkeeping Requirements – Subdivision (e)**

PAR 461 removes references and requirements for mobile fuelers as requirements are moved to PR 461.1. PAR 461 updates how the owner or operator are required to submit reporting documents.

#### **Rule 1402 Inventory Requirements – Subdivision (h)**

PAR 461 updates a reference to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources to the correct subparagraph because of a subsequent amendment to Rule 1402.

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<sup>17</sup> CARB. (2021, February 18). *EXECUTIVE ORDER NVR-1-F*. California Air Resources Board. [https://arb.ca.gov/vapor/eos/eo-nvr1/eo\\_nvr1f.pdf](https://arb.ca.gov/vapor/eos/eo-nvr1/eo_nvr1f.pdf)

## **CHAPTER 4: SUMMARY OF PROPOSED AMENDED RULE 219**

OVERVIEW OF PROPOSED AMENDED RULES 219  
PROPOSED AMENDED RULE 219

## OVERVIEW OF PROPOSED AMENDED RULE 219

Proposed Rule 461.1 (PR 461.1) – Gasoline Transfer and Dispensing for Mobile Fueling Operations will reduce emissions of VOC and toxic emissions from mobile fueling operations. PR 461.1 will lower the size threshold for mobile fuelers subject to specific requirements in the rule. Retail Mobile Fuelers will now be subject if the cumulative capacity of all cargo tanks exceeds 10 gallons while Non-Retail Mobile Fuelers will now be subject if the cumulative capacity of all cargo tanks exceeds 120 gallons. PAR 219 will modify and include exemptions in Storage and Transfer Equipment in subdivision (m).

### Need for Proposed Amended Rule 219

Amendments to Rule 219 are needed to change equipment that was previously exempt and to align both with PR 461.1. Mobile fueling equipment with either less than a total cumulative capacity 251 gallons or an individual tank less than 120 gallons was exempt under Rule 219. However, if any of this equipment has Phase I or Phase II vapor recovery system, the mobile fueler would require a permit.

### PROPOSED AMENDED RULE 219

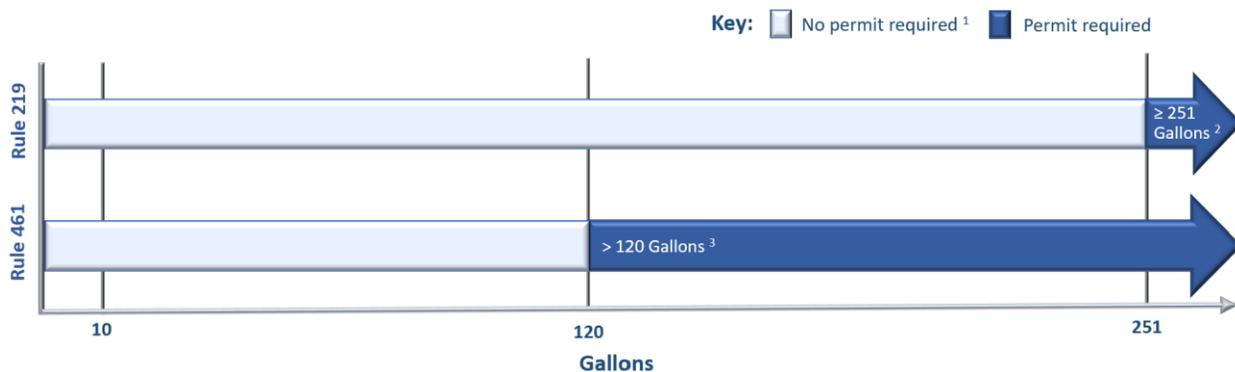
#### Storage and Transfer Equipment – Subdivision (m)

PAR 219 removes mobile fuelers from the existing exemption in paragraph (m)(9) in order to add two separate exemptions for retail and non-retail mobile fuelers in paragraphs (m)(10) and (m)(11) with the new lower cumulative capacity mobile fueler thresholds from PR 461.1.

Paragraph (m)(12) temporarily exempts mobile fuelers previously exempt so operators have time to apply and obtain a permit to operate.

Figure 4-1 is a graphic representation of the current permitting requirements for mobile fuelers that fuel into motor vehicles. A permit to operate would be required for mobile fuelers with a tank capacity greater than 120 gallons as it would be required to be equipped with vapor recovery pursuant to Rule 461. Figure 4-2 is a graphic representation of proposed Rule 219 concepts for mobile fuelers.

**Figure 4-1**  
**Current Rule 219 and Rule 461 Permitting of Mobile Fuelers**

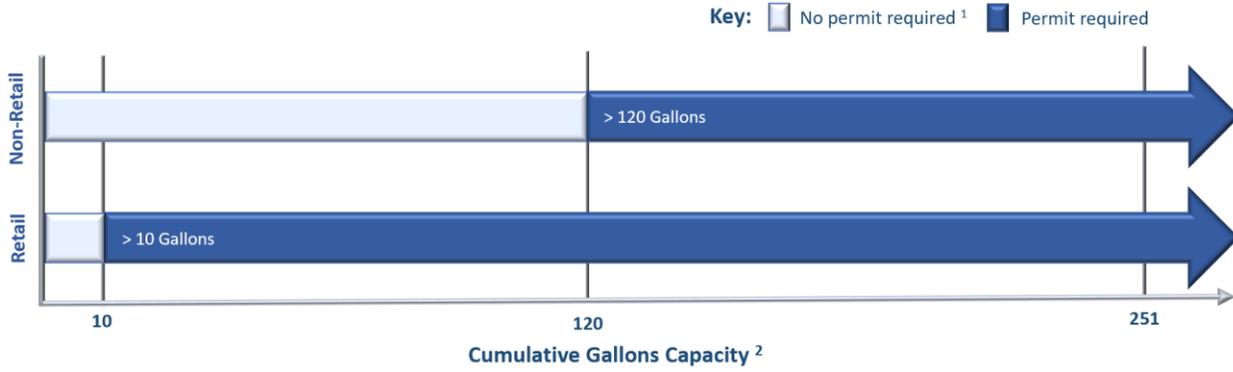


<sup>1</sup> If a vapor recovery system is installed on mobile fueler, a permit is required

<sup>2</sup> Cumulative capacity

<sup>3</sup> Tank capacity

**Figure 4-2**  
**Proposed Rule 219 Concept for Permitting of Mobile Fuelers**



<sup>1</sup> If a vapor recovery system is installed on mobile fueler, a permit is required

<sup>2</sup> Excluding one portable fuel container less than 5 gallons

**CHAPTER 5 – IMPACT ASSESSMENT**

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AFFECTED SOURCES

EMISSIONS IMPACT

CALIFORNIA ENVIRONMENTAL QUALITY ACT

SOCIOECONOMIC IMPACT ASSESSMENT

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND  
SAFETY CODE SECTION 40727

COMPARATIVE ANALYSIS

## AFFECTED SOURCES

PR 461.1 applies to the owner or operator of a mobile fueler. Additionally, it applies to a person who conducts any test for a mobile fueler; installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler; or manufacturers CARB certified control equipment or the associated components thereof. Staff conducted a survey of mobile fueling operations to collect information to accurately account for various types of operations, properly assess potential impacts, and to help inform the rulemaking efforts for mobile fueling operations. A review of the surveys revealed that mobile fuelers traditionally are almost exclusively used for non-retail fueling and are primarily used to fuel stationary equipment, off-road equipment, aircraft, and landscape equipment, to fill portable fuel containers, and for emergency fueling.

There are approximately 80 mobile fuelers at 38 facilities expected to be impacted by PR 461.1 and PAR 461. Approximately 80 mobile fuelers expected to be impacted by PAR 219. The number of affected sources were identified by using different methods based on the type of source.

- The permitted universe of mobile fuelers was identified by reviewing South Coast AQMD gasoline storage and dispensing permits
- The potential unpermitted universe of mobile fuelers was estimated from:
  - Survey responses
  - Internet searches
  - Information provided by stakeholders

Based on internet searches, stakeholder information, and compliance activities, staff suspects at least three mobile fueling companies have operated Model 3 mobile fuelers in the South Coast Air Basin. This includes one mobile fueling company that operated five mobile fuelers that were included in the count of mobile fuelers. As discussed in Chapter 1, Model 3 mobile fuelers lack emission controls and are unregulated. This regulatory gap means Model 3 mobile fuelers could operate near sensitive receptors and dispense gasoline in quantities that are comparable to a stationary gasoline dispensing facility.

The survey responses are not reflective of staff's research. Staff reached out to companies identified as providing MFOD services via email, telephone, and site visits, but were only able to receive operational information from two companies with retail mobile fueling. Regardless of an operator's decision to reply to the informational survey, upon adoption or amendment of the proposed rules for mobile fueling, operators that meet the applicability provisions are subject to the requirements of Proposed Rule 461.1 and Proposed Amended Rule 219.

## EMISSIONS IMPACT

Staff anticipates that implementation of these regulations will result in emission reductions from previously unregulated retail mobile fuelers with cumulative capacities of 10 to 251 gallons of gasoline and from gasoline mobile fuelers that do not dispense into motor vehicles. As discussed in Chapter 1, due to the geographic scope and limited use of one certified mobile fueler, and the discontinued manufacturing of a part necessary for proper operation of the only other mobile fueler with a CARB certified Phase II vapor recovery system, no new mobile fuelers are available with a CARB certified Phase II vapor recovery system at this time. Accordingly, PR 461.1 will temporarily allow mobile fuelers that were required by Rule 461 to be equipped with a CARB certified Phase II vapor recovery system to operate with a CARB certified Phase II non-vapor recovery components until two CARB certified mobile fuelers with Phase II vapor recovery

systems are available plus 60 months following notification by the Executive Officer. Because a CARB certified Phase II vapor recovery system will be required when two Phase II vapor recovery systems have been certified by CARB, any emission increase will be limited to new mobile fuelers that dispense into motor vehicles and will be temporary. Estimating the emission reductions from implementation of these rules is difficult because staff has limited information available for this emerging industry and is proposing PR 461.1 to address the regulatory gap.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Pursuant to the California Environmental Quality Act (CEQA) and South Coast AQMD's Certified Regulatory Program (Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l); codified in South Coast AQMD Rule 110) and CEQA Guidelines Section 15070, the South Coast AQMD as lead agency, has prepared an Environmental Assessment (EA) with less than significant impacts for the proposed project. The EA is a substitute CEQA document prepared in lieu of a Negative Declaration. A Draft EA has been released for a 30-day public comment and review period from November 24, 2021 to December 24, 2021. If written comments are received, the comments and responses will be incorporated into the Final EA.

### **SOCIOECONOMIC IMPACT ASSESSMENT**

California Health & Safety Code §40440.8 requires a socioeconomic impact assessment for proposed and amended rules resulting in significant impacts to air quality or emission limitations. Staff has determined adoption of this rule would not result in significant impacts to air quality or emission limitations. Nevertheless, staff has provided the following impact analysis of the proposed rule.

Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations (PR 461.1) expands the control of VOC emissions from mobile fuelers with an individual tank capacity greater than 120 gallons (currently subject to Rule 461) to retail mobile fuelers with a cumulative capacity greater than 10 gallons and non-retail mobile fuelers with a cumulative capacity greater than 120 gallons (subject to PR 461.1). PR 461.1 would establish requirements based on Rule 461 to ensure VOC and toxic emissions are controlled.

### **AFFECTED INDUSTRIES/FACILITIES**

Based on the South Coast AQMD permit database and survey for PR 461.1, staff estimates that there are approximately 80 mobile fuelers operating at 38 facilities in the South Coast AQMD's jurisdiction that would be affected by PR 461.1, PAR 461, or PAR 219.

Rule 461 and PR 461.1 affect the Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals) industry (North American Industry Classification System [NAICS] 424720). Economic Models, Inc. (EMSI) regional industry profile for NAICS 424720 indicates just over 2,000 jobs in the 4-county region, and stable supply in the region (minimal growth or contraction).<sup>18</sup>

### **COMPLIANCE COSTS**

PR 461.1 addresses the regulatory gap by implementing requirements for previously unregulated mobile fuelers that align with Rule 461. PR 461.1 also establishes interim operating requirements to temporarily allow CARB certified mobile fuelers without Phase II systems to operate until CARB has certified at least two mobile fuelers equipped with Phase I and Phase II vapor recovery

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<sup>18</sup> Economic Models, Inc. (EMSI), economicmodeling.com industry profile for NAICS 424720, accessed 11/24/2021.

systems plus 60 months has elapsed following notification from the Executive Officer. As discussed in Chapter 1, CARB certified mobile fuelers equipped with Phase I and Phase II vapor recovery systems are not available for purchase, even though there are mobile fuelers permitted to operate in the South Coast AQMD that meet the requirements to operate with a Phase II vapor recovery system.

While an owner or operator would be required to cease operating a mobile fueler that is not equipped with Phase II, this is not a new requirement. Rule 461 prohibits retail operation for a CARB certified mobile fueler equipped with a Phase I vapor recovery system and non-vapor recovery components from dispensing into motor vehicles. PR 461.1 is temporarily allowing the use of such mobile fuelers as CARB certified mobile fueler equipped with Phase I and Phase II vapor recovery system is unavailable for purchase. As such, the future costs to either retrofit or acquire a CARB certified mobile fueler equipped with a Phase II vapor recovery system are not directly attributable to PR 461.1 since this was pre-existing requirement.

Existing facilities complying with Rule 461 are currently meeting the requirements for a CARB certified Phase I & Phase II vapor recovery system and as such are not expected to purchase any additional equipment or incur any additional costs. Staff recognizes Model 3 mobile fuelers would require costs to convert to a compliant model, but is unable to verify any Model 3 mobile fuelers are currently operating within South Coast AQMD's jurisdiction.

PR 461.1 monitoring, recordkeeping, and reporting requirements overlap with the existing Rule 461 requirements, and do not pose a significant increase in labor costs to mobile fueling operators. The regional economic impacts of the proposed rule are expected to be minimal.

## **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 461.1, PAR 461, and PAR 219 are needed to regulate the emerging industry of retail mobile fuelers. PR 461.1 will address the regulatory gap for mobile fuelers with cumulative capacities of 10 to 251 gallons of gasoline and will require mobile fuelers to meet existing performance standards using equipment certified by CARB. PAR 461 and PAR 219 are needed for alignment with PR 461.1 and to eliminate conflicts with permitting thresholds and requirements for retail mobile fueling.

### **Authority**

The South Coast AQMD Governing Board has authority to adopt PR 461.1, PAR 461, and PAR, 219 pursuant to the California Health and Safety Code Sections California Health and Safety Code Sections 39002, ~~39650 et. seq., 39656 et seq.,~~ 40000, 40001, 40440, 40441, 40506, 40510, 40522, 40702, 40725 through 40728, 41508, 41510, 41511, 41700, 41544, and 42300 et seq., and Federal Clean Air Act Section 116 (Retention of State authority).

**Clarity**

PR 461.1, PAR 461, and PAR 219 are written or displayed so that its meaning can be easily understood by the persons directly affected by it.

**Consistency**

PR 461.1, PAR 461, and PAR 219 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

**Non-Duplication**

PR 461.1, PAR 461, and PAR 219 will not impose the same requirements as or in conflict with any existing state or federal regulations. Proposed amendments to Rule 461 will ensure provisions for mobile fueling are not duplicative in PR 461.1. 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 461.1, PAR 461, and PAR 219, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Section 39650 et seq., 39656 et seq. (toxic air contaminants), ~~40000 (non-vehicular air pollution), 40001 (rules to achieve and maintain ambient air quality standards), 40440 (adopt regulation to carry out plan), 40702 (adopt regulations and execute duties), 41700 (nuisance), 41510 (right of entry), 41511 (rules to require source to determine emissions), 41700 (nuisance), 41950 (stationary gasoline tanks), 41954 (gasoline marketing operation performance standards), 41964 (enhanced vapor recovery Phase II upgrade), 42300 et seq. (permitting), 42303 (requests for information), Federal Clean Air Act Section 112 (Hazardous Air Pollutants), and Federal Clean Air Act Section 116 (Retention of State authority).~~

**COMPARATIVE ANALYSIS**

California Health and Safety Code Section 40727.2 requires a comparative analysis of the proposed rule requirements with those of any Federal or South Coast AQMD rules and regulations applicable to the same equipment or source category.

The proposed requirements in PR 461.1 also affect mobile fuelers subject to Rule 461, as the rule applies to both stationary and mobile gasoline transfer and dispensing. As discussed in Chapter 1 and Chapter 3, existing requirements for mobile fuelers would be removed in PAR 461. Since the requirements of PR 461.1 build upon the requirements from Rule 461, the comparative analysis focuses on requirements for mobile fueling operations.

The proposed amendments to Rule 219 do not impose federal rules or regulations that exempt facilities from requiring a permit for equipment. The proposed amendments do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements. Therefore, a comparative analysis would not be required for PAR 219 pursuant to HSC § 40727.2(g).

| Rule Element  | PR 461.1   | PAR 461                             | Rule 461   |
|---|--|-------------------------------------|--|
| <b>Applicability</b>                                      | <ul style="list-style-type: none"> <li>• Mobile fueler that conducts retail or non-retail operations</li> <li>• Persons that conduct testing, installation or repairs</li> <li>• Manufacturers and suppliers</li> </ul>  | Mobile fueler applicability removed | <ul style="list-style-type: none"> <li>• Facilities that transfers gasoline from any tank truck, trailer, or railroad tank car into a stationary storage tank or mobile fueler and from stationary storage tank or mobile fueler into a motor vehicle fuel tank</li> <li>• Persons that conducts testing, installations or repairs</li> <li>• Manufacturers and suppliers</li> </ul> |
| <b>Mobile Fueler Vapor Recovery Requirements Phase I</b>  | <ul style="list-style-type: none"> <li>• Equip mobile fueler cargo tank with vapor recovery system certified pursuant to CP-204</li> </ul>   | Mobile fueler requirements removed  | <ul style="list-style-type: none"> <li>• Equip mobile fueler tank with a “CARB certified” vapor recovery having a volumetric efficiency of 95%</li> </ul>  |
| <b>Mobile Fueler Vapor Recovery Requirements Phase II</b> | <ul style="list-style-type: none"> <li>• Equip mobile fueler cargo tank dispensing into motor vehicles with a vapor recovery system certified pursuant to CP-205</li> <li>• CARB issued an Executive Order for the mobile fueler</li> <li>• Phase II components vapor and liquid tight while dispensing</li> <li>• Nozzles equipped with CARB certified insertion interlock mechanism and vapor check valve</li> <li>• Nozzles equipped with coaxial hose per Executive Order</li> </ul> | Mobile fueler requirements removed  | <ul style="list-style-type: none"> <li>• Equip mobile fueler with a "CARB certified" vapor recovery system as capable of recovering or processing displaced gasoline vapors by at least 95% or having an emission factor not exceeding 0.38 pounds per 1,000 gallons</li> </ul>  |

|  |   |  |   |
|--|---|--|---|
| <p><b>Mobile Fueler Non-vapor Recovery Requirements Phase II</b></p> | <ul style="list-style-type: none"> <li>• Mobile fuelers equipped with CARB certified non-vapor recovery components shall             <ul style="list-style-type: none"> <li>○ Not dispense into anything other than a motor vehicle equipped with ORVR</li> <li>○ CARB issued an Executive Order for the mobile fueler</li> <li>○ Record motor vehicle information</li> <li>○ Submit monthly motor vehicle records report</li> </ul> </li> <li>• No later than 60 months after the Executive Officer issues a notification that CARB has certified at least two mobile fuelers equipped with a Phase II vapor recovery system, owner or operator shall             <ul style="list-style-type: none"> <li>○ Operate a CARB certified mobile fueler equipped with Phase II vapor recovery system</li> <li>○ Cease operating the mobile fueler equipped with a CARB certified non-vapor recovery component</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Non-retail gasoline dispensing facilities issued a permit prior to [Date of Adoption] shall             <ul style="list-style-type: none"> <li>○ Use hoses, breakaways, and nozzles that are part of a “CARB certified” vapor recovery system, except that the vapor return line is sealed off</li> <li>○ Use CARB certified non-vapor recovery component identified in the most recent revision of CARB Executive Order NVR-1</li> </ul> </li> <li>• If the non-retail gasoline dispensing was issued a permit or modified after [Date of Adoption] shall             <ul style="list-style-type: none"> <li>○ Use CARB certified non-vapor recovery component identified in the most recent revision of CARB Executive Order NVR-1</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Non-retail gasoline dispensing facilities shall             <ul style="list-style-type: none"> <li>○ Use hoses, breakaways, and nozzles that are part of a “CARB certified” vapor recovery system, except that the vapor return line shall be sealed off</li> <li>○ Dispense only into vehicles owner or direct control of the operator (except vehicles responding to an emergency)</li> <li>○ Dispense only into vehicles equipped with an ORVR system (except vehicles responding to an emergency)</li> <li>○ Maintain records</li> </ul> </li> </ul> |
|--|---|--|---|

| Rule Element   | PR 461.1   | PAR 461                            | Rule 461   |
|--|--|------------------------------------|--|
| <b>Cargo Tank Requirements</b>                                 | <ul style="list-style-type: none"> <li>• Mobile fueler capacity shall not be greater than 5,000 gallons</li> <li>• Equip the mobile fueler with a non-resettable totalizer</li> <li>• Not have on-board more than one portable fuel container</li> </ul>       | Mobile fueler requirements removed | <ul style="list-style-type: none"> <li>• Mobile fueler capacity shall not be greater than 5,000 gallons</li> </ul>   |
| <b>Operational Requirements: Spillage</b>                      | <ul style="list-style-type: none"> <li>• Store and handle gasoline in a manner that avoid spills</li> </ul>  | Mobile fueler requirements removed | <ul style="list-style-type: none"> <li>• Store and handle gasoline in a manner that avoid spills</li> </ul>  |
| <b>Operational Requirements: Dispensing Restrictions</b>       | <ul style="list-style-type: none"> <li>• Dispensing hose length shall not exceed 75 feet</li> <li>• Dispensing of gasoline only by owner or operator of mobile fueler</li> </ul>   | None specified<br>None specified   | None specified<br>None specified   |
| <b>Operational Requirements: Equipment tagged Out of Order</b> | <ul style="list-style-type: none"> <li>• Equipment “Out of Order” <ul style="list-style-type: none"> <li>○ Repaired, replaced, or adjusted</li> <li>○ Notify Executive Officer</li> <li>○ Reinspected by Executive Officer, if required</li> </ul> </li> </ul> | Mobile fueler requirements removed | <ul style="list-style-type: none"> <li>• Equipment “Out of Order” <ul style="list-style-type: none"> <li>○ Repaired, replaced, or adjusted</li> <li>○ Notify Executive Officer</li> <li>○ Reinspected by Executive Officer, if required</li> </ul> </li> </ul> |

| Rule Element   | PR 461.1   | PAR 461                            | Rule 461  |
|--|--|------------------------------------|---|
| <b>Operational Requirements:</b><br>CARB Certified Equipment | <ul style="list-style-type: none"> <li>• Operate per:               <ul style="list-style-type: none"> <li>○ Manufacturer specifications</li> <li>○ Executive Order</li> </ul> </li> <li>• Maintain Phase I and Phase II equipment so they are liquid and vapor tight, when applicable</li> <li>• Maintain spill box free of debris</li> <li>• Equip with overfill protection</li> <li>• Only bottom load gasoline into cargo tank from facility with Phase I vapor recovery system</li> <li>• Not top load of gasoline into cargo tank</li> <li>• Equip fill tubes and dry breaks with vapor tight caps and seals</li> <li>• Maintain each vapor tight cap in closed position unless it is active use</li> <li>• Equip each cargo tank or compartment with an overfill protection device</li> <li>• If equipped with a spill box, maintain it free of debris and other foreign matter</li> <li>• Keep cargo tank dome hatch closed</li> </ul> | Mobile fueler requirements removed | <ul style="list-style-type: none"> <li>• Operate per:               <ul style="list-style-type: none"> <li>○ Manufacturer specifications</li> <li>○ Executive Order</li> </ul> </li> <li>• Maintain Phase I and Phase II equipment so they are liquid and vapor tight, when applicable</li> <li>• Maintain spill box</li> <li>• Breakaway couplings with poppet valves, liquid and vapor tight</li> <li>• Overfill protection</li> <li>• Bottom load gasoline</li> <li>• Not specified</li> </ul> |

| Rule Element                                | PR 461.1  | PAR 461   | Rule 461   |
|---|---|---|--|
| <b>Mobile Fueling Location Requirements</b> | <ul style="list-style-type: none"> <li>• Retail mobile fueler shall not operate unless a record for the dispensing location was submitted that identified the mobile fueler</li> <li>• Only one retail mobile company can operate per calendar month</li> <li>• Prohibited from operating 7:30 a.m. to 4:30 p.m. on days when school in session, if within 1,000 feet of school</li> <li>• Not operate without letter from the fire authority</li> <li>• May not dispense on public street, unless the <del>non-retail</del> mobile fueler is responding to an emergency or maintaining public infrastructure</li> <li>• Retail mobile fueler must dispense into equipment located at same dispensing location</li> </ul> | <p>Not specified</p> <ul style="list-style-type: none"> <li>• Not specified</li> </ul> | <ul style="list-style-type: none"> <li>• Not specified</li> <li>•</li> </ul> |
| <b>Mobile Fueling Labeling Requirements</b> | <ul style="list-style-type: none"> <li>• Owner shall post South Coast AQMD Complaint Line signage on mobile fueler</li> </ul>   | <p>Mobile fueler requirements removed</p>   | <ul style="list-style-type: none"> <li>• Owner shall post SCAQMD Complaint Line signage and toxic warning signs on mobile fueler</li> </ul>                                      |

| Rule Element   | PR 461.1   | PAR 461                                   | Rule 461  |
|--|--|---|---|
| <p><b>Installation, Maintenance, and Repair Requirements</b></p> | <ul style="list-style-type: none"> <li>• Maintain CARB certified equipment per:                             <ul style="list-style-type: none"> <li>○ Manufacturer specifications</li> <li>○ Executive Order</li> </ul> </li> <li>• Minor defect repair within 7 days</li> <li>• Replace CARB certified component with CARB certified component</li> <li>• Maintain CARB components as supplied by manufacturer except after repair or maintenance to restore function or performance</li> <li>• Only CARB authorized person may rebuild CARB certified components</li> <li>• Repair performed only by certified trained person using new or CARB certified remanufactured components listed on most recent CARB Executive Order</li> <li>• Non-manufacturer installer or contractor shall not install, alter, repair, or replace CARB certified systems unless obtaining any applicable manufacturer’s certification</li> <li>• Installer or contractor shall not install, alter, repair, or replace CARB certified systems unless successfully completing applicable state certification</li> </ul> | <p>Mobile fueler requirements removed</p> | <ul style="list-style-type: none"> <li>• Maintain CARB certified equipment per:                             <ul style="list-style-type: none"> <li>○ Manufacturer specifications</li> <li>○ Executive Order</li> </ul> </li> <li>• Minor defect repair within 7 days</li> <li>• Replace CARB certified component with CARB certified component</li> <li>• Maintain CARB components as supplied by manufacturer except after repair or maintenance to restore function or performance</li> <li>• Only CARB authorized person may rebuild CARB certified components</li> <li>• Repair performed only by certified trained person using new or CARB certified remanufactured components listed on most recent CARB Executive Order</li> <li>• Non-manufacturer installer or contractor shall not install, alter, repair, or replace CARB certified systems unless obtaining any applicable manufacturer’s certification</li> <li>• Installer or contractor shall not install, alter, repair, or replace CARB certified systems unless successfully completing</li> </ul> |

| Rule Element | PR 461.1   | PAR 461 | Rule 461   |
|--------------|--|---------|--|
|              | <p>program required for the installation and alteration of a vapor recovery system</p> <ul style="list-style-type: none"> <li>• A person shall not supply, offer for sale, sell, install or allow the installation of control equipment unless                             <ul style="list-style-type: none"> <li>○ Control equipment is CARB certified</li> <li>○ Control equipment components have enduring stamped information identifying the component in the CARB Executive Order</li> </ul> </li> <li>• Qualified manufacturer shall attach or stamp onto a rebuilt component required information using methods or materials that would endure long term</li> <li>• In the event of a separation due to a drive-off, the owner shall conduct a visual inspection and either:                             <ul style="list-style-type: none"> <li>○ Repair the equipment and successfully pass required testing from CARB Executive Order; or</li> <li>○ Replace the affected equipment using new or certified rebuilt components that are CARB certified</li> </ul> </li> </ul> |         | <p>applicable state certification program required for the installation and alteration of a vapor recovery system</p> <ul style="list-style-type: none"> <li>• A person shall not supply, offer for sale, sell, install or allow the installation of control equipment unless                             <ul style="list-style-type: none"> <li>○ Control equipment is CARB certified</li> <li>○ Control equipment components have enduring stamped information identifying the component in the CARB Executive Order</li> </ul> </li> <li>• Qualified manufacturer shall attach or stamp onto a rebuilt component required information using methods or materials that would endure long term</li> <li>• In the event of a separation due to a drive-off, the owner shall conduct a visual inspection and either:                             <ul style="list-style-type: none"> <li>○ Repair the equipment and successfully pass required testing from CARB Executive Order; or</li> <li>○ Replace the affected equipment using new or</li> </ul> </li> </ul> |

| Rule Element                        | PR 461.1   | PAR 461                            | Rule 461   |
|-------------------------------------|--|------------------------------------|--|
|                                     | <ul style="list-style-type: none"> <li>• Unless authorized by CARB, any person shall not conduct repair or maintenance that changes the size, shape or construction of any gasoline vapor passage that would reduce the recovery of gasoline vapors</li> </ul>   |                                    | <p>certified rebuilt components that are CARB certified</p> <ul style="list-style-type: none"> <li>• Unless authorized by CARB, any person shall not conduct repair or maintenance that changes the size, shape or construction of any gasoline vapor passage that would reduce the recovery of gasoline vapors</li> </ul>   |
| <b>Self-Compliance Requirements</b> | <p>Owner or operator of a retail mobile fueler or a non-retail mobile fueler shall:</p> <ul style="list-style-type: none"> <li>• Conduct <ul style="list-style-type: none"> <li>○ Daily maintenance inspections</li> <li>○ Periodic compliance inspections</li> <li>○ Periodic maintenance specified by manufacturer of the control equipment</li> </ul> </li> <li>• Develop and implement: <ul style="list-style-type: none"> <li>○ Procedures to determine and record next required test date</li> <li>○ Employee training program</li> </ul> </li> <li>• Upon identification of a major defects in vapor recovery systems, remove the equipment from service and repair equipment before returning it to service</li> </ul> | Mobile fueler requirements removed | <p>Owner or operator of a retail dispensing shall implement:</p> <ul style="list-style-type: none"> <li>• Self compliance program that includes: <ul style="list-style-type: none"> <li>○ Daily maintenance inspections</li> <li>○ Periodic compliance inspections</li> <li>○ Maintenance inspection with the applicable Phase I and Phase II vapor recovery systems and components</li> <li>○ Procedure to determine and record the next required test date</li> <li>○ Employee training program</li> </ul> </li> <li>• Remove, repair, brought into compliance, and duly entered into the repair log any equipment with a major defect that was identified during inspections</li> </ul> |

| Rule Element                | PR 461.1   | PAR 461                                   | Rule 461   |
|-----------------------------|--|---|--|
|                             |  |   | <ul style="list-style-type: none"> <li>• Defects discovered self-inspection and repaired shall not constitute a violation of Rule 461</li> <li>• Complete District-approved training program prior to conduct daily or periodic inspections</li> </ul>   |
| <p><b>Recordkeeping</b></p> | <ul style="list-style-type: none"> <li>• Owner or operator of a mobile fueler shall implement a maintenance program and document program in an Operation and Maintenance (O&amp;M) Manual for CARB certified control equipment</li> <li>• Owner or operator of a retail or non-retail mobile fueler shall maintain:                             <ul style="list-style-type: none"> <li>○ Records of all components installed, defective components identified or repaired during self-compliance inspections</li> <li>○ Repair logs</li> <li>○ Records of tests</li> <li>○ Daily and periodic compliance inspection records</li> <li>○ Records to prove that installer/contractor has successfully completed any applicable manufacturer or state certification program</li> </ul> </li> </ul> | <p>Mobile fueler requirements removed</p> | <ul style="list-style-type: none"> <li>• Owner or operator shall implement a maintenance program and document program in an O&amp;M Manual for vapor recovery system</li> <li>• Owner or operator shall maintain the following:                             <ul style="list-style-type: none"> <li>○ Records of all components installed, defective components identified or repaired during self-compliance inspections</li> <li>○ Repair logs</li> <li>○ Records of tests</li> <li>○ Daily and periodic compliance inspection records</li> <li>○ Records to prove that installer/contractor has successfully completed a manufacturer</li> </ul> </li> </ul> |

| Rule Element | PR 461.1   | PAR 461 | Rule 461   |
|--------------|--|---------|--|
|              | <ul style="list-style-type: none"> <li>• Owner or operator of a retail mobile fueler shall maintain a record for each dispensing location, totalizer records, and any reconciliation</li> <li>• Owner or operator of a retail or non-retail mobile fueler with a throughput limit per location shall maintain daily dispensing record and create a monthly dispensing record for the prior month on or before the 20<sup>th</sup> of each calendar month</li> <li>• Owner or operator shall maintain information when dispensing on a public street</li> <li>• Owner or operator of a retail or non-retail mobile shall maintain daily transfer record</li> <li>• Owner or operator of a retail or non-retail mobile fueler without a throughput limit shall create a monthly dispensing record for the previous calendar month</li> <li>• A person who installs, inspects, or tests shall provide the owner or operator of a mobile fueler all records by the end of the day when the service is provided</li> <li>• Owner or operator of a retail or non-retail mobile fueler shall</li> </ul> |         | <ul style="list-style-type: none"> <li>• Not specified</li> <li>• Owner or operator of a gasoline transfer and dispensing facility shall maintain monthly gasoline throughput records</li> <li>• A person who installs, inspects, or tests shall provide the owner or operator of a mobile fueler all records by the end of the day when the service is provided</li> <li>• Owner or operator of a gasoline transfer and dispensing facility shall provide all records for at least two years or five years at a Title V facility</li> </ul> |

| Rule Element   | PR 461.1   | PAR 461 | Rule 461  |
|--|--|---------|---|
|  | <p>maintain all records for at least two years or five years at a Title V facility</p> <ul style="list-style-type: none"> <li>• Owner or operator of a retail or non-retail mobile fueler shall provide all records upon request to the Executive Officer</li> </ul>   |         | <ul style="list-style-type: none"> <li>• Owner or operator of a gasoline transfer and dispensing facility shall provide all records upon request to the Executive Officer</li> </ul>  |
| <p><b>Testing Requirements</b><br/>for owner or operator</p> | <ul style="list-style-type: none"> <li>• Mobile fueler equipped with a Phase I or Phase II vapor recovery system shall: <ul style="list-style-type: none"> <li>○ Conduct all required tests in accordance with approved test methods</li> <li>○ Conduct and pass performance tests within 10 calendar days after initially dispensing gasoline from a new mobile fueler or a mobile fueler that has undergone modification</li> </ul> </li> <li>• Retail mobile fueler equipped with a Phase I or Phase II vapor recovery system shall conduct reverification tests annually or semi-annually depending on throughput</li> <li>• Non-retail mobile fueler equipped with a Phase I or Phase II vapor recovery system shall conduct reverification annually</li> </ul> |         | <ul style="list-style-type: none"> <li>• New or altered gasoline and transfer dispensing facility shall: <ul style="list-style-type: none"> <li>○ Conduct all required tests in accordance with approved test methods</li> <li>○ Conduct and pass performance tests within 10 calendar days after initially dispensing gasoline</li> </ul> </li> <li>• Retail gasoline transfer and dispensing facility shall conduct reverification tests annually or semi-annually depending on throughput</li> <li>• Non-retail gasoline transfer and dispensing facility shall conduct reverification annually</li> </ul> |

| Rule Element  | PR 461.1  | PAR 461                      | Rule 461  |
|---|---|------------------------------|---|
|   | <ul style="list-style-type: none"> <li>• Mobile fueler equipped with a Phase I or Phase II vapor recovery system shall conduct subsequent reverification test during the same calendar month or based on the new reverification testing month</li> <li>• Not operate mobile fueler unless either:                             <ul style="list-style-type: none"> <li>○ Applicable performance and reverification tests are passed</li> <li>○ Test failure is due to dispensing equipment and the equipment can be isolated</li> </ul> </li> </ul> |                              | <ul style="list-style-type: none"> <li>• Gasoline transfer and dispensing facility shall conduct subsequent reverification test during the same calendar month or based on the new reverification testing month</li> <li>• Not operate gasoline transfer and dispensing facility unless either:                             <ul style="list-style-type: none"> <li>○ Applicable performance and reverification tests are passed</li> <li>○ Test failure is due to dispensing equipment and the equipment can be isolated</li> </ul> </li> </ul> |
| <p><b>Testing</b><br/>Change in Operator or Owner</p> | <ul style="list-style-type: none"> <li>• New owner or operator of mobile fueler shall either:                             <ul style="list-style-type: none"> <li>○ Conduct the next reverification test within the same testing month</li> <li>○ Complete all the applicable reverification testing within 30 days of the change of the owner or operator if no prior reverification test records are available</li> </ul> </li> </ul>  | <p>No amendment proposed</p> | <ul style="list-style-type: none"> <li>• New owner or operator of a gasoline transfer and dispensing shall either:                             <ul style="list-style-type: none"> <li>○ Conduct the next reverification test within the same testing month</li> <li>○ Complete all the applicable reverification testing within 30 days of the change of the owner or operator if no prior reverification test records are available</li> </ul> </li> </ul>   |

| Rule Element  | PR 461.1  | PAR 461               | Rule 461  |
|---|---|-----------------------|---|
| <b>Testing</b><br>Requirements for person who conduct performance or reverification tests | <ul style="list-style-type: none"> <li>• Conduct tests in accordance with applicable test methods</li> <li>• Use calibrated equipment</li> <li>• Notify South Coast AQMD at least three days prior to testing</li> <li>• Conduct testing between 7:00 a.m. and 8:00 pm. Monday through Friday</li> <li>• Successfully completed the South Coast AQMD’s Tester Orientation class prior to testing</li> <li>• Successfully completed the ICC tester certification</li> <li>• Cease conducting tests after being cited within any six-month period for at least two violations that affected the accuracy of the test until after successfully re-completing the South Coast AQMD’s Tester Orientation class</li> <li>• Cease conducting tests after being cited within any 12-month period for at least three violations that could have affected the accuracy of the test</li> </ul> | No amendment proposed | <ul style="list-style-type: none"> <li>• Conduct tests in accordance with applicable test methods</li> <li>• Use calibrated equipment</li> <li>• Notify South Coast AQMD at least three days prior to testing</li> <li>• Conduct testing between 7:00 a.m. and 8:00 pm. Monday through Friday</li> <li>• Successfully completed the South Coast AQMD’s Tester Orientation class prior to testing</li> <li>• Successfully completed the ICC tester certification</li> <li>• Cease conducting tests after being cited within any six-month period for at least two violations that affected the accuracy of the test until after successfully re-completing the South Coast AQMD’s Tester Orientation class</li> <li>• Cease conducting tests after being cited within any 12-month period for at least three violations that could have affected the accuracy of the test</li> </ul> |



| Rule Element      | PR 461.1   | PAR 461                          | Rule 461  |
|-------------------|--|----------------------------------|---|
|                   | <p>infrastructure no later than 48 hours after dispensing on a public street</p> <ul style="list-style-type: none"> <li>• Owner or operator of a retail mobile fueler shall submit monthly dispensing records for the previous year on or before March 1</li> <li>• A person who conducts tests shall submit a summary of the results to the Executive Officer within 72 hours after each test is conducted</li> <li>• A person who conducts tests shall submit the final test report within 14 calendar days the date when all dates were passed</li> </ul> |                                  | <ul style="list-style-type: none"> <li>• Owner or operator of a gasoline transfer and dispensing facility shall submit monthly gasoline throughput data for the previous calendar year on or before March 1</li> <li>• A person who conducts tests shall submit a summary of the results to the Executive Officer within 72 hours after each test is conducted</li> <li>• A person who conducts tests shall submit the final test report within 14 calendar days the date when all dates were passed</li> </ul> |
| <b>Exemptions</b> | <ul style="list-style-type: none"> <li>• Transfer of gasoline into testing equipment is exempt from the rule</li> <li>• Phase II vapor recovery requirements shall not to the fueling of Tournament of Roses parade floats</li> <li>• Until July 1, 2022, Phase I Vapor Recovery requirements shall not apply to: <ul style="list-style-type: none"> <li>○ Retail mobile fueler with a cumulative capacity greater than 10 gallons and less than 251 gallons</li> </ul> </li> </ul>  | No additional amendment proposed | <ul style="list-style-type: none"> <li>• Transfer of gasoline into testing equipment is exempt from the rule</li> <li>• Phase II vapor recovery requirements shall not to the fueling of Tournament of Roses parade floats</li> <li>• Any requirement for equipment or component(s) to be CARB certified where an applicable valid Executive Order has not been issued by CARB shall not apply until applicable Executive Order becomes effective</li> </ul>  |

| Rule Element | PR 461.1   | PAR 461 | Rule 461 |
|--------------|--|---------|----------|
|              | <ul style="list-style-type: none"> <li>○ Non-retail mobile fueler with a cumulative capacity greater than 120 gallons and less than 251 gallons</li> <li>○ Non-retail or retail mobile fueler that does not dispense into a motor vehicle</li> <li>● Until July 1, 2022, Phase II Vapor Recovery requirements shall not apply to:                             <ul style="list-style-type: none"> <li>○ Retail mobile fueler with a cumulative capacity greater than 10 gallons and less than 251 gallons</li> <li>○ Non-retail mobile fueler with a cumulative capacity greater than 120 gallons and less than 251 gallons</li> </ul> </li> <li>● Until July 1, 2022, subdivision (g) shall not apply to a retail or non-retail mobile fueler</li> </ul> |         |          |

## **APPENDIX A: RESPONSE TO COMMENTS**

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**Britney Gallivan**

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**From:** Frazer, Ronald M [US] (SP) <Ron.Frazer@ngc.com>  
**Sent:** Tuesday, October 26, 2021 4:56 PM  
**To:** Britney Gallivan  
**Subject:** PRO 219

I've reviewed the language in PRO 219 and the corresponding Staff Report.

It appears that the only changes to R219 are those related to fueling operations, and I assume that no other proposed changes not associated with fueling would be considered.

There are a number of inconsistencies in R219 that should be addressed such as the emission control system for some exempt sources are also exempt, but for other exempt sources the associated control system is not exempt.

Electroplating precious metal is exempt, but Electroless plating of the same metals, which has significantly less emissions, is not exempt.

- (5) Equipment used exclusively for the plating, stripping, or anodizing of metals as described in subparagraphs (p)(5)(A) through (p)(5)(G). This exemption does not include any tank that contains chromium, or contains nickel, lead or cadmium and is rectified, sparged or heated.
  - (A) electrolytic plating of exclusively brass, bronze, copper, iron, tin, zinc, and precious metals;
  - (B) electroless nickel plating, provided that the process is not air-sparged and no electrolytic reverse plating occurs;
  - (C) the electrolytic stripping of brass, bronze, copper, iron, tin, zinc, and

Please contact me if you have any questions.

**Ronald Frazer**

*Senior Air Quality Engineer*

*Environmental, Health, & Safety*

***Northrop Grumman Aerospace Systems***

[ron.frazer@ngc.com](mailto:ron.frazer@ngc.com)

310.812.3021 - office

310.429.2175 - cell

310.812.1059 - fax

**Response to Northrop Grumman Aerospace Comment Letter (10/26/21), submitted 10/26/2021**

The proposed amendments to Rule 219 are specific to the rule development of Proposed Rule 461.1 (PR 461.1) and address mobile fueling operations that were previously exempt. As staff has not evaluated Rule 219 for additional amendments nor solicited comments on other provisions of Rule 219, Rule 219 is only being amended to address mobile fueling operations. Separate rulemaking for Rule 219 will be initiated in the first quarter of 2022, to determine amendments that need to be made, and will be included in the Resolution in the board package.

**Britney Gallivan**

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**From:** Bob Hill <bob@franzenhill.com>  
**Sent:** Sunday, November 7, 2021 7:47 AM  
**To:** Britney Gallivan  
**Subject:** [EXTERNAL]Booster fuel letter

We went down this road at hearings at SCAQD hearings, and the two-System with Executive Orders issued were the SUMD System G-70-166 and the Hill-Vac Systems G-70-193 this was i believe in 1997 through 1999. I am sorry I can't attend the meeting, I am having medical procedure @9:00 am.

Sent from my iPhone

**Response to Bob Hill Comment Email, submitted 11/07/21**

Staff appreciates the additional information regarding CARB Executive Order G-70-166 issued in 1995, as this system was not listed on the CARB website. G-70-166 was certified for the Sacramento Municipal Utility District. Staff confirmed with CARB that this Executive Order was indeed issued. Staff has corrected the staff report to indicate that there were two CARB certified mobile fuelers equipped with Phase II vapor recovery systems. However, as both systems are not available for purchase, staff is retaining the provision to temporarily allow CARB certified mobile fuelers equipped with a Phase I and a non-vapor recovery dispensing components to operate.

**Britney Gallivan**

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**From:** Cheryl Atkinson <cheryl.atkinson.pfcma@gmail.com>  
**Sent:** Sunday, November 7, 2021 8:19 AM  
**To:** Britney Gallivan  
**Subject:** [EXTERNAL]461, 219, 461.1

Hi Brittany

I represent the Consumer Portable Fuel Container Manufacturer's Association and have been following the progression of rule changes related to Mobile Fueling. I would like to comment positively on the various exemptions that have been introduced for portable fuel containers. However I would like to point out that consumer portable fuel containers are certified to the voluntary standard ASTM F852/F852M and at least 95% of the U.S. market for portable fuel containers comply with this standard.

I would therefore recommend that your various exemptions reflect the capacity range used in this standard. This is stated as:

4.3 *Capacity*—The PFC rated capacity shall be a maximum of 25 L [6.6 gal]

Please advise me if I should raise this matter more formally in order to ensure that it receives suitable consideration.

Thank you

Cheryl Atkinson  
PFCMA Executive Director  
902 635 2460



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**Responses to Cheryl Atkinson Comment Email, submitted 11/07/21**

The exclusion of a single portable fuel container in the PR 461.1 definition of Cumulative Capacity was revised from 5 gallons to the following:

*CUMULATIVE CAPACITY means the Mobile Fueler's combined storage capacity of each Cargo Tank that is on a Mobile Fueler at a given time, excluding one individual portable fuel container with a capacity up to 6.6 gallons.*

**Britney Gallivan**

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**From:** Jose E. Rodriguez <jerodriguezsd@aol.com>  
**Sent:** Tuesday, November 9, 2021 11:46 AM  
**To:** Britney Gallivan  
**Subject:** Re: \*\*UPDATE - MEETING PRESENTATION\*\* South Coast AQMD Proposed Amended Rules 461, 219, 222 and Proposed Rule 461.1 - Working Group Meeting #8

Hello Britney,

Thank you for the invitation great presentation today. With regards to mobile refueling and a CARB EVR approved phase II system; is there anyone currently seeking or undergoing certification with CARB at this time?

Also, can you provide Taylor Henderson, Boost Fueling contact information?

Thank you,

Jose E. Rodriguez  
Director of Technical Services,  
CARB Liaison & Western US Sales  
EMCO Wheaton Retail Corp.  
Cell: 619-846-846-9882

**Responses to Jose E. Rodriguez Comment Email, submitted 11/09/21**

Staff is only aware of Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems that is undergoing CARB recertification at this time.



Booster Fuels, Inc.  
1840 Gateway Drive  
Suite 200  
San Mateo, CA 94404

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**VIA EMAIL**

November 10, 2021

Ms. Susan Nakamura  
Assistant Deputy Executive Officer  
Planning, Rule Development  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

**RE: Proposed Rule 461.1 Rulemaking Comments**

Dear Ms. Nakamura:

I want to thank you and the South Coast AQMD ("District") again for the time and effort collaborating with various governmental and industry stakeholders to further advance the proposed rulemaking for mobile fueling operations. We are grateful for the opportunity to work closely on this project and very much appreciate the steps taken by the District to address some of the key concerns that have been brought forth thus far. The District's recent decision to modify Proposed Rule 461.1 ("PR 461.1") to allow for the use of an alternative CARB certified method of complying with emission control requirements until at least two Phase II vapor recovery systems have been certified by CARB will not only help to alleviate market competition concerns, but provides added assurance that at least one CARB certified method of complying with a 95% emission control efficiency will be available should there be a lack of commercial availability for CARB certified Phase II systems.<sup>1</sup>

I write today on behalf of Booster Fuels, Inc. ("Booster") to provide further commentary on the primary inconsistencies we believe still remain between the proposed requirements applicable to "Retail" Mobile Fuelers compared to "Non-Retail" Mobile Fuelers. Our first concern is in regard to the duplicative permitting requirements that apply to both Retail Mobile Fueler and Owner or Operator of the dispensing location, and the second issue is in regard to various stakeholder concerns that arose during Working Group Meeting #8 on November 9, 2021 surrounding the potential lack of commercial availability of CARB certified Phase II vapor recovery systems (i.e. supply chain constraints, etc.) combined with the District's stated

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<sup>1</sup> Modification made in response to Booster Comment Letter dated September 1, 2021 where the District concluded to allow CARB certified mobile dispensing systems that use CARB certified non-vapor recovery equipment for dispensing to only vehicles equipped with ORVR (such as the Booster Mobile Fueling On-Demand Tank Vehicle Gasoline Dispensing System for ORVR Vehicles per CARB Executive Order VR-601-A) until at least two Phase II vapor recovery systems have been certified by CARB.

preference for a Phase II vapor recovery system compared to other CARB certified methods capable of complying with a 95% emission control efficiency when the proposed rule will still require an emission control measure "capable of recovering or processing displaced Gasoline Vapors by at least 95%."

In terms of the duplicative permitting requirements, PR 461.1(g) not only requires the Retail Mobile Fueler obtain a permit to conduct fueling, which will be limited to specific consumer or fleet locations, but also requires the owner or operator of each dispensing location to obtain a separate registration or permit for that same fueling operation. We were particularly surprised to see that these requirements only apply to "Retail" Mobile Fueling, particularly in light of the extensive recordkeeping and monthly reporting requirements specific to "Retail" Mobile Fuelers that are already being proposed under PR 461.1(k)(2), (4) & (5):

PR 461.1(k)(2):

*For each Dispensing Location, the owner or operator of a Retail Mobile Fueler shall maintain the following information:*

- A. *South Coast AQMD facility ID for the Dispensing Location;*
- B. *South Coast AQMD registration or permit to operate number for the dispensing location;*
- C. *Name of the Dispensing Location;*
- D. *Address of the Dispensing Location;*
- E. *County of the Dispensing Location;*
- F. *Dispensing Location contact information for personnel that is authorized to grant South Coast AQMD staff access to the site to conduct inspections of the Mobile Fueler operations that includes the following:*
  - i. *Name of the contact;*
  - ii. *Title of the contact;*
  - iii. *Telephone number for the contact;*
  - iv. *Email for the contact; and*
- G. *Documentation by the responsible fire department or fire authority to the owner or operator for either:*
  - i. *The written approval to conduct transfer or dispensing gasoline from a retail mobile fueler at the specified dispensing location; or*
  - ii. *The written statement that approval that the transfer or dispensing of gasoline from a retail mobile fueler is not required at the specified dispensing location.*

PR 461.1(k)(4):

*The owner or operator of a Retail Mobile Fueler or Non-Retail Mobile Fueler shall maintain records of the information specified in Table 2 – Transfer Information for each Transfer of Gasoline.*

Comment  
5-1

**Table 2 – Transfer Information**

| Requirements   | Mobile Fueler Category |            |
|--|------------------------|------------|
|  | Retail                 | Non-Retail |
| 2.1 Date of transfer   | Yes                    | Yes        |
| 2.2 Start time of transfer   | Yes                    | Yes        |
| 2.3 South Coast AQMD permit to operate or registration number for mobile fueler  | Yes                    | Yes        |
| 2.4 Identification of cargo tank transferring the gasoline and cargo tank capacity in gallons  | Yes                    | Yes        |
| 2.5 Identification of compartment transferring the gasoline and compartment capacity in gallons, if applicable                               | Yes                    | Yes        |
| 2.6 Name of the transfer location  | Yes                    | Yes        |
| 2.7 Address of the transfer location   | Yes                    | Yes        |
| 2.8 South Coast AQMD facility ID for the transfer location   | Yes                    | Yes        |
| 2.9 Type of transfer (loading or unloading)  | Yes                    | Yes        |
| 2.10 For each transfer, the type of gasoline, total gallons of gasoline transferred into or out of each cargo tank or cargo tank compartment | Yes                    | Yes        |

Comment  
5-1 Cont.

**PR 461.1(k)(5):**

*The owner or operator of a Retail Mobile Fueler shall maintain the following:*

- A. Totalizer records indicating the totalizing meter reading at the start and end of each day for each Cargo Tank and, if applicable, each Cargo Tank compartment; and*
- B. Inventory reconciliation records indicating the following for each mobile fueler inventory reset:
 
  - i. Date of inventory reset;*
  - ii. Time of inventory reset;*
  - iii. Mobile fueler permit number; and*
  - iv. Volume in gallons.**

As the requirements listed above demonstrate, there is already an extreme abundance of detailed recordkeeping requirements being proposed for Retail Mobile Fuelers on dispensing locations, totalizer meter readings, inventory reconciliations, dates, start time, compartment type, type of gasoline, and total gallons of gasoline transferred per each dispensing event at each location. It seems clear to us that this level of information would already provide the District with the information necessary to ensure health risk impacts are not being exceeded for any particular location. Our concern is that by requiring both Retail Mobile Fueler and Owner or

Operator of a dispensing location obtain a permit or registration, it will not only create a redundancy in permitting and cost but will be duplicative in that Retail Mobile Fuelers will already be subject to District health risk assessment and enforcement requirements when fueling at any particular site location.<sup>2</sup> We believe this could be avoided by requiring the owner or operator of a Retail Mobile Fueler to pre-register each site location where fueling operations are to be conducted, as we discussed during our recent telephone call.

Comment  
5-1 Cont.

Secondly, PR 461.1(d)(2) & (3), as it's currently proposed, would require use of a CARB certified Phase II Vapor Recovery system regardless of commercial availability once two such systems are certified by CARB. As you know, Booster and at least one other industry stakeholder raised concerns about this issue during Working Group Meeting #8. Furthermore, not only has commercial availability of Phase II systems for mobile fuelers been a primary concern raised by various stakeholders throughout this proposed rulemaking, but it was the District's stance during Working Group Meeting #8 that use of an available CARB certified alternative, which the District has already concluded achieves a 95% emission control efficiency,<sup>3</sup> would not be allowed once two Phase II systems are certified. That said, PR 461.1(d)(2)(A) currently requires an emission control measure "capable of recovering or processing displaced Gasoline Vapors by at least 95%."

Comment  
5-2

As noted in the Comment Letter submitted by Booster on September 1, 2021, Section 41954(g)(1) & (g)(3) of the California Health and Safety Code states:

- (1) Except as authorized by other provisions of law and except as provided in this subdivision, no district may adopt, after July 1, 1995, stricter procedures or performance standards than those adopted by the state board pursuant to subdivision (a), and no district may enforce any of those stricter procedures or performance standards.
- (3) Any stricter procedures or performance standards shall not be implemented until at least two systems meeting the stricter performance standards have been certified by the state board.

Comment  
5-3

By not allowing use of one CARB certified control measure capable of achieving a 95% control efficiency over another, it would seem as though the District is proposing to implement stricter performance standards than those which have been certified by CARB. The District even stated the following (in substance) during Working Group Meeting #8:

<sup>2</sup> Per Section 39620 of the California Health and Safety Code, "It is in the interest of the people of the state, particularly during times of economic difficulty, to enact laws which improve the processes by which businesses comply with environmental and air quality laws, without sacrificing the protection of public health and the environment . . . The purpose of this article is to require districts to review their permit programs and to institute new, efficient procedures which will assist businesses in complying with regional, state, and federal air quality laws in an expedited fashion, without reducing protection of public health and the environment."

<sup>3</sup> Per South Coast AQMD Draft Staff Report, Proposed Amended Rule 1401 – New Source Review of Toxic Air Contaminants, Appendix B – Comments and Responses: "As discussed at the Working Group meetings, based on the available test data from CARB and EPA, SCAQMD staff concluded that the Phase II vapor recovery system and ORVR systems would each achieve a 95% control efficiency." (August 2017).

- That there were discussions that SCAQMD had regarding the percentage reduction that would be applied for Phase II vapor recovery and a vehicle equipped with ORVR.
- That SCAQMD didn't believe there was a 95% reduction for Phase II on top of a 95% reduction for ORVR.
- That SCAQMD did believe that there was "*some benefit*" to using both systems together but SCAQMD was not clear on exactly what that benefit is.
- That SCAQMD had numerous discussions with CARB in which SCAQMD urged CARB to conduct additional testing.
- That since CARB has never done the retesting, SCAQMD has taken the "conservative approach" to only recognize one 95% control efficiency.

Comment  
5-3 Cont.

Again, the primary concern here surrounds market competition and a potential lack of commercial availability for CARB certified Phase II systems.

We want to thank you and your team for the time and effort that you are putting into this process. We are happy to be a resource as you go through this rulemaking, and we would be glad to meet with you to discuss this or any other issues relating to the rulemaking process.

Thank you for your attention to this matter.

Best regards,



Joseph Okpaku  
Chief Policy Officer  
Booster Fuels, Inc.

**Responses to Booster Fuels, Inc. Comment Letter, submitted 11/10/21**

- 5-1 Response: Staff has revised PR 461.1 to remove the registration and permitting requirements for dispensing location owners and operators. Paragraph (g)(1) was revised to require a report for the dispensing location instead of the dispensing location being registered or permitted.

*The owner or operator of a Retail Mobile Fueler shall not Transfer or Dispense Gasoline at a Dispensing Location unless a record for the Dispensing Location was submitted pursuant to paragraph (m)(1) that identified the Retail Mobile Fueler.*

The record in paragraph (m)(1) would include the information specified paragraph (k)(2) and would be submitted to the Executive Officer at least 48 hours before initial dispensing at a dispensing location and when a different mobile fueling operator was operating at the dispensing location during a prior calendar month. Additionally, as dispensing locations are not required to be registered, PAR 222 would not be amended.

- 5-2 Response: Throughout the rule development process, staff has revised PR 461.1 to temporarily allow a CARB certified mobile fueler equipped with Phase I vapor recovery system and non-vapor recovery components for dispensing. Staff met with the commenter and explained the challenge of making the requirements to cease operating a CARB certified mobile fueler equipped with Phase I vapor recovery system and non-vapor recovery components for dispensing dependent on “commercial availability”. Staff believes that the term “commercial availability” is ambiguous and provides uncertainty to both South Coast AQMD and the regulated community.

Staff has modified the requirement to be a defined period, allowing mobile fuelers equipped with CARB certified non-vapor recovery components for dispensing to operate up to 60 months after the South Coast AQMD has given notice that CARB has certified at least two Mobile Fuelers equipped with Phase II Vapor Recovery Systems. This time period allows the procurement of the mobile fueler and permit with South Coast AQMD. Alternatively, if the owner or operator of the mobile fueler is not satisfied with the certified mobile fuelers, they can develop their own mobile fueler and work with CARB to certify the mobile fueler.

- 5-3 Response: Staff disagrees that PR 461.1 is requiring mobile fuelers to meet a stricter standard as a Phase II vapor recovery system was required in 1995 by Rule 461 (Also see South Coast AQMD response letter dated October 19, 2021 in response to Booster letter dated September 1, 2021). As discussed in Chapter 1, CARB has previously certified two mobile fuelers equipped with Phase II vapor system. However, as both mobile fuelers are not available for purchase, staff has revised PR 461.1 to temporarily allow the operation of CARB certified mobile fueler equipped with Phase I vapor recovery system and non-vapor recovery components for dispensing. Additionally, when CARB certifies at least two mobile fuelers equipped with a Phase II vapor recovery system, PR 461.1 allows up to 60 months for owners and operator to purchase or certify CARB certified mobile fuelers equipped with Phase I and Phase II vapor recovery systems.

**Britney Gallivan**

---

**From:** Cheryl Atkinson <cheryl.atkinson.pfcma@gmail.com>  
**Sent:** Wednesday, November 10, 2021 10:05 AM  
**To:** Britney Gallivan  
**Subject:** [EXTERNAL]Portable Fuel Container capacity  
**Attachments:** F0852-19.pdf

Hi Brittany

I did finally find the CARB rulemaking for PFCs and it does go up to 10 gallons. I have attached for your information ASTM F852 which is a CARB reference (in the certification procedure CP 501). The capacity limit of a PFC is specified in section 4.3

Thank you  
Cheryl

**§ 2467.2. Certification Procedure for Portable Fuel Container Systems.**

(a) Except as provided in section 2467.3, every portable fuel container system or its components produced on or after July 1, 2007, that are manufactured for sale, advertised for sale, sold, or offered for sale in California or that are introduced, delivered, or imported into California for introduction into commerce and that are subject to any of the standards prescribed in this article and documents incorporated by reference therein, must be certified for use and sale by the manufacturer through the Air Resources Board and covered by an Executive Order issued pursuant to section 2467.2(b) or (c).



Virus-free. [www.avast.com](http://www.avast.com)

**Responses to Cheryl Atkinson Email, submitted 11/10/21**

See Response 3.



November 11, 2021

Ms. Susan Nakamura  
Assistant Deputy Executive Officer – Planning, Rule Development & Area Sources  
South Coast Air Quality Management District

Mr. Neil Fujiwara  
Program Supervisor  
South Coast Air Quality Management District

Britney Gallivan  
AQ Specialist  
South Coast Air Quality Management District

Via email: [snakamura@aqmd.gov](mailto:snakamura@aqmd.gov), [bgallivan@aqmd.gov](mailto:bgallivan@aqmd.gov), [nfujiwara@aqmd.gov](mailto:nfujiwara@aqmd.gov)

**SUBJECT: Transfer Flow Inc.'s Public Comments regarding SCAQMD's Proposed Amended Rule 461, Proposed Rule 461.1, Proposed Amended Rule 219, and Proposed Amended Rule 222**

Transfer Flow Inc. is pleased to offer our comments to the South Coast Air Quality Management District regarding SCAQMD's proposed amended rule 461, proposed rule 461.1, proposed amended rule 219, and proposed amended rule 222.

Transfer Flow has been in business since 1983 and is a manufacturer of California legal aftermarket fuel tanks. Transfer Flow holds over 280 California Air Resource Board (CARB) Executive Orders (E.O.s) as well as a Department of Transportation (DOT) permit. Transfer Flow has undergone great lengths to ensure our aftermarket fuel tanks and fuel system products are both legal and safe. As the industry's leading California legal aftermarket fuel tank manufacturer, Transfer Flow is a knowledgeable and proficient voice within the industry. Transfer Flow has and will continue to participate in the rulemaking process.

Our comments are as follows:

**I. REQUEST FOR AN EXTENSION OF THE COMMENT PERIOD**

Transfer Flow respectfully requests that the South Coast Air Quality Management District consider granting an extension for submitting comments. The proposed rule language was made available to the public on October 22<sup>nd</sup>, 2021. The public comment period was not announced until October 27<sup>th</sup>, 2021 and ends November 10<sup>th</sup>, 2021. This only provides fifteen days to review three proposed amended rules, one proposed rule, and the staff report

Comment  
7-1

1444 Fortress Street, Chico, CA 95973 | (530) 893-5209 | (800) 442-0056 | fax (530) 893-0204 | [www.TransferFlow.com](http://www.TransferFlow.com)



as well as to prepare a response. Given the complexity of the proposed rule and amended rules, a two-week time-period for comments is not sufficient time to develop substantive comments regarding the proposed rule and amended rules.

Comment

7-

1 Cont.

## II. SCAQMD'S RULEMAKING ACTIVITY IS OVERREACHING

Between 2008 to 2012, the California Air Resources Board (CARB) performed a battery of tests regarding metal gasoline transfer tanks including multiple 7-day diurnal SHED (sealed housing evaporative determination) tests, thermal cycling tests, and a 140-day preconditioning test and it was determined by CARB's Air Quality Planning and Science Division that Transfer Flow's metal transfer tanks do not create enough emissions for CARB to regulate metal transfer tanks. This is consistent with the Code of Federal Regulations (CFR) Title 40 Protection of the Environment §1060.103(f) and §1060.240(d)(2) in that metal fuel tanks do not permeate and are therefore exempt from needing to submit applications for certification.

Comment

7-

2

## III. SCAQMD CANNOT REQUIRE CP-204 CERTIFICATION FOR METAL TRANSFER TANKS UNDER 120-GALLON CAPACITY BECAUSE CP-204 DOES NOT APPLY TO TANKS UNDER 120-GALLONS.

California Air Resources Board Vapor Recovery Certification Procedure CP-204 is a certification procedure for vapor recovery systems of cargo tanks. The definitions for CP-204 are found in D-200 Definitions for Vapor Recovery Procedures. D-200 Definitions for Vapor Recovery Procedures defines Cargo Tank as "and container, including associated pipes and fittings, that is used for transportation of gasoline on any highway and is required to be certified in accordance with Section 41962 of the California Health and Safety Code." Section 41962 of the California Health and Safety Code states "The performance standards and test procedures adopted by the state board shall be consistent with the regulations adopted by the Commissioner of the California Highway Patrol and the State Fire Marshal pursuant to Division 14.7(commencing with Section 34001) of the Vehicle Code." Section 34003 of the California Vehicle Code defines Cargo tank as "having a volumetric capacity in excess of 120 gallons that is used for the transportation of flammable liquids or combustible liquids." SCAQMD is wrong to prescribe CP-204 certification for metal gasoline transfer tanks because the test does not apply to tanks under 120-gallons. If a person or entity were to apply for CP-204 certification for a tank under 120-gallons they would be denied as the certification procedure is only applicable to cargo tanks as defined as having a capacity over 120-gallons.

Comment

7-3

## IV. SCAQMD CANNOT REQUIRE METAL GASOLINE TRANSFER TANKS TO BE INSTALLED BY A LICENSED INSTALLER BECAUSE SUCH LICENSURE DOES NOT EXIST.

Comment

7-4



SCAQMD claims that the International Code Council provides relevant certifications for the installation of metal gasoline transfer tanks, and this is false. SCAQMD claims that manufacturers develop training programs, but Transfer Flow is a manufacturer of metal gasoline transfer tanks and Transfer Flow is confident that no such certification exists for the installation of our tanks.

Comment

7-

4 Cont.

In closing, Transfer Flow is grateful for the opportunity to comment on the proposed rule and proposed amended rules. Please feel free to contact us with any questions regarding our comments.

Sincerely,

Laurel Moorhead, E.I.T.  
Regulatory Compliance Engineer  
Transfer Flow Inc.

**Responses to Transfer Flow Inc. Comment Letter, submitted 11/11/21**

- 7-1 Response: Staff provided a response to Transfer Flow extending the comment period to Wednesday, November 17, 2021 via email. Additionally, staff is open to discuss, respond to questions, or take comments during the rule development process.
- 7-2 Response: Staff disagrees that metal fuel tanks do not permeate and therefore exempt from needing to submit applications for certification. Compliance with the fuel permeation standard of Code of Federal Regulations Title 40 Protection of the Environment §1060.103(f) does not demonstrate that specified and fuel caps do not leak. Additionally, compliance with a fuel tank permeation standard does not mean that a metal fuel tank meets any emission standards for the transfer or dispensing of gasoline.
- 7-3 Response: Staff disagrees that CARB is required to deny an application for certification of a tank under 120-gallons. California Health and Safety Code § 41962 does not prohibit application of CP-204 (Certification Procedures for Vapor Recovery Systems of Cargo Tanks) to tanks less than 120 gallons. This is evidenced by CP-204 containing performance standards and test procedures applicable to tanks with a capacity less than 120 gallons, including two tables that list a cargo tank range of either “999 or less” or “between 0 to 999 gallons.”
- 7-4 Response: Staff has modified the requirements in paragraphs (i)(3) and (i)(4) for the installer or contractor to complete applicable manufacturer’s certification and applicable International Code Council (ICC) program prior to installing, altering, repairing, or replacing CARB certified control equipment. Therefore, the installer or contractor would only be required to obtain the certification if one is available. Manufacturers may wish to develop certification training programs to ensure that their equipment is repaired to manufacturer specification demonstrated by completing a certification program. Additionally, staff has modified the recordkeeping requirements in subparagraph (k)(9)(G) to only maintain records of applicable manufacturer training and any applicable state certification program.

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Members of the Stationary Source Committee  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178

Dear Committee Members:

We are members of the [Californians for Smart Fueling](#) coalition, a group of organizations and individuals that advocate for the needs of more than 60 million people with disabilities. Our members represent thousands of individuals in America currently living with a disability. We view the growth of mobile fueling as essential to providing equitable access to refueling for drivers with disabilities, which we consider a basic need.

We are very pleased that South Coast AQMD is moving forward with the proposed rule amendments for Rule 461.1. The amendments will allow for more robust mobile fueling operations throughout the Los Angeles basin. We do want to bring attention, however, to a part of the proposal that we believe represents an unnecessary burden that will disproportionately impact the mobility disability community.

The proposal currently requires three different types of permitting/registration: mobile fueler permitting, site permitting, and site owner/operator permitting. It is our strong belief that these bureaucratic requirements will only serve as barriers to the expansion of responsible mobile fueling. In particular, the permit requirement for site owner/operator will likely be a significant impediment to more mobile fueling options.

As you may know, mobile fuelers sometimes hold ad-hoc mobile fueling events at pop-up locations that are intended specifically for drivers with disabilities. These events may be held for just a couple of hours in one day. It can be difficult enough just to find a location that is suitable for these types of events, and as you may know, there are already significant permitting or other requirements from fire regulators. Requiring a site owner or manager to engage with AQMD, a regulatory agency that they might not even be aware of, will likely cause well-intentioned partners to decline to allow these types of operations on their site.

In every other jurisdiction where mobile fueling is allowed, there is no corresponding requirement. We urge this committee to seek a simpler, more streamlined permitting process in which the mobile fueler has the responsibility to obtain the necessary permits—a process which is working well in every other jurisdiction in the United States where mobile fueling occurs.

Best,

DocuSigned by:  
*Franklin Elieh*  
CA5ADEE29905464...

---

Franklin Elieh, co-founder,  
Northern California Spinal Cord Injury Foundation (NorCal SCI)

DocuSigned by:  
*Jennifer Kumiyama*  
27179C81D55E434

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Jennifer Kumiyama, Advocate

**Responses to Californians for Smart Fueling Comment Letter, submitted 11/22/21**

The proposed rule language for PR 461.1 has been revised to no longer require a Rule 222 registration for a dispensing location. The owner or operator of a dispensing location will only require a South Coast AQMD permit to operate the mobile fueler if the dispensing location is a major source of emissions requiring permits through the South Coast AQMD Title V Program.



November 30, 2021

Honorable Chairman Ben Benoit and Board Members  
South Coast Air Quality Management District

Re: Public Comments Item 2B-- Proposed Amended Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II-- OPPOSE unless amended

Dear SCAQMD Board Members:

Saint Clair Systems, Inc. is involved in the design manufacture of viscosity control equipment for fluid dispensing systems. This includes both solvent based and UV/EB cure applications for various customers, some of whom are located in California. We welcome the opportunity to comment on the proposed amendments to Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II. Unfortunately, our company cannot support the current proposal as it does not take into consideration issues facing the businesses we work with. The current rule treats all coating processes alike regardless of their environmental benefit. UV/EB/LED processes are not formulated with Volatile Organic Compounds (VOCs) or toxics air contaminants. Conversion away from solvent processes benefits the District and your Board has provided incentives in the form of regulatory flexibility through permit exemptions in Rule 219.

According to staff, the current rule language requires a permit for UV/EB/LED operations that are part of operations that also have solvent systems. It is unfair to attribute the emissions of a solvent system to a UV/EB/LED process with zero or near zero emissions simply because they are located within the same facility. This approach discourages facilities who are exploring conversion to UV/EB/LED but are unable to convert the entire facility. Businesses who are willing to invest in clean technologies should be encouraged to do so and saddling with added permit costs will be counterproductive to the District's mission.

We cannot support the rule in its current version because it does not take any of the concerns of our industry into consideration. We ask the Board request that staff add language that would remedy the harm being done to businesses in the South Coast who are looking to partially convert to UV/EB/LED processes. We want to be respectful of staff's recommended priorities. Thus, in the alternative, we ask for a Board resolution to revisit the rule in order to incorporate our proposal, in the first quarter of 2022.

Sincerely,

Michael R. Bonner  
Vice President of Engineering & Technology

12427 31 Mile Road • Washington Township, Michigan • 48095

586.336.0700 • [www.saintclairsystems.com](http://www.saintclairsystems.com)

**Response to Saint Clair Systems Comment Letter, submitted 11/30/21**

See Response 1.

## ATTACHMENT H

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

#### **Final Environmental Assessment for Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Proposed Amended Rule 461 – Gasoline Transfer and Dispensing and Proposed Amended Rule 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II**

**December 2021**

**South Coast AQMD Number: 11232021RB**

**State Clearinghouse Number: 2021110387**

#### **Executive Officer**

Wayne Nastri

#### **Deputy Executive Officer**

**Planning, Rule Development and Area Sources**

Sarah Rees, Ph.D.

#### **Assistant Deputy Executive Officer**

**Planning, Rule Development and Area Sources**

Susan Nakamura

#### **Assistant Deputy Executive Officer**

**Planning, Rule Development and Area Sources**

Ian MacMillan

|                 |               |                        |
|-----------------|---------------|------------------------|
| <b>Authors:</b> | Ryan Bañuelos | Air Quality Specialist |
|                 | Kevin Ni      | Air Quality Specialist |
|                 | Kendra Reif   | Air Quality Specialist |

#### **Technical**

|                    |                  |                        |
|--------------------|------------------|------------------------|
| <b>Assistance:</b> | Britney Gallivan | Air Quality Specialist |
|--------------------|------------------|------------------------|

#### **Reviewed**

|            |                 |                                  |
|------------|-----------------|----------------------------------|
| <b>By:</b> | Barbara Radlein | Program Supervisor, CEQA         |
|            | Neil Fujiwara   | Program Supervisor               |
|            | Michael Krause  | Planning and Rules Manager, CEQA |
|            | Karin Manwaring | Senior Deputy District Counsel   |
|            | Barbara Baird   | Chief Deputy Counsel             |

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

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Mayor Pro Tem, Wildomar  
Cities of Riverside County

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Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

## PREFACE

This document constitutes the Final Environmental Assessment (EA) for Proposed Rule (PR) 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations and Proposed Amended Rule (PAR) 461 – Gasoline Transfer and Dispensing and PAR 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II. A Draft EA was circulated for a 30-day public review and comment period from November 24, 2021 to December 24, 2021 and two comment letters were received during the comment period. The comments and responses relative to the Draft EA are included in Appendix C of this Final EA.

Analysis of the proposed project in the Draft EA indicated that a less than significant increase of VOC and toxic emissions and the associated public health risk from mobile fueling operations would occur. Since no significant adverse impacts were identified, an alternatives analysis and mitigation measures are not required (CEQA Guidelines Sections 15252).

In addition, subsequent to the release of the Draft EA for public review and comment, minor modifications were made to the proposed project. The minor modifications include: 1) the removal of proposed amendments to Rule 222 from the proposed project; 2) rewording and renumbering of rule language; 3) the revision of provisions for clarity; 4) the addition of provisions to PR 461.1 to require a report for the mobile fueler dispensing location; and 5) revised exemption provisions for clarity. To facilitate identification of the changes between the Draft EA and the Final EA, modifications to the document are included as underlined text and text removed from the document is indicated by ~~striketrough text~~. To avoid confusion, minor formatting changes are not shown in underline or striketrough mode.

Subsequent to the release of the Draft EA for public review and comment, modifications were made to the proposed project and some of the revisions were made in response to verbal and written comments received during the rule development process. Staff has reviewed the modifications to the proposed project and concluded that none of the revisions constitute significant new information, because: 1) no new significant environmental impacts would result from the project; and 2) the Draft EA did not deprive the public from meaningful review and comment. In addition, revisions to the proposed project in response to verbal or written comments during the rule development process would not create new, unavoidable significant effects. As a result, these revisions to the Draft EA merely clarify, amplify, or make insignificant modifications which do not require recirculation of the Draft EA pursuant to CEQA Guidelines Sections 15073.5 and 15088.5. Therefore, the Draft EA has been revised to include the aforementioned modifications such that it is now the Final EA for PR 461.1, PARs 461 and 219.

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## **CHAPTER 1**

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### **PROJECT DESCRIPTION**

**Introduction**

**California Environmental Quality Act**

**Project Location**

**Project Background**

**Technology Overview**

**Project Description**

## INTRODUCTION

The California Legislature created the South Coast Air Quality Management District (South Coast AQMD) in 1977<sup>1</sup> as the agency responsible for developing and enforcing emission control rules and regulations in the South Coast Air Basin (Basin) and portions of the Salton Sea Air Basin and Mojave Desert Air Basin. By statute, the South Coast AQMD is required to adopt an air quality management plan (AQMP) demonstrating compliance with all federal and state ambient air quality standards for the areas under the jurisdiction of the South Coast AQMD<sup>2</sup>. The AQMP is a regional blueprint for how the South Coast AQMD will achieve air quality standards and healthful air; it contains multiple goals promoting reductions of criteria air pollutants, greenhouse gases (GHGs), and toxic air contaminants (TACs)<sup>3</sup>.

The South Coast AQMD has adopted regulations, each with individual rules, that carry out the AQMP<sup>4</sup>. For example, Regulation II – Permits specifies what sources must have a permit to operate, but also includes Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II which identifies equipment, processes, or operations that emit small amounts of air contaminants and therefore are exempt from permit requirements. Regulation IV – Prohibitions establishes requirements for certain operations regardless of industry, while Regulation XI – Source Specific Standards establishes requirements for equipment- and industry-specific emission sources. Regulation XIII – New Source Review prescribes requirements for new emission sources that must be met before any permit is issued, and Regulation XIV – Toxics and Other Non-Criteria Pollutants establishes requirements for sources of TACs.

Gasoline transfer and dispensing operations are regulated by both California Air Resources Board (CARB) and South Coast AQMD. CARB has established performance standards and certification procedures for vapor recovery systems for gasoline marketing operations. CARB certifies the equipment and South Coast AQMD requires the use of CARB-certified equipment to meet rule requirements. South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing, for example, applies to the transfer of gasoline from any tank truck, trailer, or railroad tank car into any stationary storage tank or mobile fueler; and from any stationary storage tank or mobile fueler into any mobile fueler or motor vehicle fuel tank; and requires CARB certified vapor recovery systems and components.

In addition to Rule 461, the following South Coast AQMD rules also apply to gasoline transfer and dispensing operations which emit Volatile Organic Compounds (VOC), a criteria air pollutant, and TACs such as benzene, ethyl benzene, and naphthalene:

- Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; and
- Rule 1401 – New Source Review of Toxic Air Contaminants.

Previous rule development efforts and amendments to Rule 461 thus far have focused on retail stationary fueling facilities. Further, Rule 219(m)(9) currently exempts mobile fuelers with a cumulative capacity of <251 gallons, provided that the operation meets Rule 219(s)(2)(A) which requires the health risk to be below the thresholds in Rule 1401. However, with the emergence of

---

<sup>1</sup> The Lewis-Presley Air Quality Management Act, 1976 Cal. Stats., ch. 324 (codified at Health and Safety Code Section 40400-40540).

<sup>2</sup> Health and Safety Code Section 40460(a).

<sup>3</sup> South Coast AQMD, Final 2016 Air Quality Management Plan, March 2017. <https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>

<sup>4</sup> Health and Safety Code Section 40440(a).

mobile fueling on-demand (MFOD) services in the gasoline delivery industry, South Coast AQMD staff recognized that additional rule development efforts were necessary to ensure that public health is protected since MFOD operations result in the same types of fueling emissions as retail stationary fueling facilities but with additional vehicular emissions from mobile fueler truck trips and idling, which cause criteria air pollutant emissions of VOC, NO<sub>x</sub>, and CO, and TAC as diesel particulate matter (PM).

As such, South Coast AQMD staff developed Proposed Rule (PR) 461.1 with the goal of minimizing emissions of VOC and TACs from mobile fueling operations through establishing requirements applicable to: 1) an owner or operator of a mobile fueler conducting retail or non-retail mobile fueling operations; ~~2) an owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof.

In addition, amendments to Rule 461 are proposed that would remove specific provisions pertaining to the requirements and emission control equipment associated with mobile fueling operations since these requirements are included in PR 461.1.

Further, amendments to Rule 219 are proposed that will remove mobile fuelers from the existing exemption in paragraph (m)(9) and will add two separate exemptions for retail and non-retail mobile fuelers in with the new lower cumulative capacity mobile fueler thresholds from PR 461.1. Additionally, mobile fuelers that were previously exempt will be exempt until July 1, 2022 to give owners time to obtain permits. ~~Finally, amendments to Rule 222 are proposed that would establish registration requirements for retail mobile fueler gasoline dispensing locations to ensure that multiple mobile fueler companies would not create a health risk that would exceed the thresholds established by Rule 1401.~~

Implementation of the proposed project is expected to result in less than significant increases of VOC, NO<sub>x</sub>, and CO, and TAC emissions with associated public health risk from mobile fueling operations.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The California Environmental Quality Act (CEQA), California Public Resources Code Section 21000 *et seq.*, requires that all potentially significant, adverse environmental impacts of proposed projects be evaluated and methods to reduce or avoid identified significant adverse impacts of these projects be implemented, if feasible. The purpose of the CEQA process is to inform the South Coast AQMD Governing Board, public agencies, and interested parties of potential adverse environmental impacts that could result from implementing the proposed project and to identify feasible mitigation measures or alternatives when an impact is significant.

Public Resources Code Section 21080.5 allows public agencies with regulatory programs to prepare a plan or other written documents in lieu of a negative declaration or environmental impact report once the secretary of the resources agency has certified the regulatory program. The South Coast AQMD's regulatory program was certified by the secretary of resources agency on March 1, 1989 (CEQA Guidelines Section 15251(l)). In addition, the South Coast AQMD adopted Rule 110 – Rule Adoption Procedures to Assure Protection and Enhancement of the Environment, which implements the South Coast AQMD's certified regulatory program. Under the certified regulatory program, the South Coast AQMD typically prepares an Environmental Assessment

(EA) to evaluate the environmental impacts for rule projects proposed for adoption or amendment. The EA is also a public disclosure document intended to: 1) provide the lead agency, responsible agencies, decision makers and general public with information on the environmental impacts of the proposed project; and, 2) be used as a tool by decision makers to facilitate decision making on the proposed project.

CEQA Guidelines Section 15187 requires the South Coast AQMD to perform an environmental analysis when proposing to adopt a new rule or regulation requiring the installation of air pollution control equipment, or establishing a performance standard, which is the case with the proposed project. CEQA Guidelines Section 15187 requires the environmental analysis to include at least the following information:

- An analysis of reasonably foreseeable environmental impacts of the methods of compliance;
- An analysis of reasonably foreseeable mitigation measures relating to significant environmental impacts; and
- An analysis of reasonably foreseeable alternative means of compliance with the rule or regulation, which would avoid or eliminate any identified significant environmental impacts.

The proposed adoption of PR 461.1 and proposed amendments to Rules 461, ~~and 219, and 222~~ are a discretionary action subject to South Coast AQMD Governing Board consideration that has the potential for resulting in changes to the environment, and therefore, is considered a “project” as defined by CEQA (CEQA Guidelines Section 15378). The lead agency is the “public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment” (Public Resources Code Section 21067). Since the South Coast AQMD Governing Board has the primary responsibility for approving and carrying out the entire project as a whole, the South Coast AQMD is the most appropriate public agency to act as lead agency for the proposed project (CEQA Guidelines Section 15051(b)).

In analyzing the potential environmental impacts as required by CEQA Guidelines Section 15187 (see Chapter 2 of this EA), the type of CEQA document appropriate for the proposed project is an Environmental Assessment (EA) with no significant impacts. The EA is a substitute CEQA document, which the South Coast AQMD, as lead agency for the proposed project, prepared in lieu of a Negative Declaration with no significant impacts (CEQA Guidelines Section 15252), pursuant to the South Coast AQMD’s Certified Regulatory Program (Public Resources Code Section 21080.5, CEQA Guidelines Section 15251(1); South Coast AQMD Rule 110).

The EA includes a project description in Chapter 1 and an Environmental Checklist in Chapter 2. The Environmental Checklist provides a standard tool to identify and evaluate a proposed project’s adverse environmental impacts and the analysis concluded that no significant adverse impacts would be expected to occur if the proposed project is implemented. Because the proposed project would have no statewide, regional, or areawide significance, no CEQA scoping meeting is required to be held pursuant to Public Resources Code Section 21083.9(a)(2). Further, pursuant to CEQA Guidelines Section 15252, since no significant adverse impacts were identified, no alternatives or mitigation measures are required.

The Draft EA ~~has been~~ was released for a 30-day public review and comment period from November 24, 2021 to December 24, 2021. ~~All~~ Two comment letters were received during the

public comment period on the analysis presented in the Draft EA; the comment letters and the responses are ~~will be responded to and included in an a~~Appendix C to theof this Final EA.

Subsequent to the release of the Draft EA for public review and comment, modifications were made to the proposed project and some of the revisions were made in response to verbal and written comments received during the rule development process. South Coast AQMD staff has reviewed the modifications to the proposed project after the release of the Draft EA for the 30-day public review and comment period and updated the CEQA analysis accordingly. None of the revisions: 1) constitute significant new information; 2) constitute a substantial increase in the severity of an environmental impact; or, 3) provide new information of substantial importance relative to the Draft EA. In addition, revisions to the proposed project in response to verbal or written comments during the rule development process would not create new, avoidable significant effects. As a result, these revisions do not require recirculation of the Draft EA pursuant to CEQA Guidelines Sections 15073.5 and 15088.5. Therefore, the Draft EA has been revised to include the aforementioned modifications such that is now the Final EA for the proposed project.

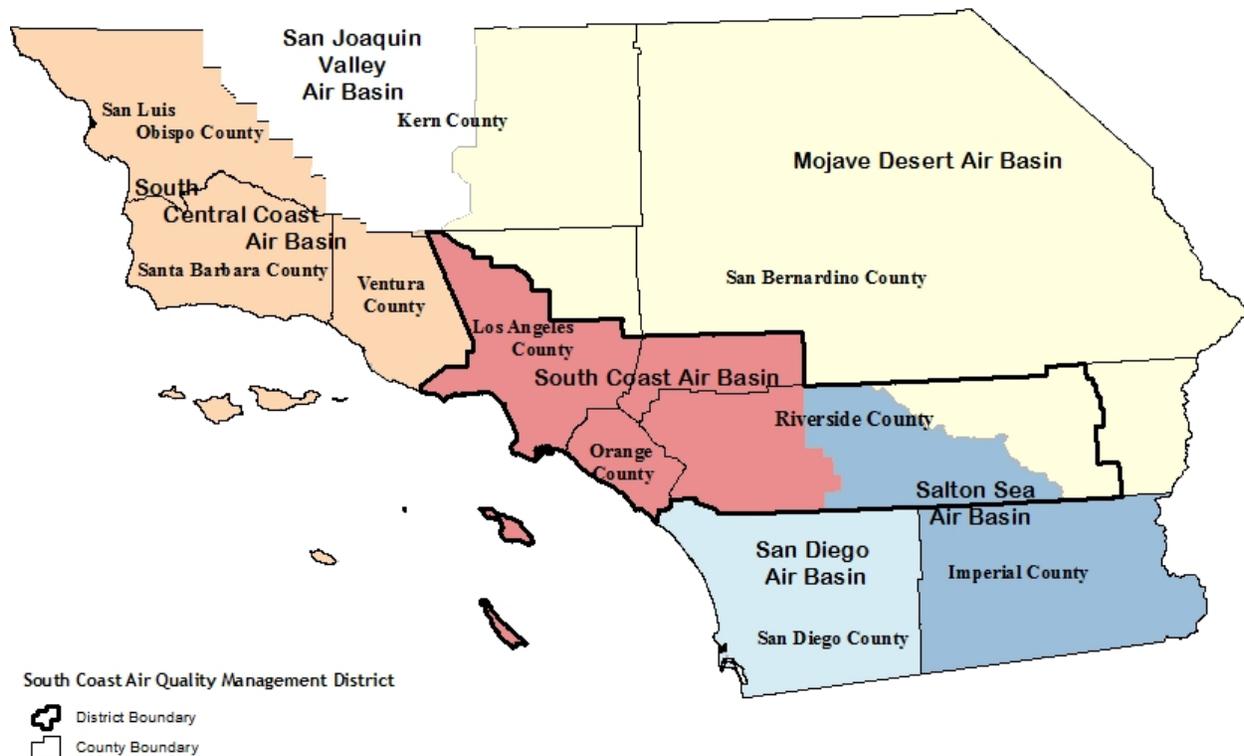
Prior to making a decision on the adoption of the proposed project, the South Coast AQMD Governing Board must review and certify the Final EA as providing adequate information on the potential adverse environmental impacts that may occur as a result of adopting PR 461.1 and amending Rules 461 ~~and~~, 219, ~~and~~ 222.

## **PROJECT LOCATION**

The proposed project applies to the owners or operators of mobile fuelers that conduct retail or non-retail operations, ~~to owners or operators of dispensing locations where mobile fuelers operate,~~ and to any person that installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacturers CARB-certified control equipment or the associated components thereof.

As illustrated in Figure 1-1, the South Coast AQMD has jurisdiction over an area of approximately 10,743 square miles, 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. The South Coast Air Basin is a subarea of South Coast AQMD's jurisdiction and is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. The Riverside County portion of the Salton Sea Air Basin is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley. A federal nonattainment area (known as the Coachella Valley Planning Area) is a subregion of Riverside County and the Salton Sea Air Basin and is bounded by the San Jacinto Mountains to the west and the eastern boundary of the Coachella Valley to the east.

**Figure 1-1**  
**Southern California Air Basins and South Coast AQMD’s Jurisdiction**



## PROJECT BACKGROUND

Gasoline transfer and dispensing operations are regulated by both CARB and South Coast AQMD. CARB has established performance standards and certification procedures for vapor recovery systems for gasoline marketing operations. CARB certifies the equipment and South Coast AQMD requires the use of CARB-certified equipment to meet rule requirements. Gasoline transfer and dispensing operations in the South Coast AQMD’s jurisdiction are regulated through Rule 461. Rule 461 was originally adopted by the South Coast AQMD on January 9, 1976 and focuses primarily on stationary retail gasoline dispensing facilities through requirements for vapor recovery systems that are tested and certified by CARB.

CARB-certified Phase I and Phase II vapor recovery systems are the existing standard emissions control equipment for gasoline transfer and dispensing operations for both stationary and mobile fueling operations subject to Rule 461. Rule 461 has required CARB-certified Phase II vapor recovery systems since 1995 for both stationary gasoline dispensing facilities and mobile fuelers that dispense gasoline which is consistent with the requirements in Health and Safety Code Section 41954(g)(3) which states, “any stricter procedures or performance standards shall not be implemented until at least two systems meeting the stricter performance standards have been certified by the state board.”

The current version of Rule 461 does not contain requirements specific to small mobile fuelers with tanks less than 120 gallons which means that if any are currently operating, they are not required to have a South Coast AQMD air permit and are not required to be equipped with a vapor

recovery system. Small mobile fuelers have been operating in limited non-retail function. As small mobile fuelers were not subject to either permitting or rule requirements, small mobile fuelers could be operating at locations that have not been evaluated for emissions and health risk to sensitive receptors. For this reason, emissions from retail gasoline mobile fueling operations need to be evaluated and permitted to prevent exceedance of the health risk thresholds in Rule 1401 for at each any dispensing location to prevent exceedances of the health risk thresholds in Rule 1401. When compared to stationary gasoline dispensing facilities that comply with Rule 461, retail mobile fuelers not equipped with Phase I vapor recovery system and Phase II vapor recovery system have higher emissions per gallon of gasoline dispensed. In addition, emissions from loading increase when mobile fuelers are not equipped with a Phase I vapor recovery system. Similarly, emissions from dispensing are greater for mobile fuelers that are not equipped with a Phase II vapor recovery system. Finally, when gasoline is stored in aboveground storage tanks, the tanks are typically designed to have a reflective exterior which results in a lower tank temperature and thus lower evaporative emissions than a mobile fueler without a Phase I vapor system and Phase II vapor recovery system, since the gasoline storage tanks are not always insulated and are typically painted with a darker or non-reflective exterior.

Regulating mobile fueling operations presents a unique challenge relative to the established regulatory framework for stationary gasoline dispensing facilities because the location where a mobile fueler will distribute gasoline varies by day, time, and facility. Existing regulations applicable to mobile fuelers dispensing gasoline via CARB-certified non-vapor recovery components but that are not equipped with a Phase II vapor recovery system are further complicated by the difficulty in verifying that each motor vehicle receiving the fuel must be equipped with an Onboard Refueling Vapor Recovery (ORVR) system. Historically, the process of verifying ORVR status has been a compliance challenge for regulators. In addition, tracking the amount of fuel transferred into a mobile fueler and dispensed into vehicles for regulatory purposes is a further challenge.

To address these historical compliance challenges unique to mobile fueling operations, PR 461.1 proposes specific requirements to restrict opening of the cargo tank dome hatch, and includes additional monitoring, recordkeeping, and reporting requirements in addition to the requirements already included in Rule 461.

Another challenge associated with regulating mobile fueling operations are the variables with the evaluation of health risk since mobile fuelers can visit multiple locations and some retail mobile fuelers are not equipped with vapor recovery systems. For comparison, the health risk evaluation for stationary gasoline dispensing facilities (gas station), is based on dispensing equipment fitted with mandatory vapor recovery systems operating at one fixed location and is part of the South Coast AQMD permit process to ensure that facility emissions do not pose a health risk to nearby sensitive receptors.

A visual overview of the existing mobile fueling regulations as applicable to various mobile fueling systems and Rule 461 regulatory applicability are shown in Tables 1-1 and 1-2.

**Table 1-1  
Regulatory Gap for Mobile Fuelers**

| Mobile Fueling System  | Cumulative Capacity (Gallons) | Requires a South Coast AQMD Permit to Operate? | Regulatory Gap  |
|--|-------------------------------|--|---|
| <br>1 Phase I and Phase II<br>Cab and Chassis Truck with Cargo Tank | 300 - 4,000                   | Yes  | None  |
| <br>2 Phase I<br>Cab and Chassis Truck with Cargo Tank              | ≥ 1,200                       | Yes  | Permit required, but cannot be issued for retail fueling since it is not allowed under Rule 461 |
| <br>3<br>Pickup Truck with Tanks                                    | < 251 <sup>1</sup>            | No   | Not required to be permitted and Rule 461 does not currently apply to this equipment            |

<sup>1</sup> Each individual tank is ≤ 120 gallons

**Table 1-2  
Mobile Fueler Rule 461 Regulatory Applicability**

| Mobile Fueling System  | Cumulative Capacity (Gallons) | Allowed in Rule 461 |             |
|--|-------------------------------|---------------------|-------------|
|  |                               | Non-Retail          | Retail      |
| <br>1 Phase I and Phase II<br>Cab and Chassis Truck with Cargo Tank | 300 - 4,000                   | Allowed             | Allowed     |
| <br>2 Phase I<br>Cab and Chassis Truck with Cargo Tank              | ≥ 1,200                       | Allowed             | Not Allowed |
| <br>3<br>Pickup Truck with Tanks                                    | < 251 <sup>1</sup>            | Unregulated         | Unregulated |

<sup>1</sup> Each individual tank is ≤ 120 gallons

South Coast AQMD staff was tasked to pursue rulemaking that establishes operational and permit requirements to address the absence of existing regulations specific to retail mobile fueling operations and to reduce the associated public health impacts from mobile fueling activities. For these reasons, South Coast AQMD staff developed the approach to regulate mobile fueling operations in PR 461.1 and amend Rule 461 to limit its applicability to stationary gasoline transfer and dispensing facilities. The objective of PR 461.1 is to reduce VOC and TAC emissions from mobile fueling operations that occur from the transfer, storage, and dispensing of gasoline. To address the regulatory gap for mobile fuelers, PR 461.1 proposes to require a permit and a health risk assessment for mobile fuelers operating at retail dispensing locations. As part of the rulemaking process, Rules 219 and 222 are is proposed to be amended to modify permit requirements for previously exempt mobile fuelers and dispensing locations as well as require registration for dispensing locations used for retail mobile fueling operations.

## TECHNOLOGY OVERVIEW

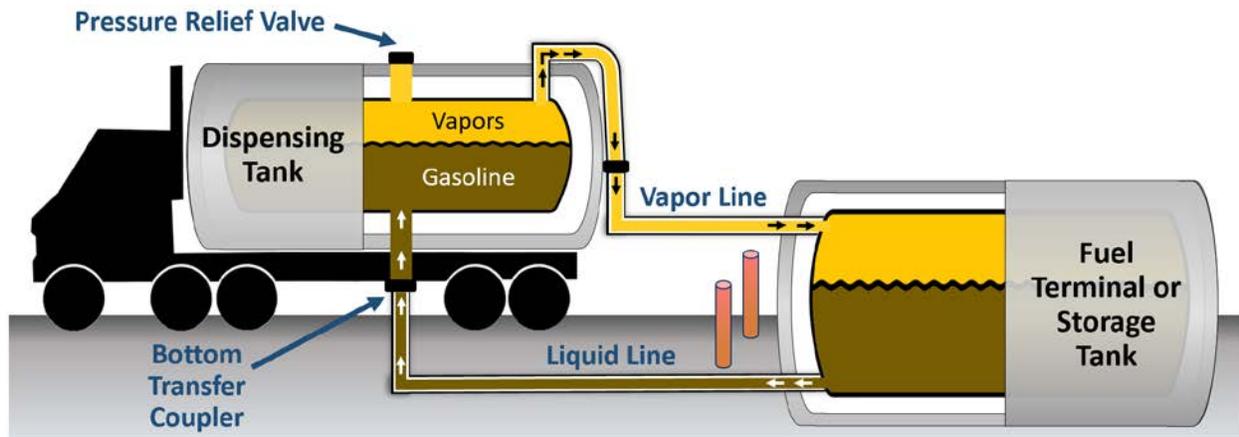
The following discussion provides a general overview of the technologies associated with mobile fueling operations.

### Phase I and Phase II Vapor Recovery Systems

#### Phase I Vapor Recovery System for a Mobile Fueler

A Phase I vapor recovery system is installed on a mobile fueler cargo tank for the collection and recovery of gasoline vapors displaced or emitted during the transfer of gasoline into and out of a mobile fueler cargo tank from a fuel terminal or storage tank, except when dispensing. Figure 1-2 depicts the loading of gasoline into a mobile fueler equipped with a Phase I vapor recovery system. A mobile fueler with Phase I vapor recovery is loaded from the bottom of the tank (referred to as bottom loading) to reduce splashing of the fuel which can increase vapors. In general, cargo tanks on mobile fuelers are filled either at a bulk loading terminal or from a stationary storage tank.

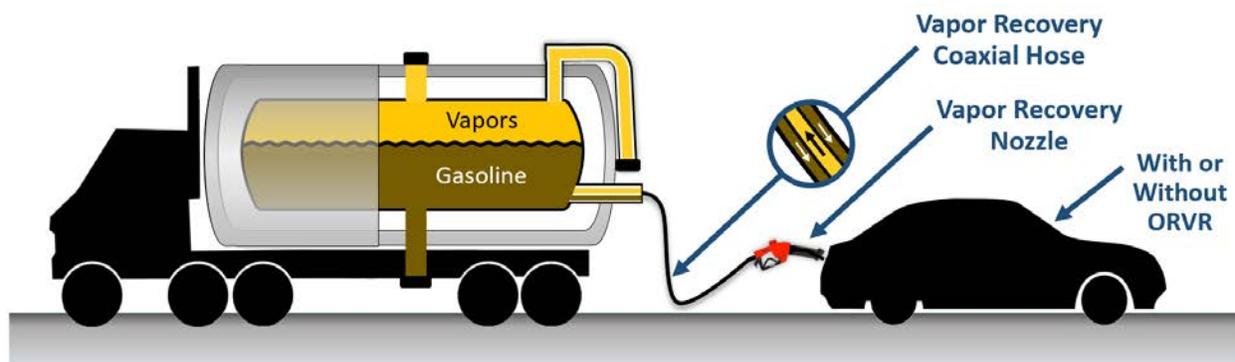
**Figure 1-2**  
**Mobile Fueler CARB-Certified Phase I Vapor Recovery System**



#### Phase II Vapor Recovery System for a Mobile Fueler

A Phase II vapor recovery system is installed on a mobile fueler cargo tank for the collection and recovery of gasoline vapors displaced or emitted during the dispensing of gasoline from a mobile fueler cargo tank into a motor vehicle fuel tank. There are two types of Phase II vapor recovery dispensing equipment. A vacuum assist Phase II vapor recovery system dispenses gasoline through the exterior of the coaxial hose and utilizes a vacuum-producing device to create a vacuum to draw vapors back into the cargo tank through the interior of the coaxial hose. A balance Phase II vapor recovery system, not currently CARB-certified for mobile fuelers at the time of this rulemaking, dispenses gasoline through the interior of the coaxial hose and utilizes the principle of vapor displacement to draw vapors back into the cargo tank through the exterior of the coaxial hose. Figure 1-3 depicts a mobile fueler which is equipped with a Phase II vapor recovery system with a vacuum assist coaxial hose dispensing gasoline into a motor vehicle fuel tank.

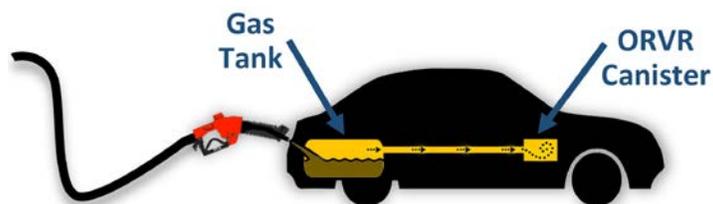
**Figure 1-3**  
**Mobile Fueler CARB-Certified Phase II Vapor Recovery System**



### Other Vapor Controls

Onboard Refueling Vapor Recovery (ORVR) is designed for on-road motor vehicles to control gasoline vapors during the filling of the motor vehicle gas tank as shown in Figure 1-4. Key characteristics of ORVR include: a narrow fill tube, valve to prevent vapors from returning to the fill tube, a carbon canister, and design features that allow displaced gasoline vapors to flow into the carbon canister. ORVR systems were introduced for 1998 model year motor vehicles and are now required on all new cars and trucks. ORVR is mandated by Title 13 of the California Code of Regulations (CCR), Section 1978 and 40 Code of Federal Regulations (CFR) Part 86. The ORVR phase-in period for passenger vehicles, light duty truck, and medium duty vehicles (up to 8500 pounds gross vehicle weight rating) was already scheduled to meet 100 percent of fleets by 2006. ORVR systems must meet the regulatory standard of 95 percent control efficiency<sup>5</sup>. While ORVR is effective in controlling emissions, some vehicles older than 1998, and still operating, may not be equipped with ORVR because the requirement to equip ORVR systems was phased in. While ORVR has been demonstrated to be effective in controlling emissions, there are still many older cars without ORVR being operated on public roads and highways.

**Figure 1-4**  
**Onboard Refueling Vapor Recovery**



<sup>5</sup> Environmental Protection Agency. (1994, April 6). *Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Refueling Emission Regulations for Light-Duty Vehicles and Light-Duty Trucks*. Federal Register. <https://www.govinfo.gov/content/pkg/FR-1994-04-06/html/94-4752.htm>

**Mobile Fuelers**

**Model 1 Mobile Fueler – Phase I and Phase II Vapor Recovery System**

Model 1 mobile fuelers have been issued a CARB executive order which includes CARB-certified Phase I and Phase II vapor recovery systems. Rule 461 currently allows Model 1 mobile fuelers for retail and non-retail dispensing of gasoline into motor vehicles. The majority of currently permitted mobile fuelers are Model 1. At this point in time when the EA is being written, there ~~is only one known~~ are two Model 1 mobile fuelers that ~~has~~ have been issued a CARB executive orders with CARB-certified Phase I and Phase II vapor recovery systems, however, ~~these~~ is mobile fuelers ~~are not~~ is currently commercially ~~un~~ available for new purchases within South Coast AQMD’s jurisdiction.

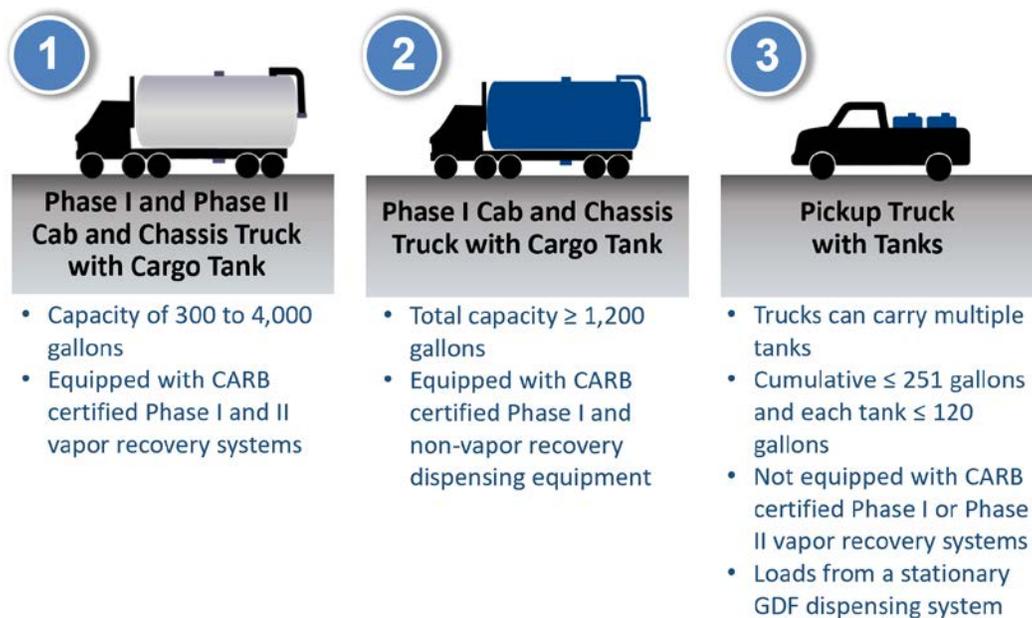
**Model 2 Mobile Fueler – Phase I Vapor Recover and No Phase II Vapor Recovery**

Model 2 mobile fuelers have been issued a CARB executive order which includes a CARB-certified Phase I vapor recovery system, but does not include a Phase II vapor recovery system. Rule 461 currently allows Model 2 mobile fuelers for non-retail dispensing of gasoline into ORVR equipped motor vehicles. Rule 461 does not allow Model 2 mobile fuelers for retail dispensing of gasoline.

**Model 3 Mobile Fueler – No Phase I and No Phase II**

Model 3 mobile fuelers have not been issued a CARB executive order and are not equipped with Phase I or Phase II vapor recovery systems. Rule 461 does not allow Model 3 mobile fuelers to fuel motor vehicles if the cumulative gasoline storage capacity is greater than 251 gallons or if an individual tank is greater than 120 gallons. Model 3 mobile fuelers with cumulative gasoline storage that is less than the capacities listed above are unregulated by the vapor recovery requirements of Rule 461 and exempt from South Coast AQMD permitting requirements.

**Figure 1-5  
Mobile Fueler Model Categories**



**PROJECT DESCRIPTION**

The proposed project is comprised of PR 461.1 and PARs 461, ~~and 219 and 222~~. The following discussion provides a summary of the key elements contained in PR 461.1, and PARs 461, ~~and~~

219 and 222. Appendix A of this EA contains a draft rule language of PR 461.1 and PARs 461 and 219, and 222.

### **PR 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations**

PR 461.1 has been developed to minimize emissions of VOC and TACs from mobile fueling operations through establishing requirements applicable to: 1) an owner or operator of a mobile fueler conducting retail or non-retail mobile fueling operations; ~~2) an owner or operator of dispensing locations where mobile fuelers operate;~~ and ~~3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufactures CARB-certified control equipment or the associated components thereof.~~

The exact number of mobile fueling owners or operators is unknown at the time of this rulemaking because the South Coast AQMD does not currently have a procedure or process that records the amount of previously exempt mobile fuelers operating in the South Coast AQMD jurisdiction. As facilities become interested in conducting retail mobile fueling on their associated site, those facilities would be subject to the registration requirements included in the proposed project.

Under PR 461.1, mobile fuelers would be subject to control equipment requirements in regards to Phase I vapor recovery systems, Phase II vapor recovery systems, or non-vapor recovery components for dispensing; and cumulative capacity requirements in regards to the combined capacity of the storage capacity for each cargo tank located on a mobile fueler at any one given time with an exception for one portable fuel container with a ~~five~~ 6.6 gallon or less capacity. In addition, PR 461.1 includes definitions that distinguish the difference between non-retail and retail mobile fuelers.

PR 461.1 includes requirements for operational activities associated with mobile fuelers. Operational requirements vary based on the type of mobile fueler, but generally require the owner or operator of a mobile fueler to conduct dispensing activities that minimize the release of gasoline vapors, conduct recordkeeping, ~~testing, inspection,~~ and maintain equipment as required. Further, PR 461.1 limits the dispensing of gasoline only into motor vehicles that are equipped with an ORVR system by mobile fuelers with non-vapor components ~~with~~ for dispensing until CARB certifies at least two Phase II vapor recovery systems for mobile fuelers. PR 461.1 also requires ~~both the owner or operator of a dispensing location, and the owner or operator of a mobile fueler to comply with dispensing location requirements.~~ In addition, location requirements would prevent more than one retail mobile fueling company from operating at a single dispensing location within the same calendar month. Location requirements would ~~also ensure that~~ require retail fueling companies ~~to obtain documentation from the owner of the location as well as the local fire authority to operate at the specific location are identified on each dispensing locations registration.~~ Mobile fuelers would be prohibited from operating on a public street except in the case of an emergency or to maintain public infrastructure. Additional protection for schools located within 1,000 feet of the location are also included.

Additional requirements for PR 461.1 include the postage and maintenance of signage that has information that details how the public may report potential air related issues regarding operation of the mobile fueler. Also included are requirements for mobile fueling owners or operators to install, maintain, and repair, as necessary, CARB-certified Phase I and II vapor recovery systems and CARB-certified non-vapor recovery component for dispensing. Requirements for self-compliance, recordkeeping, testing, and reporting are also included in PR 461.1.

**PAR 461 – Gasoline Transfer and Dispensing**

PAR 461 is being amended to remove specific provisions that detail the requirements for the transfer of gasoline from a mobile fueller to any motor vehicle fuel tank, and the required emissions controls associated with mobile fueling operations which will now be addressed in PR 461.1. In addition, PAR 461 will allow the owner or operator of a stationary non-retail gasoline dispensing facility with modified dispensing equipment used in lieu of complying with Phase II requirements to continue to use these modified components until the permit to operate is modified, at which time those modified components shall be replaced with hose and nozzle components according to the latest CARB Executive Order.

**PAR 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II**

PAR 219 will remove mobile fuelers from the existing exemption in paragraph (m)(9) and will add two separate exemptions for retail and non-retail mobile fuelers in with the new lower cumulative capacity mobile fueller thresholds from PR 461.1. Additionally, A separate temporary exemption until July 1, 2022 for units mobile fuelers that were previously exempt will be exempt until July 1, 2022 also be added to give owners time to obtain permits.

**~~PAR 222 – Filing Requirements for Specific Emission Sources not Requiring a Written Permit Pursuant to Regulation II~~**

~~PAR 222 is being amended to establish registration requirements for dispensing locations where retail mobile fuelers would dispense gasoline to ensure that multiple mobile fueller companies are not creating a health risk in exceedance of thresholds established by Rule 1401.~~

~~PAR 222 will require the owner or operator of a dispensing location to register the dispensing location where a retail mobile fueller dispenses gasoline as long as the dispensing location is not located at a Title V facility subject to South Coast AQMD Regulation XXX – Title V Permits. Facilities subject to the Title V program are currently required to list and evaluate all emissions, including gasoline vapors, in the Title V facility permit. A mobile fueller is a regulated emission unit and, if operated at any Title V facility, is required to be included in the facility's application for a Title V permit.~~

## **CHAPTER 2**

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### **ENVIRONMENTAL CHECKLIST**

**Introduction**

**General Information**

**Environmental Factors Potentially Affected**

**Determination**

**Environmental Checklist and Discussion**

## INTRODUCTION

The environmental checklist provides a standard evaluation tool to identify a project's potential adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the proposed project.

## GENERAL INFORMATION

|   |  |
|---|--|
| Project Title:  | PR 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations; PAR 461 – Gasoline Transfer and Dispensing; <u>and</u> PAR 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II; <del>and PAR 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</del>  |
| Lead Agency Name:   | South Coast Air Quality Management District  |
| Lead Agency Address:  | 21865 Copley Drive<br>Diamond Bar, CA 91765  |
| CEQA Contact Person:  | Ryan Bañuelos, (909) 396-3479, <a href="mailto:rbanuelos@aqmd.gov">rbanuelos@aqmd.gov</a>  |
| PR 461.1, and PARs 461, <u>and</u> 219; <del>and 222</del> -Contact Person: | Britney Gallivan, (909) 396-2792, <a href="mailto:bgallivan@aqmd.gov">bgallivan@aqmd.gov</a>   |
| Project Sponsor's Name:   | South Coast Air Quality Management District  |
| Project Sponsor's Address:  | 21865 Copley Drive<br>Diamond Bar, CA 91765  |
| General Plan Designation:   | Not applicable   |
| Zoning:   | Not applicable   |
| Description of Project:   | The proposed project is comprised of PR 461.1, and proposed amendments to Rules 461, <u>and</u> 219, <del>and 222</del> . PR 461.1 has been developed to minimize emissions of volatile organic compounds (VOC) and toxics from mobile fueling operations through establishing requirements applicable to: 1) an owner or operator of a mobile fueler conducting retail or non-retail mobile fueling operations; 2) <del>an owner or operator of dispensing locations where mobile fuelers operate;</del> and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof. PAR 461 proposes to remove specific provisions pertaining to the requirements and emission control equipment associated with mobile fueling operations since these requirements are included in PR 461.1. Further, amendments to Rule 219 are proposed that will remove mobile fuelers from the existing exemption in paragraph (m)(9) and will add two separate exemptions for retail and non-retail mobile fuelers <u>in along</u> with the new lower cumulative capacity mobile fueler thresholds from PR 461.1. <u>Additionally, mobile fuelers that were previously exempt will continue to be exempt until July 1, 2022 to give provide owners time to obtain permits. Finally,</u> <del>amendments to Rule 222 are proposed that would establish registration requirements for retail mobile fueler gasoline dispensing</del> |

~~locations to ensure that multiple mobile fueler companies would not create a health risk that would exceed the thresholds established by Rule 1401.~~ Implementation of the proposed project is expected to result in less than significant increases of VOC and toxic emissions and associated public health risk from mobile fueling operations. The Draft EA did not identify any environmental topic areas that would be significantly adversely affected by the proposed project. Of the potential sites identified by operators of mobile fuelers where mobile fueling operations (gasoline dispensing) would occur, none are identified on lists compiled by the California Department of Toxic Substances Control per Government Code Section 65962.5.

Surrounding Land Uses and Setting: Various

Other Public Agencies Whose Approval is Required: Not applicable

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The following environmental impact areas have been assessed to determine their potential to be affected by the proposed project. As indicated by the checklist on the following pages, environmental topics marked with a "✓" involve at least one impact that is a "Potentially Significant Impact". An explanation relative to the determination of impacts can be found following the checklist for each area.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics                               | <input type="checkbox"/> Geology and Soils               | <input type="checkbox"/> Population and Housing    |
| <input type="checkbox"/> Agriculture and Forestry Resources       | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services           |
| <input type="checkbox"/> Air Quality and Greenhouse Gas Emissions | <input type="checkbox"/> Hydrology and Water Quality     | <input type="checkbox"/> Recreation                |
| <input type="checkbox"/> Biological Resources                     | <input type="checkbox"/> Land Use and Planning           | <input type="checkbox"/> Solid and Hazardous Waste |
| <input type="checkbox"/> Cultural and Tribal Cultural Resources   | <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Transportation            |
| <input type="checkbox"/> Energy                                   | <input type="checkbox"/> Noise                           | <input type="checkbox"/> Wildfire                  |
| <input type="checkbox"/> Mandatory Findings of Significance       |  |  |

**DETERMINATION**

On the basis of this initial evaluation:

- I find the proposed project, in accordance with those findings made pursuant to CEQA Guidelines Section 15252, COULD NOT have a significant effect on the environment, and that an ENVIRONMENTAL ASSESSMENT with no significant impacts has been prepared.
- I find that although the proposed project could have a significant effect on the environment, there will NOT be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. An ENVIRONMENTAL ASSESSMENT with no significant impacts will be prepared.
- I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL ASSESSMENT will be prepared.
- I find that the proposed project MAY have a "potentially significant impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and, 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL ASSESSMENT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: 1) have been analyzed adequately in an earlier ENVIRONMENTAL ASSESSMENT pursuant to applicable standards; and, 2) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL ASSESSMENT, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**Date:** November 23, 2021

**Signature:** \_\_\_\_\_



Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development and Area Sources

**ENVIRONMENTAL CHECKLIST AND DISCUSSION**

As explained in Chapter 1, the proposed project proposes to reduce emissions of VOC and TAC emissions (e.g., benzene, ethyl benzene, naphthalene, methyl tertiary-butyl ether, toluene, and xylene) from mobile fueling operations by establishing requirements for mobile fueling owners or operators in regard to throughput, location, duration, emissions controls, and permit conditions associated with mobile fueling operations.

Implementation of the proposed project is anticipated to require mobile fuelers to be equipped with emissions controls such as the CARB-certified Phase I and Phase II vapor recovery systems or non-vapor recovery systems which will minimize emissions of VOCs and TACs from mobile fueling operations. Installation and use of vapor recovery systems do not require building construction activities. Further, because mobile fuelers are premanufactured with the required emission control equipment, no additional construction or retrofit activities are expected to ensure compliance with the proposed project because it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. Operation of mobile fuelers may cause secondary adverse environmental impacts from emissions associated with fuel dispensing due to loading, breathing, refueling, hose permeation, spillage losses, and mobile fueler idling based on various dispensing throughputs specified in each individual mobile fueling permit to operate.

Other components of the proposed project, such as recordkeeping requirements, the requirement to submit permit applications, procedures for registration of equipment, and requirements associated with the preparation and submittal of testing protocols are administrative or procedural in nature and as such, would not be expected to cause any physical changes that would create any secondary adverse environmental impacts.

For these reasons, the analysis in this EA focuses on the key elements in the proposed project with the potential to create secondary adverse environmental impacts associated with operating mobile fuelers. The key components of the proposed project that are expected to involve physical activities are summarized in Table 2-1.

**Table 2-1  
Key Components of Proposed Project with Physical Effects During Operation of Mobile Fuelers**

| <b>Proposed Project Requirement with Potential Physical Effects</b> | <b>Construction Impacts?</b>   | <b>Operational Impacts?</b>   | <b>Environmental topic areas potentially affected</b>                                  |
|---|--|---|--|
| Installing and/or using CARB-certified vapor recovery systems       | NO; the installation of a CARB approved vapor recovery system does not involve any construction activities because mobile fuelers are premanufactured with the required emission control equipment and it is unlikely that control equipment would be installed or retrofitted once a mobile fueler is already operating | YES, from the dispensing of gasoline from a mobile fueler that uses a CARB-certified vapor recovery systems                               | Air Quality and GHG Emissions  |
| Dispensing of Gasoline (Idling)                                     | NO   | YES, from increased use of mobile fueler engines that idle during mobile fueling operations; risk of spillage or leak during dispensing   | Air Quality and GHG Emissions, Hazards and Hazardous Materials                         |
| Dispensing Location Requirements                                    | NO   | YES, from the proximity to sensitive receptors based on physical location of mobile fueling operations at the time of dispensing gasoline | Air Quality and GHG Emissions  |
| Driving to and From Dispensing Location(s)                          | NO   | Yes, from increase in VMT; risk from transport of gasoline; use of diesel fuel for mobile fueler to operate                               | Air Quality and GHG Emissions, Energy, Hazards and Hazardous Materials, Transportation |

|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>I. AESTHETICS.</b> Would the project:  |                                |                                       |                              |                                     |
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point(s).) If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

The proposed project impacts on aesthetics will be considered significant if:

- The project will block views from a scenic highway or corridor.
- The project will adversely affect the visual continuity of the surrounding area.
- The impacts on light and glare will be considered significant if the project adds lighting which would add glare to residential areas or sensitive receptors.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 23) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or

retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**I. a), b), c) & d) No Impact.** For the purpose of determining significance under CEQA, a scenic vista is generally considered a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Some scenic vistas are officially designated by public agencies, or informally designated by tourist guides. Vistas provide visual access or panoramic views to a large geographic area and are generally located at a point where surrounding views are greater than one mile away. Panoramic views are usually associated with vantage points over a section of urban or natural areas that provide a geographic orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, a large open space area, the ocean, or other water bodies. A substantial adverse effect to a scenic vista is one that degrades the view from such a designated view spot.

A scenic highway is generally considered a stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency. Caltrans defines a scenic highway as any freeway, highway, road, or other public right of way, that traverses an area of exceptional scenic quality.

Physical modifications associated with the proposed project are limited to the installation of CARB approved vapor recovery systems. No construction is associated with the installation of CARB-certified emission control equipment and no other construction activities are expected to occur to comply with the proposed project because mobile fuelers are premanufactured with emission control equipment and not likely to be retrofitted once in operation. Therefore, there are no visual changes associated with construction as a result of the proposed project.

Mobile fuelers are expected to operate at existing facilities that are already constructed and have existing approvals from the local city or county planning departments which have assessed compliance with zoning requirements, including review of aesthetic impacts under CEQA, as applicable, prior to completion of construction. In addition, the facilities where mobile fueling activities would occur are located throughout Los Angeles, Orange, and San Bernardino counties, and each county is mandated by the state of California to prepare a general plan containing an aesthetics element<sup>6 7 8</sup>. None of the anticipated physical activities associated with implementing the proposed project would involve activities that would exceed height restrictions or be inconsistent with the zoning designations at facilities where mobile fueling operations would occur.

Operation of mobile fuelers at a facility will be intermittent and temporally regulated by each individual mobile fueler operating permit which will limit the amount of gasoline that may be dispensed by a mobile fueler at any one location. For facilities with a mobile fueler operating onsite and that are located within the views of a scenic vista or state scenic highway as designated by the California Department of Transportation (Caltrans)<sup>9</sup>, no aesthetic impacts are expected during

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<sup>6</sup> Los Angeles County Department of Regional Planning, Los Angeles County General Plan 2035, Chapter 9: Conservation and Natural Resources Element, Accessed October 2020. <http://planning.lacounty.gov/generalplan/generalplan>

<sup>7</sup> OC Public Works, General Plan, Chapter IV Scenic Highway Plan Map and Chapter VI Resources Element, Accessed October 2020. <https://www.ocpublicworks.com/ds/planning/generalplan>

<sup>8</sup> San Bernardino County Land Use Services, Open Space Element, Accessed October 2020. <http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlaymaps/OpenSpaceCountywide.pdf>

<sup>9</sup> Caltrans, Scenic Highways, Accessed October 2020. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

operation of a mobile fueler since a mobile fueler is not substantially discernable from any other vehicles that regularly transit to a facility where mobile fueling operations would occur. The proposed project is not anticipated to take place in nor have a substantial adverse effect on a scenic vista indicated in the Los Angeles County General Plan 2035, County of Orange General Plan, County of Riverside General Plan, or San Bernardino Countywide Plan. For these reasons, the proposed project would not be expected to conflict with applicable zoning or other regulations governing scenic quality.

Therefore, the use of mobile fuelers and associated equipment such as CARB certified vapor recovery systems as part of implementing the proposed project would not be expected to adversely affect a scenic vista, obstruct scenic resources within a state scenic highway, or degrade the existing visual character or quality of public views.

The requirements in the proposed project specific to conducting testing and recordkeeping would involve low-profile activities, if at all, that would be expected to blend in with routine day-to-day operations occurring within the property line of each facility where a mobile fueler is operating. Therefore, maintenance and testing, would not be expected to cause any discernable aesthetic impacts visible to outside the property lines of each facility where a mobile fueler is operating.

The proposed project does not include any components that would require mobile fueling activities to occur at night. If mobile fueling operations were to occur at night, each facility being visited by the mobile fueler would need to have sufficient existing lighting in place for safety reasons. If sufficient lighting does not exist and the facility elects to allow mobile fuelers to conduct their operations at night, the facility would need obtain approvals from the local city or county planning departments to install additional lighting. In addition, any lighting used for mobile fueling activities at night would not be expected to be substantially discernable from lighting used by existing vehicles at a facility or permanent facility night lighting used for safety and security purposes. Lighting typically faces toward the interior of each facility's property where a mobile fueler is operating so that they point downward or parallel to the ground, which has the effect of limiting the amount of lighting to what is needed to adequately illuminate the specific locations. Furthermore, during operation, additional light or glare would not be created which would adversely affect day or nighttime views at a location where a mobile fueler is operating since no light generating equipment is required to comply with the proposed project.

### **Conclusion**

Based upon these considerations, significant adverse aesthetics impacts are not expected from implementing the proposed project. Since no significant aesthetics impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>II. <u>AGRICULTURE AND FORESTRY RESOURCES.</u></b>  |                                |                                       |                              |                                     |
| Would the project:   |                                |                                       |                              |                                     |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Project-related impacts on agriculture and forest resources will be considered significant if any of the following conditions are met:

- The proposed project conflicts with existing zoning or agricultural use or Williamson Act contracts.
- The proposed project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California Resources Agency, to non-agricultural use.
- The proposed project conflicts with existing zoning for, or causes rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public

Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

- The proposed project would involve changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; 2) ~~the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**II. a), b), c), d), & e) No Impact.** Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value.

For each facility where a mobile fueler would visit, the immediately surrounding areas are typically not located on or near areas zoned for agricultural use, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation<sup>10</sup>. Therefore, the proposed project would not result in any construction of new buildings or other structures that would require converting farmland to non-agricultural use or conflict with zoning for agriculture use or a Williamson Act contract. The proposed project will not cause any construction activities and operational activities would be expected to occur within the confines of existing facilities where mobile fuelers would be intermittently and temporarily located; thus, the proposed project is not expected to result in converting farmland to non-agricultural use; conflict with existing zoning for agricultural use, or a Williamson Act Control.

Under the proposed project, mobile fuelers would be intermittently and temporarily located at previously developed sites and there are no provisions or requirements in the proposed project that

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<sup>10</sup> California Department of Conservation, California Important Farmland Finder, Accessed October 2020. <https://maps.conservation.ca.gov/DLRP/CIFF/>

would lead to construction in underdeveloped areas where agricultural and forest resources are more likely to occur. Therefore, the proposed project is not expected to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) or result in the loss of forest land or conversion of forest land to non-forest use. Consequently, the proposed project would not create any significant adverse agriculture or forestry impacts.

**Conclusion**

Based upon these considerations, significant adverse agriculture and forestry resources impacts are not expected from implementing the proposed project. Since no significant agriculture and forestry resources impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <b>III. <u>AIR QUALITY AND GREENHOUSE GAS EMISSIONS.</u> Would the project:</b>   |                                |                                       |                                     |                                     |
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Diminish an existing air quality rule or future compliance requirement resulting in a significant increase in air pollutant(s)?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Significance Criteria

To determine whether or not air quality and greenhouse gas impacts from implementing the proposed project are significant, impacts will be evaluated and compared to the criteria in Table 2-2. The proposed project will be considered to have significant adverse impacts if any one of the thresholds in Table 2-2 are equaled or exceeded.

**Table 2-2  
South Coast AQMD Air Quality Significance Thresholds**

| <b>Mass Daily Thresholds <sup>a</sup></b>                                 |   |                               |
|---|---|-------------------------------|
| <b>Pollutant</b>  | <b>Construction <sup>b</sup></b>  | <b>Operation <sup>c</sup></b> |
| <b>NO<sub>x</sub></b>   | 100 lbs/day   | 55 lbs/day                    |
| <b>VOC</b>  | 75 lbs/day  | 55 lbs/day                    |
| <b>PM<sub>10</sub></b>  | 150 lbs/day   | 150 lbs/day                   |
| <b>PM<sub>2.5</sub></b>   | 55 lbs/day  | 55 lbs/day                    |
| <b>SO<sub>x</sub></b>   | 150 lbs/day   | 150 lbs/day                   |
| <b>CO</b>   | 550 lbs/day   | 550 lbs/day                   |
| <b>Lead</b>   | 3 lbs/day   | 3 lbs/day                     |
| <b>Toxic Air Contaminants (TACs), Odor, and GHG Thresholds</b>            |   |                               |
| <b>TACs</b><br>(including carcinogens and non-carcinogens)                | Maximum Incremental Cancer Risk $\geq$ 10 in 1 million<br>Cancer Burden $>$ 0.5 excess cancer cases (in areas $\geq$ 1 in 1 million)<br>Chronic & Acute Hazard Index $\geq$ 1.0 (project increment)             |                               |
| <b>Odor</b>   | Project creates an odor nuisance pursuant to South Coast AQMD Rule 402  |                               |
| <b>GHG</b>  | 10,000 MT/yr CO <sub>2</sub> eq for industrial facilities   |                               |
| <b>Ambient Air Quality Standards for Criteria Pollutants <sup>d</sup></b> |   |                               |
| <b>NO<sub>2</sub></b><br>1-hour average<br>annual arithmetic mean         | South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards:<br>0.18 ppm (state)<br>0.03 ppm (state) and 0.0534 ppm (federal)  |                               |
| <b>PM<sub>10</sub></b><br>24-hour average<br>annual average               | 10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>e</sup> & 2.5 $\mu\text{g}/\text{m}^3$ (operation)<br>1.0 $\mu\text{g}/\text{m}^3$  |                               |
| <b>PM<sub>2.5</sub></b><br>24-hour average                                | 10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>e</sup> & 2.5 $\mu\text{g}/\text{m}^3$ (operation)  |                               |
| <b>SO<sub>2</sub></b><br>1-hour average<br>24-hour average                | 0.25 ppm (state) & 0.075 ppm (federal – 99 <sup>th</sup> percentile)<br>0.04 ppm (state)  |                               |
| <b>Sulfate</b><br>24-hour average   | 25 $\mu\text{g}/\text{m}^3$ (state)   |                               |
| <b>CO</b><br>1-hour average<br>8-hour average                             | South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards:<br>20 ppm (state) and 35 ppm (federal)<br>9.0 ppm (state/federal) |                               |
| <b>Lead</b><br>30-day Average<br>Rolling 3-month average                  | 1.5 $\mu\text{g}/\text{m}^3$ (state)<br>0.15 $\mu\text{g}/\text{m}^3$ (federal)   |                               |

<sup>a</sup> Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993)

<sup>b</sup> Construction thresholds apply to both the South Coast Air Basin and Coachella Valley (Salton Sea and Mojave Desert Air Basins).

<sup>c</sup> For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

<sup>d</sup> Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated.

<sup>e</sup> Ambient air quality threshold based on South Coast AQMD Rule 403.

KEY: lbs/day = pounds per day    ppm = parts per million     $\mu\text{g}/\text{m}^3$  = microgram per cubic meter     $\geq$  = greater than or equal to  
MT/yr CO<sub>2</sub>eq = metric tons per year of CO<sub>2</sub> equivalents     $>$  = greater than

Revision: April 2019

## Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 23) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**III. a) No Impact.** The South Coast AQMD is required by law to prepare a comprehensive district-wide AQMP which includes strategies (e.g., control measures) to reduce emission levels to achieve and maintain state and federal ambient air quality standards, and to ensure that new sources of emissions are planned and operated to be consistent with the South Coast AQMD's air quality goals. The AQMP's air pollution reduction strategies include control measures which target stationary, area, mobile, and indirect sources. These control measures are based on feasible methods of attaining ambient air quality standards. Pursuant to the provisions of both the state and federal Clean Air Acts, the South Coast AQMD is also required to attain the state and federal ambient air quality standards for all criteria pollutants.

The most recent regional blueprint for how the South Coast AQMD will achieve air quality standards and healthful air is outlined in the 2016 AQMP<sup>11</sup> which contains multiple goals of promoting reductions of criteria air pollutants, greenhouse gases, and toxics.

The proposed project is not expected to obstruct or conflict with the implementation of the 2016 AQMP because minimizing VOC and TAC emissions from implementing the proposed project is in accordance with the emission reduction goals in the 2016 AQMP. Further, the purpose of the proposed project is to address a regulatory gap to establish requirements for retail mobile fuelers, establish consistent permitting requirements, clarify requirements for retail and non-retail mobile fuelers, minimize emissions of VOCs and TACs, and minimize public health impacts. Thus, implementing the proposed project would not conflict with or obstruct implementation of the applicable air quality plans.

**III. b) and e) Less Than Significant Impact.** While the proposed project is designed to minimize VOC and TAC emissions from mobile fuelers by establishing requirements for controls, operating, dispensing locations, testing and recordkeeping, secondary air quality impacts are expected due to

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<sup>11</sup> South Coast AQMD, Final 2016 Air Quality Management Plan, March, 2017. <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf>

physical activities that would occur from its implementation: dispensing gasoline and mobile fueler travel to and from various facilities.

Table 2-3 summarizes the key requirements in the proposed project that may result in secondary adverse air quality and greenhouse gas (GHG) impacts during operation. Because the proposed project does not require any construction, no secondary adverse impacts to air quality or greenhouse gases are expected during construction, and this EA is limited to the analysis of operational impacts as a result of the proposed project.

**Table 2-3**  
**Sources of Potential Secondary Adverse Air Quality and GHG Impacts**  
**During Operation**

| Proposed Project Compliance Requirement with Potential Physical Effects | Operational Impacts?  | Environmental topic areas potentially affected   |
|---|---|--|
| Dispensing of Gasoline (Idling)   | YES, from increased use of mobile fueler engines that idle during mobile fueling operations; risk of spillage or leak during dispensing   | Air Quality and GHG Emissions, Hazards and Hazardous Materials                         |
| Mobile Fueling Location Requirements                                    | YES, from the proximity to sensitive receptors based on physical location of mobile fueling operations at the time of dispensing gasoline | Air Quality and GHG Emissions  |
| Driving to and From Mobile Fueling Location(s)                          | Yes, from increase in VMT; risk from transport of gasoline; use of diesel fuel for mobile fueler to operate                               | Air Quality and GHG Emissions, Energy, Hazards and Hazardous Materials, Transportation |

For the purpose of conducting a worst-case CEQA analysis for the proposed project the following assumptions have been made:

#### **Number of Operating Mobile Fuelers on Peak Day**

- Based on communication with current mobile fueling operators, the South Coast AQMD expects to receive permit applications for 21 new mobile fuelers if the proposed project is approved. In order to account for activity from other mobile fueling operators under a worst case scenario, the potential mobile fueler count is doubled; therefore, 42 mobile fuelers are assumed in this analysis to operate in the South Coast AQMD on a peak day after adoption of the proposed project.

#### **Gasoline Dispensing by Mobile Fuelers**

- A single mobile fueler is assumed to dispense a full tank at one facility per day. Extrapolating a worst case fueling rate based on field observation, this equates to 1,200 gallons in 6.33 hours per day. During the dispensing of gasoline, a mobile fueler will idle as needed in order to fuel vehicles. Idling activities are assumed to occur the entire 6.33 hour duration.

#### **Emissions Control Equipment**

- All mobile fuelers would be required to be equipped with CARB-certified Phase I and Phase II vapor recovery systems or an alternative CARB-certified non-vapor recovery system subject to requirements of the proposed project.

***Timing of Operation Activities***

The proposed project requires owners or operators of mobile fuelers that conduct retail or non-retail operations to comply with the applicable requirements to equip each mobile fueller cargo tank with the appropriate emissions control equipment (e.g., CARB-certified Phase I and Phase II vapor recovery systems or CARB-certified non-vapor recovery component). The analysis assumes that the emissions controls for mobile fuelers would be installed prior to mobile fueller operation.

***Construction Impacts***

No construction activities are expected as a result of the proposed project; therefore, there are no air quality or greenhouse gas impacts from construction.

***Operational Impacts***

Physical activities from dispensing gasoline (throughput VOC emissions that include loading, breathing, refueling, hose permeation, and spillage losses), idling, and mobile fueller travel to and from various facilities would cause recurring operational emissions. Emissions from mobile fueller vehicle travel was estimated using EMFAC2017. Mobile fueller vehicles were approximated as medium-heavy duty diesel instate construction trucks with gross vehicle weight rating  $\leq$  26,000 pounds. Calendar year 2021 emission rates were applied for a 30-mile trip starting from facility headquarters to a bulk terminal to potential fueling location, and ending back at a mobile fueller headquarters.

Table 2-4 summarizes the peak daily emissions associated with operation and the detailed calculations of project emissions can be found in Appendix B.

**Table 2-4  
Peak Daily Operation Emissions by Pollutant (lb/day)**

| Mobile Fueler Count | Operation Activity   | VOC       | NO <sub>x</sub> | CO        | SO <sub>x</sub> | PM10      | PM2.5     |
|---------------------|--|-----------|-----------------|-----------|-----------------|-----------|-----------|
| 1 Mobile Fueler     | Throughput Emissions from Gasoline Dispensing (loading, breathing, refueling, hose permeation and spillage losses) | 0.94      | --              | --        | --              | --        | --        |
|                     | Idling Emissions for 1 Mobile Fueler   | 0.01      | 0.44            | 0.30      | 0.00            | 0.00      | 0.00      |
|                     | Travel to Conduct Fueling Operations   | 0.00      | 0.06            | 0.00      | 0.00            | 0.00      | 0.00      |
|                     | Subtotal   | 0.95      | 0.49            | 0.31      | 0.00            | 0.00      | 0.00      |
| 42 Mobile Fuelers   | Throughput Emissions from Gasoline Dispensing (loading, breathing, refueling, hose permeation and spillage losses) | 38.58     | --              | --        | --              | --        | --        |
|                     | Idling Emissions for 42 Mobile Fuelers   | 0.31      | 18.30           | 12.74     | 0.03            | 0.00      | 0.00      |
|                     | Travel to Conduct Fueling Operations   | 0.02      | 2.39            | 0.17      | 0.02            | 0.02      | 0.01      |
| Overall             | <b>Total Operational Emissions</b>   | 38.91     | 20.69           | 12.91     | 0.06            | 0.02      | 0.02      |
|                     | <b>Significance Threshold for Operation</b>  | 55        | 55              | 550       | 150             | 150       | 55        |
|                     | <b>Significant?</b>  | <b>NO</b> | <b>NO</b>       | <b>NO</b> | <b>NO</b>       | <b>NO</b> | <b>NO</b> |

The air quality analysis indicates that the peak daily operation emissions are below the South Coast AQMD's air quality significance thresholds for any pollutant during operation. Thus, the analysis concludes that the air quality impacts during operation are expected to be less than significant.

Further, the air quality analysis is based on the emissions from Model 2 mobile fuelers because if the proposed project is adopted, Model 3 retail mobile fuelers, which are currently operating, would be prevented from further operation and therefore emissions would be offset as a result of taking the Model 3 retail mobile fuelers out of operation in the South Coast AQMD jurisdiction. At the time of this rulemaking it is uncertain how many Model 3 retail mobile fuelers are currently operating. However, the proposed project would ensure that Model 3 retail mobile fuelers would cease operations.

### ***Cumulatively Considerable Impacts***

Based on the foregoing analysis, since criteria pollutant project-specific air quality impacts from implementing the proposed project would not be expected to exceed any of the air quality significance thresholds in Table 2-2, cumulative air quality impacts are also expected to be less than significant. South Coast AQMD cumulative air quality significance thresholds are the same as project-specific air quality significance thresholds. Therefore, potential adverse impacts from implementing the proposed project would not be "cumulatively considerable" as defined by CEQA

Guidelines Section 15064(h)(1) for air quality impacts. Per CEQA Guidelines Section 15064(h)(4), the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

The South Coast AQMD's guidance on addressing cumulative impacts for air quality is as follows: "As Lead Agency, the South Coast AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR." "Projects that exceed the project-specific significance thresholds are considered by the South Coast AQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."<sup>12</sup>

This approach was upheld by the Court in *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal. App. 4th 327, 334. The Court determined that where it can be found that a project did not exceed the South Coast AQMD's established air quality significance thresholds, the City of Chula Vista properly concluded that the project would not cause a significant environmental effect, nor result in a cumulatively considerable increase in these pollutants. The court found this determination to be consistent with CEQA Guidelines Section 15064.7, stating, "The lead agency may rely on a threshold of significance standard to determine whether a project will cause a significant environmental effect." The court found that, "Although the project will contribute additional air pollutants to an existing non-attainment area, these increases are below the significance criteria..." "Thus, we conclude that no fair argument exists that the Project will cause a significant unavoidable cumulative contribution to an air quality impact." As in *Chula Vista*, here the South Coast AQMD has demonstrated, when using accurate and appropriate data and assumptions, that the project will not exceed the established South Coast AQMD significance thresholds. See also, *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal. App. 4th 899. Here again the court upheld the South Coast AQMD's approach to utilizing the established air quality significance thresholds to determine whether the impacts of a project would be cumulatively considerable. Thus, it may be concluded that the proposed project would not contribute to a significant unavoidable cumulative air quality impact. Since no cumulatively significant air quality impacts were identified, no mitigation measures are necessary or required.

### **III. c) Less Than Significant Impact.**

#### ***Toxic Air Contaminants (TACs) During Operation***

The diesel-powered mobile fueler must idle during the dispensing of gasoline, and the emitted diesel particulate matter is considered a carcinogenic and chronic TAC. The dispensing of gasoline is also expected to release TACs which include benzene, ethyl benzene, naphthalene, methyl tertiary-butyl ether, toluene, and xylene.

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<sup>12</sup> South Coast AQMD Cumulative Impacts Working Group White Paper on Potential Control Strategies to Address Cumulative Impacts From Air Pollution, August 2003, Appendix D, Cumulative Impact Analysis Requirements Pursuant to CEQA, at D-3. <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper-appendix.pdf>

A Health Risk Assessment (HRA) is a technical study that evaluates how toxic emissions, such as those mentioned above, are released from a facility, how they disperse throughout the community, and the potential for those toxic pollutants to impact human health. An HRA is dependent on knowing the exact distances a mobile fueler would be located in relation to a sensitive receptor, the period of time spent dispensing, period of time spent idling, et cetera. While the exact details (e.g., site location, time spent conducting dispensing operations, permit conditions, etc.) required to conduct an HRA and therefore health risk would vary from mobile fueler to mobile fueler, compliance with South Coast AQMD Rule 1401 limits a fueling operation at a specific location to a maximum health risk of one in a million for equipment not having Toxic Best Available Control Technology (T-BACT). Using worst case meteorological data, the nearest sensitive receptor distance, and a stack height of 7.5 feet for idling, a specific location would only be permitted to dispense a total of 134,500 gallons per year to be below a maximum health risk of one in a million at 0.99 in a million. However, the permitted health risk of one in a million does not include idling. The corresponding health risk from idling for this quantity of fuel is approximately 0.36 in a million. A specific location, therefore, can be estimated to have a health risk of 1.35 in a million, which is less than the air quality significance for TACs (e.g., MICR > 10 in a million) under CEQA. When the results of the HRA demonstrate that the maximum permitted risk MICR is less than 10 in a million, the acute and chronic non-cancer hazard indices (HIA and HIC, respectively) are much lower (< 0.1) than the significance threshold of 1.0. For this reason, the HIC and HIA were not calculated for this mobile fueling scenario. Thus, the proposed project is not expected to generate significant adverse air quality impacts from TACs during operation.

The analysis in Section III b) and e) concluded that the quantity of pollutants that may be generated from implementing the proposed project would be less than significant during operation. Because the emissions from all activities that may occur as part of implementing the proposed project are at less than significant levels, the emissions that may be generated from implementing the proposed project would not be substantial, regardless of whether sensitive receptors are located near or at the facilities where mobile fuelers are operating. Overall, implementation of the proposed project would minimize VOC and TAC emissions from mobile fueling operations. Therefore, the proposed project is not expected to generate significant adverse TAC impacts from operation or expose sensitive receptors to substantial pollutant concentrations. Since no significant air quality impacts were identified for TACs, no mitigation measures are necessary or required. In addition, TAC emissions are not cumulatively considerable because compliance with the proposed project ensures ~~that only a single mobile fueler would be allowed to operate at a single facility and the~~ throughput would be limited to prevent significant air quality impacts.

### **III. d) Less Than Significant Impact.**

#### ***Odor Impacts***

Odor problems depend on individual circumstances. For example, individuals can differ quite markedly from the populated average in their sensitivity to odor due to any variety of innate, chronic or acute physiological conditions. This includes olfactory adaptation or smell fatigue (i.e., continuing exposure to an odor usually results in a gradual diminution or even disappearance of the small sensation).

The proposed project does not have a construction phase and will not result in any construction activities, therefore no odors as a result of construction are expected. During operation, diesel-fueled mobile fuelers would be operated. Diesel fuel is required to have a low sulfur content (e.g., 15 ppm by weight or less) in accordance with South Coast AQMD Rule 431.2 – Sulfur Content of

Liquid Fuels<sup>13</sup>; thus, the fuel is expected to have minimal odor. It would be expected that sufficient dispersion of diesel emissions over distance generally occurs such that odors associated with diesel emissions may not be discernable to off-site receptors, depending on the location of the mobile fueler and its distance relative to the nearest off-site receptor during mobile fueling operations. The diesel mobile fueling trucks that would be operated on-site intermittently at an individual facility are not expected to idle long enough to generate lingering odors. The use of mobile fuelers would be intermittent and occur over a relatively short period of time; therefore, the proposed project would not be expected to generate diesel exhaust odor greater than what is already typically present at facilities where mobile fueling operations would occur. Lastly, significant odor impacts are not expected from gasoline dispensing because all mobile fuelers will be required to have Phase I or Phase II vapor recovery systems or will only fill motor vehicles equipped with ORVR, so the escape of vapors that create odors is not expected. Thus, the proposed project is not expected to create significant adverse objectionable odors during construction or operation. Since no significant air quality impacts were identified for odors, no mitigation measures for odors are necessary or required.

### **III. f) and g) Less Than Significant Impacts.**

#### ***Greenhouse Gas (GHG) Impacts***

Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming. State law defines GHG to include the following: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>) (Health and Safety Code Section 38505(g)). The most common GHG that results from human activity is CO<sub>2</sub>, followed by CH<sub>4</sub> and N<sub>2</sub>O.

Traditionally, GHGs and other global warming pollutants are perceived as solely global in their impacts and that increasing emissions anywhere in the world contributes to climate change anywhere in the world. A study conducted on the health impacts of CO<sub>2</sub> “domes” that form over urban areas cause increases in local temperatures and local criteria pollutants, which have adverse health effects<sup>14</sup>.

The analysis of GHGs is a different analysis than the analysis of criteria pollutants for the following reasons. For criteria pollutants, the significance thresholds are based on daily emissions because attainment or non-attainment is primarily based on daily exceedances of applicable ambient air quality standards. Further, several ambient air quality standards are based on relatively short-term exposure effects on human health (e.g., one-hour and eight-hour standards). Since the half-life of CO<sub>2</sub> is approximately 100 years, for example, the effects of GHGs occur over a longer term which

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<sup>13</sup> South Coast AQMD, Rule 431.2 – Sulfur Content of Liquid Fuels, September 15, 2000. <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>

<sup>14</sup> Jacobsen, Mark Z. “Enhancement of Local Air Pollution by Urban CO<sub>2</sub> Domes,” Environmental Science and Technology, as describe in Stanford University press release on March 16, 2010 available at: <http://news.stanford.edu/news/2010/march/urban-carbon-domes-031610.html>.

means they affect the global climate over a relatively long timeframe. As a result, the South Coast AQMD’s current position is to evaluate the effects of GHGs over a longer timeframe than a single day (i.e., annual emissions). GHG emissions are typically considered to be cumulative impacts because they contribute to global climate effects.

The proposed project does not have a construction phase and will not result in any construction activities, therefore no greenhouse gas emissions as a result of construction are expected.

The South Coast AQMD convened a “Greenhouse Gas CEQA Significance Threshold Working Group” to consider a variety of benchmarks and potential significant thresholds to evaluate GHG impacts. On December 5, 2008, the South Coast AQMD adopted an interim CEQA GHG Significance Threshold for projects where the South Coast AQMD is the lead agency (South Coast AQMD 2008). This GHG interim threshold is set at 10,000 metric tons (MT) of CO<sub>2</sub> equivalent emissions (CO<sub>2</sub>eq) per year. Projects with incremental increases below this threshold will not be cumulatively considerable. GHG impacts from the implementation of the proposed project were calculated at the project-specific level during operational activities.

Table 2-5 summarizes the GHG analysis which shows that the proposed project may result in the generation of 323 MT per year of CO<sub>2</sub>eq, which is less than the South Coast AQMD’s air quality significance threshold for GHGs. Detailed calculations of project GHG emissions can be found in Appendix B.

**Table 2-5  
Summary of GHG Emissions from Affected Facilities**

| <b>Mobile Fueler Count</b> | <b>Activity</b>               | <b>CO<sub>2</sub>eq Emissions (MT/yr)</b> |
|----------------------------|-------------------------------|---|
| 1 Mobile Fueler            | Fueling/Idling                | 4.52                                      |
|                            | Travel                        | 3.16                                      |
|                            | <b>Subtotal</b>               | 7.68                                      |
| 42 Mobile Fuelers          | Fueling/Idling                | 190                                       |
|                            | Travel                        | 133                                       |
| Overall                    | <b>Total</b>                  | 323                                       |
|                            | <b>Significance Threshold</b> | 10,000                                    |
|                            | <b>Significant?</b>           | <b>No</b>                                 |

Note: 1 metric ton = 2,205 pounds. GHGs from short-term construction activities are amortized over 30 years.

As shown in Table 2-5, the South Coast AQMD air quality significance threshold for GHGs would not be exceeded. For this reason, implementing the proposed project would not be expected to generate significant adverse cumulative GHG air quality impacts. Further, as noted in Section III. a), implementation of the proposed project would not be expected to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing criteria pollutants and the same is true for GHG emissions since the quantity of increased GHG emissions is at less than significant levels. Since significant air quality impacts were not identified for GHGs, no mitigation measures are necessary or required.

**Conclusion**

Based upon these considerations, significant air quality and GHG emissions impacts are not expected from implementing the proposed project. Since no significant air quality and GHG emissions impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>IV. <u>BIOLOGICAL RESOURCES.</u></b>  |                                |                                       |                              |                                     |
| Would the project:   |                                |                                       |                              |                                     |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

### Significance Criteria

Impacts on biological resources will be considered significant if any of the following criteria apply:

- The project results in a loss of plant communities or animal habitat considered to be rare, threatened or endangered by federal, state or local agencies.
- The project interferes substantially with the movement of any resident or migratory wildlife species.
- The project adversely affects aquatic communities through construction or operation of the project.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**IV. a), b), c), d), e), & f) No Impact.** Implementation of the proposed project is not limited to any specific facilities because mobile fueling operations may occur wherever allowed under the proposed project. Further, mobile fuelers would only intermittently visit at an existing facility that has already been developed in order to conduct fueling operations. For some fleet operators that may use mobile fuelers, mobile fueling presents an alternative to the installation and construction of site-specific fueling infrastructure. Since the use of mobile fuelers does not require construction that could disturb any existing biological resources, no disturbances to biological resources will occur as a result of the proposed project. Thus, the proposed project is not expected to adversely affect in any way habitats that support riparian habitat, federally protected wetlands, or migratory corridors. Similarly, special status plants, animals, or natural communities identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are not expected to be found on or in close proximity to facilities where mobile fueling operations would occur. Therefore, the proposed project would have no direct or indirect impacts that could adversely affect plant or animal species or the habitats on which they rely. The proposed project does not require the acquisition of additional land or further conversions of riparian habitats or sensitive natural communities where endangered or sensitive species may be found. In addition, since no construction from the implementation of the proposed would occur at any existing facilities where mobile fueling operations take place, no impacts to wetlands or the path of migratory species is expected.

The facilities where mobile fueling operations would occur are located throughout Los Angeles, Orange, San Bernardino, and Riverside counties. According to the California Department of Fish and Wildlife, Natural Community Conservation Plans (NCCP) Summaries,<sup>15</sup> and the U.S. Department of Fish and Wildlife list of Habitat Conservation Plans (HCP)<sup>16</sup>, there is a NCCP for Los Angeles County (e.g., City of Rancho Palos Verdes NCCP/HCP) whereas Orange County, San Bernardino County, and Riverside County all have NCCPs and HCPs (e.g., County of Orange Central/Coastal Subregion NCCP/HCP, the Orange County Transportation Authority NCCP/HCP, the San Bernardino County Town of Apple Valley Multi-Species Conservation Plan NCCP/HCP, the Riverside County Western Riverside County Multiple Species NCCP/HCP, and the Coachella Valley Multiple Species NCCP/HCP). Nonetheless, because the proposed project does not contain any requirements that would involve facility modifications or require divisions in any existing communities, and since compliance with the proposed project would occur with mobile fuelers located intermittently for fueling operations at existing facilities that are located in previously disturbed areas, none of the mobile fueling owners or operators are subject to a HCP or NCCP. Thus, the proposed project would not be expected to conflict with any adopted HCP, NCCP, or any other relevant habitat conservation plan, and would not create divisions in any existing communities. The proposed project is also not expected to conflict with local policies or ordinances protecting biological resources or local, regional, or state conservation plans, because land use and other planning considerations are determined by local governments and no land use or planning requirements would be altered by implementation of the proposed project.

### **Conclusion**

Based upon these considerations, significant biological resource impacts are not expected from implementing the proposed project. Since no significant biological resource impacts were identified, no mitigation measures are necessary or required.

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<sup>15</sup> California Department of Fish and Wildlife, NCCP Plan Summaries, Accessed October 2020. <https://wildlife.ca.gov/conservation/planning/nccp/plans>.

<sup>16</sup> U.S. Fish and Wildlife Service, Habitat Conservation Plans, Accessed October 2021. <https://ecos.fws.gov/ecp/report/conservation-plans-region-summary?region=8&type=HCP>

|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>V. <u>CULTURAL AND TRIBAL CULTURAL RESOURCES.</u></b>  |                                |                                       |                              |                                     |
| Would the project:  |                                |                                       |                              |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074, as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is either:    |                                |                                       |                              |                                     |
| • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1(c)? (In applying the criteria set forth in Public Resources Code Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.) | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

### Significance Criteria

Impacts to cultural resources will be considered significant if:

- The project results in the disturbance of a significant prehistoric or historic archaeological site or a property of historic or cultural significance, or tribal cultural significance to a community or ethnic or social group or a California Native American tribe.
- Unique resources or objects with cultural value to a California Native American tribe are present that could be disturbed by construction of the proposed project.
- The project would disturb human remains.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and ~~3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations.~~ The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**V. a) No Impact.** There are existing laws in place that are designed to protect and mitigate potential impacts to cultural resources. For example, CEQA Guidelines state that generally, a resource shall be considered “historically significant” if the resource meets the criteria for listing in the California Register of Historical Resources, which include the following:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possesses high artistic values;
- Has yielded or may likely to yield information important in prehistory or history (CEQA Guidelines Section 15064.5).

Buildings, structures, and other potential culturally significant resources that are less than 50 years old are generally excluded from listing in the National Register of Historic Places, unless they are shown to be exceptionally important. No buildings or structures will be affected by the proposed project since the proposed project does not include any requirements or provisions that would require construction and operation of mobile fuelers would occur at facilities that are mainly used for industrial or commercial purposes and would generally not be considered to be historically

significant, since they would not have any of the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. In the unlikely event that fueling were to occur at a historically significant building or resource, mobile fueling activities would occur where vehicles are parked and not interference with the cultural or historic nature of the site or resource. Therefore, the proposed project is not expected to cause any impacts to significant historic cultural resources.

**V. b), c), & d) No Impact.** No construction-related activities are expected to occur as a result of the proposed project and mobile fuelers would be confined to operate within existing industrial or commercial facilities. Thus, the proposed project is not expected to require physical changes to the environment which may disturb paleontological or archaeological resources. Furthermore, it is envisioned that the areas where a mobile fueler would operate are already either devoid of significant cultural resources or located in an area whose cultural resources have been previously disturbed. Therefore, the proposed project has no potential to cause a substantial adverse change to a historical or archaeological resource, directly or indirectly to destroy a unique paleontological resource or site or unique geologic feature, or to disturb any human remains, including those interred outside formal cemeteries. Implementing the proposed project is, therefore, not anticipated to result in any activities or promote any programs that could have a significant adverse impact on cultural resources.

The proposed project is not expected to require physical changes to a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe. Furthermore, the proposed project is not expected to result in a physical change to a resource determined to be eligible for inclusion or listed in the California Register of Historical Resources or included in a local register of historical resources. Similarly, the proposed project is not expected to result in a physical change to a resource determined by the South Coast AQMD to be significant to any tribe. For these reasons, the proposed project is not expected to cause any substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.

As part of releasing this CEQA document for public review and comment, the South Coast AQMD also provided a formal notice of the proposed project to all California Native American Tribes (Tribes) that requested to be on the Native American Heritage Commission's (NAHC) notification list per Public Resources Code Section 21080.3.1(b)(1). The NAHC notification list provides a 30-day period during which a Tribe may respond to the formal notice in writing requesting consultation on the proposed project.

In the event that a Tribe submits a written request for consultation during this 30-day period, the South Coast AQMD will initiate a consultation with the Tribe within 30 days of receiving the request in accordance with Public Resources Code Section 21080.3.1(b). Consultation ends when either: 1) both parties agree to measures to avoid or mitigate a significant effect on a Tribal Cultural Resource and agreed upon mitigation measures shall be recommended for inclusion in the environmental document [see Public Resources Code Section 21082.3(a)]; or, 2) either party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached [see Public Resources Code Section 21080.3.2(b)(1)-(2) and Section 21080.3.1(b)(1)].

**Conclusion**

Based upon these considerations, significant adverse cultural and tribal cultural resources impacts are not expected from implementing the proposed project. Since no significant cultural and tribal cultural resources impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <b>VI. ENERGY.</b> Would the project:   |                                |                                       |                                     |                                     |
| a) Conflict with or obstruct adopted energy conservation plans, a state or local plan for renewable energy, or energy efficiency?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in the need for new or substantially altered power or natural gas utility systems?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Create any significant effects on local or regional energy supplies and on requirements for additional energy?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create any significant effects on peak and base period demands for electricity and other forms of energy?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with existing energy standards?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Require or result in the relocation or construction of new or expanded electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Significance Criteria

Impacts to energy resources will be considered significant if any of the following criteria are met:

- The project conflicts with adopted energy conservation plans or standards.
- The project results in substantial depletion of existing energy resource supplies.
- An increase in demand for utilities impacts the current capacities of the electric and natural gas utilities.
- The project uses energy resources in a wasteful and/or inefficient manner.

## Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate~~; and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**VI. a), e), f), & g) No Impact.** The proposed project is not expected to conflict with any adopted energy conservation plans or violate any energy conservation standards because existing facilities where mobile fuelers would intermittently be located are expected to continue implementing any existing energy conservation plans that are currently in place regardless of whether the proposed project is implemented. The effects of implementing the proposed project would apply to owners or operators of mobile fuelers. The proposed project does not contain requirements or provisions that would result in the construction of new facilities. Mobile fuelers operate by using diesel fuel and would not need any external energy resources in order to conduct fueling operations; and therefore, mobile fuelers would not be using non-renewable resources in a wasteful manner. For these reasons, the proposed project is not expected to conflict with energy conservation plans or existing energy standards, or use non-renewable resources in a wasteful manner.

**VI. b), c), & d) Less Than Significant Impact.** Implementation of the proposed project would result in the use of emission control equipment (e.g., CARB-certified vapor recovery systems) for mobile fueling equipment as well as testing and monitoring equipment on mobile fueling vehicles and fueling apparatuses. To operate mobile fuelers, the use of energy in terms of diesel fuel would be needed. To conduct testing and maintenance of mobile fuelers the use of energy in terms of gasoline fuel for on-road passenger vehicles and light-, medium- and heavy duty trucks would be needed. The projected increased fuel demands that may result from the proposed project are discussed below.

Implementation of the proposed project would not require utilities to provide additional electricity to the facilities where mobile fuelers intermittently operate and would not substantially alter their power systems because no external energy sources would be needed to operate mobile fuelers and fuel would be provided from existing supplies. Further, since natural gas would not be needed to implement any of the physical changes that may occur as part of implementing the proposed project, no change to existing natural gas supplies and usage would be expected to occur. In addition, because the proposed project would not require new facilities to be constructed and because no new energy demand would occur from existing power systems, implementation the

proposed project would not result in the relocation or construction of new or expanded electric power, natural gas or telecommunication facilities.

### ***Fuel Usage during Construction***

The proposed project would not result in any construction activities and therefore no significant adverse impact on fuel supplies would be expected during construction.

### ***Fuel Usage during Operation***

Mobile fuelers would need to drive to each facility in order to conduct fueling operations. Once at a facility a mobile fueler would use diesel fuel in order to provide power to conduct fueling operations. Further, the analysis assumes that testing and maintenance activities would be conducted at the mobile fueler home base with the existing workforce and therefore would not generate the need for additional gasoline-fueled passenger vehicles or diesel-fueled trucks in excess of the existing setting.

A fuel usage analysis is dependent on knowing the exact distances a mobile fueler would travel to reach a facility for dispensing fuel, the type of engine used by the mobile fueler, type of fuel used, time spent idling during fueling operations, et cetera. The analysis in this EA assumes that a mobile fueler will drive approximately 30 miles per fueling location and the mobile fueler relies on diesel fuel and the gasoline-powered vehicles receiving fuel would no longer drive 0.1 mile to a stationary gas station for a fill-up.

To conduct a worst-case analysis for the fuel usage associated with diesel-fueled mobile fueling trucks an average fuel economy of 6.6 miles per gallon was assumed. The projected increase in diesel fuel demand during operation is presented in Table 2-6.

**Table 2-6  
Annual Total Projected Fuel Usage for Operation Activities**

|   | <b>Diesel</b> | <b>Gasoline</b> |
|---|---------------|-----------------|
| <b>Projected Operational Energy Use (gal/yr)<sup>a</sup></b>                              | 69,682        | 0               |
| <b>Year 2017 South Coast AQMD Jurisdiction Estimated Fuel Demand (gal/yr)<sup>b</sup></b> | 775,000,000   | 7,086,000,000   |
| <b>Total Increase Above Baseline</b>  | 0.009%        | 0%              |
| <b>Significance Threshold</b>   | 1%            | 1%              |
| <b>Significant?</b>   | <b>No</b>     | <b>No</b>       |

Notes:

- Estimated peak fuel usage from operation activities. Diesel usage estimates are based on worst case mobile fueler trip length of 30 miles that includes three trip segments: 1) mobile fueler from origin point to fuel depot; 2) mobile fueler from fuel depot to facility; and 3) mobile fueler from facility to origin point. Gasoline usage is estimated to be zero since there are no worker vehicles associated with the proposed project.
- Implementation of the proposed project is expected to result in a corresponding reduction in gasoline by motor vehicles that would have been used to travel approximately 0.1 miles to reach a stationary gas station. However, the amount of gasoline reduced has not been calculated because South Coast AQMD staff cannot speculate on the number and type of vehicles (since the fuel economy widely varies from vehicles to vehicle) that will actually get gasoline filled by a mobile fueler.

While gasoline-powered passenger vehicles are the intended customer of the mobile fuelers, the proposed project does not rely on passenger vehicles to deliver gasoline. The projected increased use of diesel fuel as a result of implementing the proposed project are well below the South Coast AQMD significance threshold for fuel supply. Thus, no significant adverse impact on fuel supplies would be expected during operation.

Based on the foregoing analyses, the construction and operation-related activities associated with the implementation of the proposed project would not use energy in a wasteful manner and would not result in substantial depletion of existing energy resource supplies, create a significant demand of energy when compared to existing supplies. Thus, there are no significant adverse energy impacts associated with the implementation of the proposed project.

**Conclusion**

Based upon these considerations, significant adverse energy impacts are not expected from implementing the proposed project. Since no significant energy impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>VII. GEOLOGY AND SOILS.</b> Would the project:   |                                |                                       |                              |                                     |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:  |                                |                                       |                              |                                     |
| • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?            | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Strong seismic ground shaking?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Landslides?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

### Significance Criteria

Impacts on the geological environment will be considered significant if any of the following criteria apply:

- Topographic alterations would result in significant changes, disruptions, displacement, excavation, compaction or over covering of large amounts of soil.
- Unique geological resources (paleontological resources or unique outcrops) are present that could be disturbed by the construction of the proposed project.
- Exposure of people or structures to major geologic hazards such as earthquake surface rupture, ground shaking, liquefaction or landslides.
- Secondary seismic effects could occur which could damage facility structures, e.g., liquefaction.
- Other geological hazards exist which could adversely affect the facility, e.g., landslides, mudslides.
- Unique paleontological resources or sites or unique geologic features are present that could be directly or indirectly destroyed by the proposed project.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**VII. a), b), c), d), e), f) No Impact.** The proposed project would not result in any construction activities at any existing facility where a mobile fueler is expected to intermittently operate. In general, existing facilities where mobile fueling would occur are located in already developed industrial or commercial settings. Further, the proposed project does not cause or require any new facilities to be constructed and no construction activities are expected to occur, and no facility will need to make any physical modifications to comply with the proposed project. Therefore, the proposed project is not expected to adversely affect geophysical conditions in the South Coast AQMD.

Southern California is an area of known seismic activity. As part of the issuance of building permits, local jurisdictions are responsible for assuring that the Uniform Building Code is adhered

to and can conduct inspections to ensure compliance. The Uniform Building code is considered to be a standard safeguard against major structural failures and loss of life. The basic formulas used for the Uniform Building Code seismic design require determination of the seismic zone and site coefficient, which represents the foundation condition at the site. The Uniform Building Code requirements also consider liquefaction potential and establish stringent requirements for building foundations in areas potentially subject to liquefaction. The proposed project will not result in the modification of existing structures at existing facilities where mobile fuelers would be intermittently located and therefore no requirements or provisions included in the proposed project would result in a need to conform to the Uniform Building Code or any other state and local building codes. Structures must be designed to comply with the Uniform Building Code Zone 4 requirements if they are located in a seismically active area. The Uniform Building Code is considered to be a standard safeguard against major structural failures and loss of life. Thus, the proposed project would not alter the exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or other natural hazards. As a result, substantial exposure of people or structures to the risk of loss, injury, or death involving the rupture of an earthquake fault, seismic ground shaking, ground failure or landslides is not anticipated.

The proposed project will not result in any physical modifications to existing facilities or construction activities. Physical modifications as a result of the proposed project are limited to mobile fuelers and mobile fueling equipment. Because there is no construction as a result of the proposed project no grading activities or erosion from grading activities will occur. For this reason, no unstable earth conditions or changes in geologic substructures are expected to result from implementing the proposed project and therefore, no impacts to the loss of topsoil or soil erosion will occur. Further, soil at existing facilities where mobile fuelers are expected to intermittently operate will not be affected by the proposed project and therefore will not be made further susceptible to expansion or liquefaction. The proposed project will not create any new conditions that would cause subsidence landslides, or alter unique geologic features at any of the locations where a mobile fueller would intermittently operate. Thus, the proposed project would not be expected to increase or exacerbate any existing risks associated with soils at any facility where a mobile fueller intermittently operates. Implementation of the proposed project would not involve re-locating facilities on a geologic unit or soil that is unstable or that would become unstable as a result of the project; therefore, it would not be expected to potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No impacts are anticipated.

The proposed project would not require the installation of septic tanks or other alternative wastewater disposal systems since any facility where a mobile fueller would intermittently operate would be expected to have an existing sanitary system that is connected to the local sewer system. Therefore, no persons or property would be exposed to new impacts related to expansive soils or soils incapable of supporting water disposal. Thus, the implementation of the proposed project would not adversely affect soils associated with the installation of a new septic system or alternative wastewater disposal system or modification of an existing sewer.

The proposed project does not cause or require the construction of any new facilities. No previously undisturbed land that may contain a unique paleontological resource or site or unique geological feature would be affected. Therefore, the proposed project is not expected to directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

**Conclusion**

Based upon these considerations, significant adverse geology and soils impacts are not expected from the implementation of the proposed project. Since no significant geology and soils impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:   |                                |                                       |                                     |                                     |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?                                      | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Significantly increased fire hazard in areas with flammable materials?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Significance Criteria

Impacts associated with hazards will be considered significant if any of the following occur:

- Non-compliance with any applicable design code or regulation.
- Non-conformance to National Fire Protection Association standards.
- Non-conformance to regulations or generally accepted industry practices related to operating policy and procedures concerning the design, construction, security, leak detection, spill containment or fire protection.
- Exposure to hazardous chemicals in concentrations equal to or greater than the Emergency Response Planning Guideline (ERPG) 2 levels.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**VIII. a), b), & c) Less than Significant Impact.** Hazardous material is defined in the Health and Safety Code (HSC) Section 25501 as follows:

Hazardous material means any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

Hazardous materials typically include but are not limited to hazardous substances, hazardous waste, or any material which a handler has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

The types of materials and wastes considered hazardous are hazardous chemicals (e.g., toxic, ignitable, corrosive, and reactive materials). The characteristics of toxicity, ignitability, corrosivity, and reactivity are defined in California Code of Regulations (CCR), Title 22 Section 66261.20 – 66261.24 and are summarized below:

**Toxic Substances:** Toxic substances may cause short-term or long-lasting health effects, ranging from temporary effects to permanent disability, or even death. For example, such substances can cause disorientation, acute allergic reactions, asphyxiation, skin irritation, or other adverse health effects if human exposure exceeds certain levels. The levels depend on the substances involved and are chemical-specific. Carcinogens, substances that can cause cancer, are a special class of toxic substances. Examples of toxic substances include benzene which is a component of gasoline and a known carcinogen.

**Ignitable Substances:** Ignitable substances are hazardous because of their ability to burn. Gasoline, hexane, and natural gas are examples of ignitable substances.

**Corrosive Materials:** Corrosive materials can cause severe burns. Corrosives include strong acids and bases such as sodium hydroxide (lye) or sulfuric acid (battery acid).

**Reactive Materials:** Reactive materials may cause explosions or generate toxic gases. Explosives, pure sodium or potassium metals (which react violently with water), and cyanides are examples of reactive materials.

Examples of hazardous materials which would be used during operation of the proposed project are petroleum-based products such as vehicle fuels (gasoline and diesel) and lubricating oils that could be used during maintenance activities associated with maintaining mobile fuelers. Currently, hazardous materials are transported throughout the South Coast AQMD jurisdiction by various modes including rail, highway, water, air, and pipeline. Hazard concerns are related to the potential for fires, explosions, or the release of hazardous materials and substances in the event of an accident or upset conditions. For the proposed project, gasoline fuel will be transferred into a tank affixed to a mobile fueling truck and transported to facilities located throughout the South Coast AQMD jurisdiction where it will be dispensed to other vehicles.

A number of physical or chemical properties may cause a substance to be hazardous. With respect to determining whether a material is hazardous, the Safety Data Sheet (SDS) for each specific material should be consulted for the National Fire Protection Association (NFPA) 704 hazard rating system (i.e. NFPA 704). NFPA 704 is a “standard (that) provides a simple, readily recognized, easily understood system for identifying the specific hazards of a material and the severity of the hazard that would occur during an emergency response. The system addresses the health, flammability, instability, and special hazards presented from short-term, acute exposures that could occur as a result of a fire, spill, or similar emergency<sup>17</sup>.” In addition, the hazard ratings per NFPA 704 are used by emergency personnel to quickly and easily identify the risks posed by nearby hazardous materials in order to help determine what, if any, specialty equipment should be used, procedures followed, or precautions taken during the first moments of an emergency response. The scale is divided into four color-coded categories, with blue indicating level of health hazard, red indicating the flammability hazard, yellow indicating the chemical reactivity, and white containing special codes for unique hazards such as corrosivity and radioactivity. Each hazard category is rated on a scale from 0 (no hazard; normal substance) to 4 (extreme risk).

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<sup>17</sup> National Fire Protection Association, FAQ for Standard 704. [https://www.nfpa.org/assets/files/aboutthecodes/704/704\\_faqs.pdf](https://www.nfpa.org/assets/files/aboutthecodes/704/704_faqs.pdf)

No construction activities will occur as a result of the proposed project and therefore no hazardous materials associated with construction will be used. Further, because the proposed project will not involve any construction no hazardous materials will be use, stored, or transported as a result of construction activities.

Implementation of the proposed project may result in hazards and hazardous materials operational impacts due to the use and transport of gasoline and diesel fuel. The use of diesel fueled trucks to transport gasoline fuel for dispensing at a facility could result in a reasonably foreseeable accident or upset conditions that could involve the release of these hazardous materials into the environment. Exposure of the public or the environment to hazardous materials could occur through but not limited to the following means: improper handling or use of hazardous materials, particularly by untrained personnel; transportation accident; and/or fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material present, and the proximity of sensitive receptors.

However, owners and operators of mobile fuelers must comply or continue to comply with various regulations including Occupational Safety and Health Administration (OSHA) regulations (29 Code of Federal Regulations (CFR) Part 1910) that require the preparation of a fire prevention plan, and 20 CFR Part 1910 and CCR Title 8 that require prevention programs to protect workers who handle toxic, flammable, reactive, or explosive materials. In addition, Section 112 (r) of the CAA Amendments of 1990 [42 United States Code (USC) 7401 et. seq.] and Article 2, Chapter 6.95 of the California HSC require facilities that handle listed regulated substances to develop Risk Management Programs (RMPs) to prevent accidental releases of these substances. If any of the facilities where mobile fuelers would intermittently operate prepared an RMP, it may need to be revised to incorporate any changes that may be associated with the proposed project. The Hazardous Materials Transportation Act is the federal legislation that regulates transportation of hazardous materials.

The use and transport of hazardous materials as a result of the proposed project would be governed by existing regulations of several agencies, including the U.S. EPA, US Department of Transportation, the California Regional Water Quality Control Board, California Division of Occupational Safety and Health, and local or regional environmental health departments and fire departments. Strict adherence to all local and regional emergency response plan requirements would also be required per Health and Safety Code Section 25506. Additionally, mobile fueler owners, operators, and handlers would be required to comply with International Fire Code Section 5707 – On-Demand Mobile Fueling Operations, if implemented by the local fire authority, which would provide ~~an~~ additional regulatory procedures for spill prevention and control in the event of a spill (e.g., mobile fuelers would be required to keep a spill kit available). Furthermore, mobile fueler owners or operators would be required to provide workers with training on the safe use, handling, and dispensing of gasoline and would maintain equipment and supplies for containing and cleaning up spills of gasoline during fueling operations.

When mobile fueling handlers of gasoline fuel comply with the existing regulations and recommended safety procedures, hazards impacts as a result of the proposed project are expected to be the same or less than those of operations from a stationary gas station or transport of gasoline fuel using tanker trucks that already operate and have a greater carrying capacity than mobile fueling trucks.

The accidental release of gasoline fuel from transport and use is a localized event (i.e., the release of gasoline fuel would only affect the receptors that are within the immediate area). The accidental release from transport would also be temporally limited because transport of gasoline fuel is not likely to be made at the same time at the same facility. Based on these limitations, it is assumed that an accidental release would be limited to a single mobile fueling tanker in transit or single mobile fueler conducting fueling operations (e.g., dispensing gasoline to vehicles) at facility at a time.

A hazard analysis is dependent on knowing the exact location of a potential spill (e.g., meteorological conditions, location of the receptor, et cetera,). A site-specific or accidental transportation release scenario hazard analysis is difficult to conduct without this information. Predicting when, where, and to what extent a mobile fueler could potentially result in a spill, leaking, or other gasoline tank containment failure without firm evidence based on facts to support the analysis would require an engagement in speculation or conjecture that is inappropriate for this EA.

Accordingly, the potential impacts associated with a mobile fueler transportation accident or mobile fueler tank rupture in this EA are generally based on the assumption that mobile fuelers would comply with all applicable state, federal, and local regulations so that should failure of a mobile fueler gasoline tank occur, the release would not significantly affect the public, thus minimizing the potential impacts associated with the operation of mobile fuelers. Further, mobile fuelers are typically equipped with safety devices and equipment to reduce impacts should a rupture of the mobile fueling tank occur during transit. Because of these safety features and adherence to existing regulations significant hazards that would affect sensitive receptors, or could occur due to an accident during use and transport, are not expected to occur.

For the reasons described above, impacts to the public or environment through the continued routine operations of mobile fuelers at facilities located throughout the South Coast AQMD jurisdiction are expected to be less than significant.

**VIII. d) No Impact.** Government Code Section 65962.5 refers to hazardous waste handling practices at facilities subject to the Resources Conservation and Recovery Act (RCRA). The proposed project does not have any requirements that would affect sites that are identified on lists of California Department of Toxic Substances Control hazardous waste facilities per Government Code Section 65962.5. Further, the proposed project is not site specific and does not apply to any existing facilities. Implementation of the proposed project would minimize the exposure to VOC and TAC emissions from mobile fueling operations and in turn, minimize public health impacts by establishing requirements (e.g., maintenance and testing) for mobile fueler operations. The proposed project is not expected to interfere with existing hazardous waste management programs since mobile fueling operations would not affect the handling of hazardous waste at any of facilities where they operate. Facilities where mobile fuelers intermittently operate would be expected to continue to manage any and all hazardous materials and hazardous waste, in accordance with applicable federal, state, and local rules and regulations. Therefore, compliance the proposed project would not create a new significant hazard to the public or environment.

**VIII. e) Less Than Significant.** Federal Aviation Administration regulation, 14 CFR Part 77 – Safe, Efficient Use and Preservation of the Navigable Airspace, provide information regarding the types of projects that may affect navigable airspace. Projects may adversely affect navigable airspace if they involve construction or alteration of structures greater than 200 feet above ground

level within a specified distance from the nearest runway or objects within 20,000 feet of an airport or seaplane base with at least one runway more than 3,200 feet in length and the object would exceed a slope of 100:1 horizontally (100 feet horizontally for each one foot vertically from the nearest point of the runway).

No construction is expected to occur as a result of the proposed project and the proposed project does not contain and requirements that would result in construction at any facilities. Therefore, implementation of the proposed project is not expected to increase or create any new safety hazards to peoples working or residing in the vicinity of public/private airports.

Further, the proposed project does not require or prohibit the use of a mobile fueler within an airport or in the immediate vicinity of an airport. However, it should be noted that airports typically operate with other hazardous materials onsite such as jet fuel and the operation of a mobile fueler will not create a new safety hazard for people residing near an airport or working at an airport, nor would the operation of a mobile fueler affect or interfere with an airport land use plan, if such a plan has been adopted.

**VIII. f) No Impact.** Health and Safety Code Section 25506 specifically requires all businesses handling hazardous materials to submit a business emergency response plan to assist local administering agencies in the emergency release or threatened release of a hazardous material. Business emergency response plans generally require the following:

- Identification of individuals who are responsible for various actions, including reporting, assisting emergency response personnel and establishing an emergency response team;
- Procedures to notify the administering agency, the appropriate local emergency rescue personnel, and the California Office of Emergency Services;
- Procedures to mitigate a release or threatened release to minimize any potential harm or damage to persons, property or the environment;
- Procedures to notify the necessary persons who can respond to an emergency within the facility;
- Details of evacuation plans and procedures;
- Descriptions of the emergency equipment available in the facility;
- Identification of local emergency medical assistance; and,
- Training (initial and refresher) programs for employees in:
  1. The safe handling of hazardous materials used by the business;
  2. Methods of working with the local public emergency response agencies;
  3. The use of emergency response resources under control of the handler;
  4. Other procedures and resources that will increase public safety and prevent or mitigate a release of hazardous materials.

In general, every county or city and all facilities using a minimum amount of hazardous materials are required to formulate detailed contingency plans to eliminate, or at least minimize, the

possibility and effect of fires, explosion, or spills. In conjunction with the California Office of Emergency Services, local jurisdictions have enacted ordinances that set standards for area and business emergency response plans. These requirements include immediate notification, mitigation of an actual or threatened release of a hazardous material, and evacuation of the emergency area.

Emergency response plans are typically prepared in coordination with the local city or county emergency plans to ensure the safety of not only the public (surrounding local communities), but the facility employees as well. The proposed project would not impair the implementation of, or physically interfere with any adopted emergency response plans or emergency evacuation plans that may be in place at existing facilities. No physical modifications are required in order to comply with the proposed project and therefore no updates to existing emergency response plans for any facility where a mobile fueler would intermittently operate are necessary. However, if a facility modifies their emergency response plan to reflect operation of a mobile fueler, such modifications would not create any environmental impacts. Therefore, the proposed project is not expected to impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**VIII. g) Less Than Significant Impact.** The Uniform Fire Code and Uniform Building Code set standards intended to minimize risks from flammable or otherwise hazardous materials. Local jurisdictions are required to adopt the uniform codes or comparable regulations. Local fire agencies require permits for the use or storage of hazardous materials and permit modifications for proposed increases in their use. Permit conditions depend on the type and quantity of the hazardous materials at a facility. Permit conditions may include, but are not limited to, specifications for sprinkler systems, electrical systems, ventilation, and containment. The fire departments make annual business inspections to ensure compliance with permit conditions and other appropriate regulations. Further, businesses are required to report increases in the storage or use of flammable and otherwise hazardous materials to local fire departments. Local fire departments ensure that adequate permit conditions are in place to protect against the potential risk of upset. The proposed project would not change the existing requirements and permit conditions for the proper handling of flammable materials. Further, owners or operators of mobile fuelers would be required to obtain an permit approval from a local fire agency or documentation that approval is not required by the local fire agency prior to operating at a dispensing location. In addition, the National Fire Protection Association has special designations for deflagrations (e.g., explosion prevention) when using materials that may be explosive. Therefore, operators of mobile fuelers are expected to comply with National Fire Protection requirements for explosion control.

### **Conclusion**

Based upon these considerations, significant adverse hazards and hazardous materials impacts are not expected from implementing the proposed project. Since no significant hazards and hazardous materials impacts were identified, no mitigation measures are necessary or required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>IX. <u>HYDROLOGY AND WATER QUALITY.</u> Would the project:</b>  |                                |                                       |                              |                                     |
| a) Violate any water quality standards, waste discharge requirements, or otherwise substantially degrade surface or ground water quality?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: |                                |                                       |                              |                                     |
| • Result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?                                  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| • Impede or redirect flood flows?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| f) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, facilities or new storm water drainage facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| h) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

### Significance Criteria

Potential impacts on water resources will be considered significant if any of the following criteria apply:

#### Water Demand:

- The existing water supply does not have the capacity to meet the increased demands of the project, or the project would use more than 262,820 gallons per day of potable water.
- The project increases demand for total water by more than five million gallons per day.

#### Water Quality:

- The project will cause degradation or depletion of ground water resources substantially affecting current or future uses.
- The project will cause the degradation of surface water substantially affecting current or future uses.
- The project will result in a violation of National Pollutant Discharge Elimination System (NPDES) permit requirements.
- The capacities of existing or proposed wastewater treatment facilities and the sanitary sewer system are not sufficient to meet the needs of the project.
- The project results in substantial increases in the area of impervious surfaces, such that interference with groundwater recharge efforts occurs.

- The project results in alterations to the course or flow of floodwaters.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and ~~3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture~~ CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**IX. a), b), e), f), g), & h) No Impact.** The proposed project does not contain any requirements that would utilize water during construction or operation and as such, no wastewater would be expected to be generated and no increase in water demand is expected. Since no wastewater is generated and no increase in water demand is created from the proposed project, the proposed project would not be expected to: 1) violate any water quality standards, waste discharge requirements of the applicable Regional Water Quality Control Board, or otherwise substantially degrade surface or ground water quality; 2) require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, facilities or new storm water drainage facilities; 3) substantially decrease groundwater supplies or interfere substantially with groundwater recharge or impede sustainable groundwater management of the basin; 4) conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan; 5) impact the water supply available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years; and 6) give cause for the wastewater treatment provider to question or evaluate whether adequate wastewater capacity exists in addition to the provider's existing commitments. Additionally, mobile fueler owners, operators, and handlers would be required to comply with International Fire Code Section 5707 – On-Demand Mobile Fueling Operations, if implemented by the local fire authority, which would provide an additional regulatory procedures for spill prevention and control in the event of a spill (e.g., mobile fuelers would be required to keep a spill kit available).

### Conclusion

Based upon these considerations, significant adverse hydrology and water quality impacts are not expected from implementing the proposed project. Since no significant hydrology and water quality impacts were identified, no mitigation measures are necessary or required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>X. <u>LAND USE AND PLANNING.</u></b>  |                                |                                       |                              |                                     |
| Would the project:   |                                |                                       |                              |                                     |
| a) Physically divide an established community?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Land use and planning impacts will be considered significant if the project conflicts with the land use and zoning designations established by local jurisdictions.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**X. a) & b) No Impact.** The proposed project does not require the construction of new facilities, and the physical effects that would result from the proposed project would occur at existing facilities where mobile fuelers are temporality located in commercial and industrial areas and would not occur within the public right of way. Further, any physical effects that may occur as a result of the proposed project are limited to mobile fuelers and their operations. For this reason, implementation of the proposed project is not expected to physically divide an established community. Therefore, no impacts are anticipated.

Further, land use and other planning considerations are determined by local governments and the proposed project does not alter any land use or planning requirements. Compliance with the proposed project would apply to owners or operators of mobile fuelers whose operations would be intermittent (limited by permit requirements specific to each mobile fueler owner or operator) within the boundary of existing facilities. Thus, the proposed project would not be expected to affect or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Conclusion**

Based upon these considerations, significant adverse land use and planning impacts are not expected from implementing the proposed project. Since no significant land use and planning impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XI. <u>MINERAL RESOURCES.</u></b> Would the project:   |                                |                                       |                              |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Project-related impacts on mineral resources will be considered significant if any of the following conditions are met:

- The project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- The proposed project results in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XI. a) & b) No Impact.** There are no provisions in the proposed project that would result in the loss of availability of a known mineral resource of value to the region and the residents of the state,

or of a locally-important mineral resource recovery site delineated on a local general plan, specific plant or other land use plan. Some examples of mineral resources are gravel, asphalt, bauxite, and gypsum, which are commonly used for construction activities or industrial processes. Implementation of the proposed project would result in owners or operators of mobile fuelers to comply with the emission control equipment requirements in the proposed project, and require owners or operators to conduct maintenance, testing, and recordkeeping; all of which have no effect on the use of minerals, such as those described above. Therefore, no new demand on mineral resources is expected to occur and significant adverse mineral resources impacts from implementing the proposed project are not anticipated.

**Conclusion**

Based upon these considerations, significant adverse mineral resource impacts are not expected from implementing the proposed project. Since no significant mineral resource impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XII. NOISE.</b> Would the project result in:   |                                |                                       |                              |                                     |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Noise impact will be considered significant if:

- Construction noise levels exceed the local noise ordinances or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three decibels (dBA) at the site boundary. Construction noise levels will be considered significant if they exceed federal Occupational Safety and Health Administration (OSHA) noise standards for workers.
- The proposed project operational noise levels exceed any of the local noise ordinances at the site boundary or, if the noise threshold is currently exceeded, project noise sources increase ambient noise levels by more than three dBA at the site boundary.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control

equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XII. a), b), c) No Impact.** The facilities where mobile fuelers are expected to intermittently operate are located in urbanized previously developed commercial and industrial areas. The existing noise environment at each of the facilities is typically dominated by noise from existing equipment on-site, vehicular traffic around the facilities, and trucks entering and existing facility premises. Further, none of the facilities where mobile fuelers are expected to intermittently operate will need to make any physical modification during operation and no construction activities are expected as a result of the proposed project. Since the facilities where mobile fuelers are expected to intermittently operate are located in commercial and industrial areas, which have a higher background noise level when compared to other areas, the noise generated during operation, if any, would likely be indistinguishable from the background noise levels at the property line. Further, Occupational Safety and Health Administration (OSHA) and California-OSHA have established noise standards to protect worker health outdoors. Furthermore, compliance with local noise ordinances would be required. No noise increases are expected.

Information on where mobile fuelers would operate is uncertain at this point in time, and it would be speculative to predict or forecast the precise location of mobile fueling operations on a facility-by-facility basis. Predicting where mobile fuelers would operate without firm evidence based on facts to support the analysis would require an engagement in speculation or conjecture that is inappropriate for this EA. Therefore, It is speculative to determine where mobile fuelers would operate and if those operations would occur within two miles of an airport. The existing noise environment at any facility where mobile fuelers would intermittently operate is dominated by noise from existing equipment on-site, vehicular traffic around the facilities, and trucks entering and exiting facility premises. Thus, any new noise as a result of the proposed project would be indistinguishable from the background levels at the property line. Thus, the proposed project is not expected to expose persons residing or working within two miles of a public airport or private airstrip to excessive noise levels.

### **Conclusion**

Based upon these considerations, significant adverse noise impacts are not expected from the implementing the proposed project. Since no significant noise impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XIII. POPULATION AND HOUSING.</b>   |                                |                                       |                              |                                     |
| Would the project:   |                                |                                       |                              |                                     |
| a) Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Impacts of the proposed project on population and housing will be considered significant if the following criteria are exceeded:

- The demand for temporary or permanent housing exceeds the existing supply.
- The proposed project produces additional population, housing or employment inconsistent with adopted plans either in terms of overall amount or location.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; 2) ~~the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XIII. a) No Impact.** No construction activities are expected as a result of implementing the proposed project and therefore the proposed project does not contain any requirements that are expected to involve the relocation of individuals, require new housing or commercial facilities, or change the distribution of the population. Only a few workers per mobile fueler may be needed to comply with the proposed project and these workers can be supplied from the existing labor pool in the local Southern California area. Maintenance activities resulting from the proposed project

would also not be expected to result in the need for a substantial number of additional employees because mobile fueling owners or operators have existing personnel that already conduct maintenance on mobile fuelers. It is possible that new employees may be needed to operate new mobile fuelers as mobile fueling operations expand however the proposed project does not include requirements that would result in an increase in mobile fueling operations. In the event that new employees are hired for mobile fueling operations, those new employees would be strictly a business decision. Regardless of implementing the proposed project, human population within the jurisdiction of the South Coast AQMD is expected to stay about the same. As such, the proposed project is not anticipated to not result in changes in population densities, population distribution, or induce significant growth in population.

**XIII. b) No Impact.** The proposed project would not result in construction activities. Maintenance and testing requirements would not be expected to substantially alter existing mobile fueller operations. Consequently, the proposed project is not expected to result in the creation of any industry that would affect population growth, directly or indirectly induce the construction of single- or multiple-family units, or require the displacement of persons or housing elsewhere within the South Coast AQMD's jurisdiction.

### **Conclusion**

Based upon these considerations, significant adverse population and housing impacts are not expected from implementing the proposed project. Since no significant population and housing impacts were identified, no mitigation measures are necessary or required.

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| <b>Potentially<br/>Significant<br/>Impact</b> | <b>Less Than<br/>Significant<br/>With<br/>Mitigation</b> | <b>Less Than<br/>Significant<br/>Impact</b> | <b>No<br/>Impact</b> |
|---|--|---|----------------------|
|---|--|---|----------------------|

**XIV. PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- |                             |                          |                          |                          |                                     |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Significance Criteria**

Impacts on public services will be considered significant if the project results in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time, or other performance objectives.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; 2) ~~the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XIV. a) & b) No Impact.** Implementation of the proposed project does not require any construction activities. Prior to operation mobile fuelers would be required to obtain an approvals or a written statement that approval is not required from the appropriate fire protection authority. While the proposed project requires the use of air pollution control equipment which would minimize emissions of VOCs and TACs from mobile fueling operations, the proposed project does not require the new use or handling of hazardous materials. As such, no new special circumstances with handling sensitive materials during operation would be expected. For these reasons, new safety hazards are not expected to occur during operation, and implementation of the proposed project is not expected to substantially alter or increase the need or demand for additional public services (e.g., fire and police departments and related emergency services, etc.) above current levels. No significant impact to these existing services is anticipated.

**XIV. c), d), & e) No Impact.** As explained in Section XIII. a), the proposed project is not anticipated to generate any significant effects, either direct or indirect, on the population or population distribution within South Coast AQMD's jurisdiction as no additional workers are anticipated to be required for compliance. Because the proposed project is not expected to induce substantial population growth in any way, and because the local labor pool (e.g., workforce) would remain the same since the proposed project would not trigger changes to current usage practices, no additional schools would need to be constructed. Each mobile fueling owner or operator would be required to install air pollution control equipment and trained personnel may be needed in order to maintain the new equipment, however an increase in the labor force is not expected. As such, no corresponding impacts to local schools or parks would occur, and there would be no corresponding need for new or physically altered public facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Therefore, no impacts would be expected to schools, parks or other public facilities.

### **Conclusion**

Based upon these considerations, significant adverse public services impacts are not expected from implementing the proposed project. Since no significant public services impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XV. RECREATION.</b>  |                                |                                       |                              |                                     |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment or recreational services? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

Impacts to recreation will be considered significant if:

- The project results in an increased demand for neighborhood or regional parks or other recreational facilities.
- The project adversely affects existing recreational opportunities.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; 2) ~~the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XV. a) & b) No Impact.** As previously explained in Section XIII – Population and Housing, the proposed project is not expected to affect population growth or distribution within the South Coast AQMD’s jurisdiction because workers needed to install air pollution control equipment for mobile fuelers and the associated testing and maintenance activities for compliance with the proposed project can be supplied by the existing labor pool in the local Southern California area. As such,

the proposed project is not anticipated to generate any significant adverse effects, either indirectly or directly on population growth within the South Coast AQMD's jurisdiction or population distribution, and thus no additional demand for recreational facilities would be necessary or expected. No requirements in the proposed project would be expected to affect recreation in any way. Therefore, the proposed project would not increase the demand for or use of existing neighborhood and regional parks or other recreational facilities or require the construction of new or expansion of existing recreational facilities that might have an adverse physical effect on the environment because it would not directly or indirectly increase or redistribute population.

**Conclusion**

Based upon these considerations, significant adverse recreation impacts are not expected from implementing the proposed project. Since no significant recreation impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XVI. <u>SOLID AND HAZARDOUS WASTE.</u></b> Would the project:   |                                |                                       |                              |                                     |
| a) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Comply with federal, state, and local statutes and regulations related to solid and hazardous waste?                | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

The proposed project impacts on solid and hazardous waste will be considered significant if the following occurs:

- The generation and disposal of hazardous and non-hazardous waste exceeds the capacity of designated landfills.

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XVI. a) & b) No Impact.** The proposed project would not cause construction activities to occur and therefore no solid construction waste would be generated that would need to be disposed of in a landfill. The operation of emission control equipment by mobile fuelers will not result in the collection of hazardous waste therefore no hazardous waste would be generated that would need to be disposed of at a certified hazardous waste landfill or recycling center for proper disposal or recycling. Thus, solid and hazardous waste generation is not expected to significantly impact existing permitted landfill capacity.

Current operations at by mobile fueler owners or operators are assumed to comply with all applicable local, state, or federal waste disposal regulations, and the proposed project does not

contain any provisions that would weaken, alter, or interfere with current practices. Thus, implementation of the proposed project is not expected to interfere with existing mobile fueling waste disposal practices or any facilities where a mobile fueler would intermittently operate and their ability to comply with applicable local, state, or federal waste disposal regulations in a manner that would cause a significant adverse solid and hazardous waste impact.

**Conclusion**

Based upon these considerations, significant adverse solid and hazardous waste impacts are not expected from implementing the proposed project. Since no significant solid and hazardous waste impacts were identified, no mitigation measures are necessary or required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <b>XVII. TRANSPORTATION.</b>   |                                |                                       |                                     |                                     |
| Would the project:   |                                |                                       |                                     |                                     |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b)?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Significance Criteria**

Impacts on transportation and traffic will be considered significant if any of the following criteria apply:

- A major roadway is closed to all through traffic, and no alternate route is available.
- The project conflicts with applicable policies, plans, or programs establishing measures of effectiveness, thereby decreasing the performance or safety of any mode of transportation.
- There is an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- The demand for parking facilities is substantially increased.
- Water borne, rail car or air traffic is substantially altered.
- Traffic hazards to motor vehicles, bicyclists, or pedestrians are substantially increased.
- The need for more than 350 employees.
- An increase in heavy-duty transport truck traffic to and/or from the facility by more than 350 truck round trips per day.
- Increase customer traffic by more than 700 visits per day.

## Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XVII. a) & b) Less than Significant Impact.** As previously discussed in Section III – Air Quality and Greenhouse Gas Emissions, compliance with the proposed project would require operational activities such as dispensing of gasoline. In addition, in order to conduct fueling operations mobile fuelers would be required to travel to a facility to dispense gasoline. Based on the existing mobile fueler operations mobile fuelers are expected to travel: 1) from their home base to a fueling depot and then to a facility where fueling operations would intermittently occur and then back to their home base or 2) from their home base that includes an on-site fueling depot to a facility where fueling operations would intermittently occur and back to their home base/fueling depot. Also, information about mobile fueler operations in regard to which facilities would be selected to be used as intermittent fueling locations is uncertain at this point in time, and it would be speculative to predict or forecast the precise location where mobile fuelers would operate on a facility-by-facility basis since a transportation analysis is dependent on knowing the exact distances a mobile fueler would travel to operate (e.g., the location of the facility where a mobile fueler would operate, location of the fuel depot, route a mobile fueler would take, etc.). Predicting where a mobile fueler would operate without firm evidence based on facts to support the analysis would require an engagement in speculation or conjecture that is inappropriate for this EA.

Accordingly, the impacts associated with operation of mobile fuelers are generally based on existing fleet size of mobile fuelers that are currently operating (e.g., Booster currently operates five mobile fuelers and intends to operate an additional six in the future). In addition, any other mobile fueling company that would enter the mobile fueling market is expected to have a similar fleet size of approximately ten mobile fueling trucks. A conservative factor of two has been used to estimate the total number of mobile fueler trucks that would be dispatched throughout facilities located in the South Coast AQMD jurisdiction where they would intermittently operate in order to dispense gasoline.

Table 2-7 presents the number of vehicle round trips that may occur on a peak day.

**Table 2-7  
Number of Mobile Fueler Truck Trips on a Peak Day by Trip Segment**

| <b>Trip Segment</b>                          | <b>Vehicle Trips</b>                      |
|--|---|
| Mobile fueler from origin to fueling depot   | 42 Mobile Fueling Trucks                  |
| Mobile fueler from fueling depot to facility | 42 Mobile Fueling Trucks                  |
| Mobile Fueler from facility to origin        | 42 Mobile Fueling Trucks                  |
| <b>Total</b>                                 | <b>126 Mobile Fueler Trips by Segment</b> |

For this analysis, 42 heavy-duty mobile fueling trucks are expected to be used on a peak day for mobile fueling operations.

In accordance with the promulgation of SB 743 which requires analyses of transportation impacts in CEQA documents to consider a project's vehicle miles traveled (VMT) in lieu of applying a LOS metric when determining significance for transportation impacts, CEQA Guidelines Section 15064.3(b)(4) gives a lead agency to use discretion to choose the most appropriate methodology to evaluate a project's VMT, allowing the metric to be expressed as a change in absolute terms, per capita, per household, or in any other measure.

The total truck trips by segment quantified represents a worst-case peak day of operation activities. On a peak day, during mobile fueling operations, these activities are estimated to result in 42 mobile fuelers driving 126 truck trip segments (three segments are driven during one round trip per mobile fueler) which is less than the threshold of 350 truck round trips per day. Relative to the amount of vehicle miles traveled (VMT), each vehicle visiting a stationary gas station is assumed to drive 0.1 mile as a pass-by trip per fueling event while the mobile fueler is assumed to drive approximately 30 miles per fueling event<sup>18</sup>. The proposed project is not expected to cause a significant adverse transportation impact. Therefore, the proposed project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b). Further, because implementation of the proposed project would not alter any transportation plans, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

**XVII. c) No Impact.** The proposed project does not involve or require the construction of new roadways, alter existing roadways, or introduce incompatible uses to existing roadways. Thus, there will be no change to current public roadway designs that could increase traffic hazards. Further, the proposed project is not expected to substantially increase traffic hazards or create incompatible uses at or adjacent to the facilities where mobile fuelers would operate. Therefore, no impact resulting from hazards due to design features or incompatible uses would occur and no mitigation measures are necessary.

<sup>18</sup> Per CalEEMod User's Guide Version 2020.4.0 (section 4.4.1 Vehicle Trips, pp. 36) pass-by trips are assumed to be 0.1 miles in length and are a result of no diversion from the primary route. <http://www.caleemod.com/>

**XVII. d) No Impact.** Since the proposed project includes the installation of vapor recovery systems, testing, and maintenance for mobile fuelers no changes are expected to emergency access at or in the vicinity of the facilities where mobile fuelers would intermittently operate. The proposed project does not contain any requirements specific to emergency access points and each facility where mobile fuelers would intermittently operate would be expected to continue to maintain their existing emergency access. Based on the preceding, no impact to emergency access would occur and no mitigation measures are necessary.

### **Conclusion**

Based upon these considerations, significant adverse transportation impacts are not expected from implementing the proposed project. Since no significant transportation impacts were identified, no mitigation measures are necessary or required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <b>XVIII. WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:  |                                |                                       |                              |                                     |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires?  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Significance Criteria**

A project’s ability to contribute to a wildfire will be considered significant if the project is located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and any of the following conditions are met:

- The project would substantially impair an adopted emergency response plan or emergency evacuation plan.
- The project may exacerbate wildfire risks by exposing the project’s occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.
- The project may exacerbate wildfire risks or may result in temporary or ongoing impacts to the environment because the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) are required.

- The project would expose people or structures to significant risks such as downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.
- The project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires.

### Discussion

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; 2) ~~the owner or operator of dispensing locations where mobile fuelers operate;~~ and 3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XVIII. a), b), c), d), & e) No Impact.** Implementation of the proposed project would neither require the construction of any new facilities nor result in the construction of any occupied buildings or structures. Thus, the proposed project is not expected to substantially impair an adopted emergency response plan or emergency evacuation plan. Further, the existing facilities where mobile fueling operations would intermittently occur are located in commercial or industrial areas, and not near wildlands. In the event of a wildfire, no exacerbation of wildfire risks, and no consequential exposure of the project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, or other factors would be expected to occur. Similarly, the proposed project does not contain any requirements for new facilities to be constructed. Thus, the proposed project would neither expose people or structures to new significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, nor would it expose people or structures, either directly or indirectly, to a new significant risk of loss, injury or death involving wildfires. Finally, because the proposed project does not require any construction, the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment are not required.

### Conclusion

Based upon these considerations, significant adverse wildfire risks are not expected from implementing the proposed project. Since no significant wildfire risks were identified, no mitigation measures are necessary or required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| <b><u>XIX. MANDATORY FINDINGS OF SIGNIFICANCE.</u></b>   |                                |                                       |                                     |                                     |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion**

The proposed project applies to 1) an owner or operator of a mobile fueler that conducts retail or non-retail operations; ~~2) the owner or operator of dispensing locations where mobile fuelers operate;~~ and ~~3) any person who installs, repairs, maintains, supplies, sells, or offers for sale components of a mobile fueler, conducts any test for a mobile fueler, or manufacture~~ CARB-certified control equipment or the associated components thereof and is expected to reduce emissions from mobile fuelers through the establishment of requirements for the transfer, storage, and dispensing of gasoline during mobile fueling operations. The proposed project also establishes requirements for mobile fueling owners or operators to conduct testing, maintain records, and prepare reports. As detailed in Table 2-1, the components of the proposed project that would be expected to have physical effects as a result of implementing the proposed project are only expected to affect the topics of air quality and greenhouse gases, energy, hazards and hazardous materials, and transportation during operation. No construction activities are expected to occur as part of the proposed project because mobile fuelers are premanufactured with emissions control

equipment and it is unlikely that mobile fuelers would have control equipment installed or retrofitted after they are in operation. As such, the following responses to the checklist questions focus on the potential secondary adverse impacts associated with implementing the proposed project in order to minimize emissions of VOCs and TACs from mobile fueling operations.

**XIX. a) No Impact.** As explained in Section IV - Biological Resources, the proposed project is not expected to significantly adversely affect plant or animal species, or the habitat on which they rely because there are construction activities that would occur as a result of the proposed project and operational activities from mobile fueling are expected to intermittently occur within the boundaries of an existing developed facility in areas that have been greatly disturbed and that currently do not support any species of concern or the habitat on which they rely. For these reasons, the proposed project is not expected to reduce or eliminate any plant or animal species or destroy prehistoric records of the past.

**XIX. b) Less Than Significant Impact.** Based on the foregoing analyses, the proposed project would not result in significant adverse project-specific environmental impacts. Potential adverse impacts from implementing the proposed project would not be “cumulatively considerable” as defined by CEQA Guidelines Section 15064(h)(1) for any environmental topic because there are no, or only minor incremental project-specific impacts that were concluded to be less than significant. Per CEQA Guidelines Section 15064(h)(4), the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulative considerable. South Coast AQMD cumulative significant thresholds are the same as project-specific significance thresholds.

Therefore, there is no potential for significant adverse cumulative or cumulatively considerable impacts to be generated by the proposed project for any environmental topic.

**XIX. c) Less Than Significant Impact.** Based on the foregoing analyses, the proposed project is not expected to cause adverse effects on human beings for any environmental topic, either directly or indirectly because: 1) the air quality and GHG impacts were determined to be less than the significance thresholds as analyzed in Section III – Air Quality and Greenhouse Gases; 2) energy impacts were determined to be less than significant as analyzed in Section VI – Energy; 3) the hazards and hazardous materials impacts were determined to be less than significant as analyzed in Section VIII – Hazards and Hazardous Materials; and 4) transportation impacts were determined to be less than the significant as analyzed in Section XVII – Transportation. In addition, the analysis concluded that there would be no significant environmental impacts for the remaining environmental impact topic areas: aesthetics, agriculture and forestry resources, biological resources, cultural and tribal cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, solid and hazardous waste, and wildfire.

## Conclusion

As previously discussed in environmental topics I through XIX, the proposed project has no potential to cause significant adverse environmental effects. Since no mitigation measures are necessary or required.

## **APPENDICES**

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### **Appendix A:**

**A1: Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations**

**A2: Proposed Amended Rule 461 – Gasoline Transfer and –Dispensing**

**A3: Proposed Amended Rule 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II**

~~**A4: Proposed Amended Rule 222 – Filing Requirements for Specific Emissions Sources not Requiring a Written Permit Pursuant to Regulation II**~~

**Appendix B: Modeling Files, Assumptions, and Calculations**

**Appendix C: Comment Letters Received on the Draft SEA and Responses to Comments**

## **A1: Proposed Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations**

In order to save space and avoid repetition, please refer to the latest version of PR 461.1 located elsewhere in the Governing Board Package (meeting date January 7, 2022). The version of PR 461.1 that was circulated with the Draft EA for a 30-day public review and comment period which was released on November 24, 2021 and ending on December 24, 2021 was identified as the “Preliminary Draft Rule PR 461.1, revision date October 20, 2021”, which is available from the South Coast AQMD’s website at: [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par461-1\\_pdr1\\_102121.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par461-1_pdr1_102121.pdf). An original hard copy of the Draft EA, which included the draft version of PR 461.1 listed above, can be obtained through the South Coast AQMD Public Information Center by phone at (909) 396-2001 or by email at [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

## **A2: Proposed Amended Rule 461 – Gasoline Transfer and Dispensing**

In order to save space and avoid repetition, please refer to the latest version of PAR 461 located elsewhere in the Governing Board Package (meeting date January 7, 2022). The version of PAR 461 that was circulated with the Draft EA for a 30-day public review and comment period which was released on November 24, 2021 and ending on December 24, 2021 was identified as the “Preliminary Draft Rule PAR 461, revision date October 20, 2021”, which is available from the South Coast AQMD’s website at: [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par461\\_pdr1\\_102121.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par461_pdr1_102121.pdf). An original hard copy of the Draft EA, which included the draft version of PAR 461 listed above, can be obtained through the South Coast AQMD Public Information Center by phone at (909) 396-2001 or by email at [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

### **A3: Proposed Amended Rule 219 – Equipment not Requiring a Written Permit Pursuant to Regulation II**

In order to save space and avoid repetition, please refer to the latest version of PAR 219 located elsewhere in the Governing Board Package (meeting date January 7, 2022). The version of PAR 219 that was circulated with the Draft EA for a 30-day public review and comment period which was released on November 24, 2021 and ending on December 24, 2021 was identified as the “Preliminary Draft Rule PAR 219, revision date October 20, 2021”, which is available from the South Coast AQMD’s website at: [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par219\\_pdr1\\_102121.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par219_pdr1_102121.pdf). An original hard copy of the Draft EA, which included the draft version of PAR 219 listed above, can be obtained through the South Coast AQMD Public Information Center by phone at (909) 396-2001 or by email at [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

**~~A4: Proposed Amended Rule 222 – Filing Requirements for Specific Emissions Sources not Requiring a Written Permit Pursuant to Regulation II~~**

PAR 222 is no longer part of the proposed project and therefore is not part of this Governing Board Package (meeting date January 7, 2022) or the Final Environmental Assessment. The version of PAR 222 that was circulated with the Draft EA for a 30-day public review and comment period which was released on November 24, 2021 and ending on December 24, 2021 was identified as the “Preliminary Draft Rule PAR 222, revision date October 20, 2021”, which is available from the South Coast AQMD’s website at: [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par222\\_pdrl\\_102121.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/461.1/par222_pdrl_102121.pdf). An original hard copy of the Draft EA, which included the draft version of PAR 222 listed above, can be obtained through the South Coast AQMD Public Information Center by phone at (909) 396-2001 or by email at [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

## **APPENDIX B**

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### **Modeling Files, Assumptions, and Calculations**

**Parameters**  
**1,200** Gallon Throughput per Peak Day (Basis: 720 Gallons Fueled by 1 MFOD in 3.80 hrs = 1200 Gallons in 6.33 hrs)  
**1** Number of MFOD Fuelings per Peak Day  
**6.33** Total Hours Idling per Peak Day

| Criteria Pollutants    | Limits | Greenhouse Gas                  | Limits |
|------------------------|--------|---------------------------------|--------|
| 0.49 lb-NOx/peak day   | 55     | 4.51717839 MT-CO2e/yr - Idling  |        |
| 0.95 lb-VOC/peak day   | 55     | 3.16295493 MT-CO2e/yr - Traffic |        |
| 0.00 lb-PM10/peak day  | 150    | 7.68013331 MT-CO2e/yr           | 10000  |
| 0.00 lb-PM2.5/peak day | 55     |                                 |        |
| 0.00 lb-SOx/peak day   | 150    | <b>Diesel Usage</b>             |        |
| 0.31 lb-CO/peak day    | 550    | 1659 gal/yr                     |        |

Zero Baseline, All New Emissions

| MFOD Type B Process             |
|---------------------------------|
| MFOD Trip: Start to Terminal    |
| Terminal Fueling                |
| MFOD Trip: Terminal to Location |
| MF Fueling Customer             |
| MFOD Trip: Location to Start    |

**Assumptions**

1 Type B Mobile Fueler Holds 1,200 Gallons and Spends 6.33 Hrs Fueling/Idling^  
 MFOD Trip: 30 mi^^

| Emission Factors (lb/kgal except Hose Permeation and Idling lb/day) | Loading    | Breathing  | Refueling  | Hose Permeation | Spillage | Fueling Subtotal (lb/day) | Idling while Fueling | Idling Subtotal (lb/day) | EMFAC 2017 (lb/mi) | Traffic Subtotal (lb/day) | Total (lb/day) |
|---|------------|------------|------------|-----------------|----------|---------------------------|----------------------|--------------------------|--------------------|---------------------------|----------------|
| <b>NOx</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.4357               | 0.4357                   | 0.001897632        | 0.056928947               | 0.4926         |
| <b>VOC</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Control Efficiency  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Controlled Emissions  |            | 0.225      | 0.42       | 0.0268          | 0.12     | 0.9448                    | 0.0075               | 0.0075                   | 1.39548E-05        | 0.000418645               | 0.9527         |
| <b>Benzene</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.455%     | 0.455%     | 0.455%     | 0.455%          | 0.707%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.000000   | 0.001024   | 0.001911   | 0.000122        | 0.000848 | 0.0047                    |                      |                          |                    |                           | 0.0047         |
| <b>Ethylbenzene</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.107%     | 0.107%     | 0.107%     | 0.107%          | 1.290%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.000000   | 0.000241   | 0.000449   | 0.000029        | 0.001548 | 0.0027                    |                      |                          |                    |                           | 0.0027         |
| <b>Naphthalene</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.0004%    | 0.0004%    | 0.0004%    | 0.0004%         | 0.174%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.00000000 | 0.00000090 | 0.00000168 | 0.00000011      | 0.000209 | 0.0003                    |                      |                          |                    |                           | 0.0003         |
| <b>PM10</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0001               | 0.0001                   | 1.21155E-05        | 0.000363464               | 0.0005         |
| <b>PM2.5</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0001               | 0.0001                   | 1.15914E-05        | 0.000347741               | 0.0005         |
| <b>SOx</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0008               | 0.0008                   | 1.87154E-05        | 0.000561461               | 0.0014         |
| <b>CO</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.3032               | 0.3032                   | 0.000136529        | 0.004095868               | 0.3073         |

**Parameters**  
**50,400** Gallon Throughput per Peak Day (Basis: 720 Gallons Fueled by 1 MFOD in 3.80 hrs = 1200 Gallons in 6.33 hrs)  
**42** Number of MFOD Fuelings per Peak Day  
**266.00** Total Hours Idling per Peak Day

| Criteria Pollutants      | Limits | Greenhouse Gas                  | Limits |
|--------------------------|--------|---------------------------------|--------|
| 20.6910 lb-NOx/peak day  | 55     | 189.721492 MT-CO2e/yr - Idling  |        |
| 38.9145 lb-VOC/peak day  | 55     | 132.844107 MT-CO2e/yr - Traffic |        |
| 0.0202 lb-PM10/peak day  | 150    | 322.565599 MT-CO2e/yr           | 10000  |
| 0.0193 lb-PM2.5/peak day | 55     |                                 |        |
| 0.0580 lb-SOx/peak day   | 150    | <b>Diesel Usage</b>             |        |
| 12.9073 lb-CO/peak day   | 550    | 69682 gal/yr                    |        |

Zero Baseline, All New Emissions

| MFOD Type B Process             |
|---------------------------------|
| MFOD Trip: Start to Terminal    |
| Terminal Fueling                |
| MFOD Trip: Terminal to Location |
| MF Fueling Customer             |
| MFOD Trip: Location to Start    |

**Assumptions**

1 Type B Mobile Fueler Holds 1,200 Gallons and Spends 6.33 Hrs Fueling/Idling^  
 MFOD Trip: 30 mi^^

| Emission Factors (lb/kgal except Hose Permeation and Idling lb/day) | Loading    | Breathing  | Refueling  | Hose Permeation | Spillage | Fueling Subtotal (lb/day) | Idling while Fueling | Idling Subtotal (lb/day) | EMFAC 2017 (lb/mi) | Traffic Subtotal (lb/day) | Total (lb/day) |
|---|------------|------------|------------|-----------------|----------|---------------------------|----------------------|--------------------------|--------------------|---------------------------|----------------|
| <b>NOx</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 18.2999              | 18.2999                  | 0.001897632        | 2.391015784               | 20.6910        |
| <b>VOC</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Control Efficiency  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Controlled Emissions  |            | 0.225      | 0.42       | 0.0268          | 0.12     | 38.5828                   | 0.3142               | 0.3142                   | 1.39548E-05        | 0.017583085               | 38.9145        |
| <b>Benzene</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.455%     | 0.455%     | 0.455%     | 0.455%          | 0.707%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.000000   | 0.001024   | 0.001911   | 0.000122        | 0.000848 | 0.1908                    |                      |                          |                    |                           | 0.1908         |
| <b>Ethylbenzene</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.107%     | 0.107%     | 0.107%     | 0.107%          | 1.290%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.000000   | 0.000241   | 0.000449   | 0.000029        | 0.001548 | 0.1128                    |                      |                          |                    |                           | 0.1128         |
| <b>Naphthalene</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Percentage of ROG   | 0.0004%    | 0.0004%    | 0.0004%    | 0.0004%         | 0.174%   |                           |                      |                          |                    |                           |                |
| Controlled Emissions  | 0.00000000 | 0.00000090 | 0.00000168 | 0.00000011      | 0.000209 | 0.0107                    |                      |                          |                    |                           | 0.0107         |
| <b>PM10</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0049               | 0.0049                   | 1.21155E-05        | 0.015265496               | 0.0202         |
| <b>PM2.5</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0047               | 0.0047                   | 1.15914E-05        | 0.014605118               | 0.0193         |
| <b>SOx</b>  |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 0.0344               | 0.0344                   | 1.87154E-05        | 0.02358135                | 0.0580         |
| <b>CO</b>   |            |            |            |                 |          |                           |                      |                          |                    |                           |                |
| Uncontrolled Emissions  |            |            |            |                 |          |                           | 12.7352              | 12.7352                  | 0.000136529        | 0.172026467               | 12.9073        |

|                               | RUNNING (g/mi) |          |          |          |          |          | IDLING (g/day, day = 0.098 hrs) |          |          |         |          |          |
|-------------------------------|----------------|----------|----------|----------|----------|----------|---------------------------------|----------|----------|---------|----------|----------|
|                               | VOC            | PM10     | PM2.5    | CO       | NOx      | SOx      | VOC                             | PM10     | PM2.5    | CO      | NOx      | SOx      |
| T6 instate construction small | 0.00633        | 0.005495 | 0.005258 | 0.061928 | 0.860751 | 0.008489 | 0.052499                        | 0.000822 | 0.000787 | 2.12822 | 3.058156 | 0.005744 |

| EMFAC2017 (v1.0.2) Emission Rates | CO2      | CH4      | N2O      | CO2      | CH4      | N2O     |
|-----------------------------------|----------|----------|----------|----------|----------|---------|
| Region Type: Air District         | 898.5586 | 0.000294 | 0.141241 | 595.6609 | 0.002291 | 0.09363 |

Region: SOUTH COAST AQMD

Calendar Year: 2021

Vehicle Classification: EMFAC2011 Categories

Units: miles/day for VMT, trips/day for Trips, g/mile for RUNEX, PMBW and PMTW, g/trip for STREX, HTSK and RUNLS, g/vehicle/day for IDLEX, RESTL and DIURN. Note 'day' in the unit is operation day.

| Region         | Calendar Y | Vehicle Category              | Model Yea | Speed     | Fuel | Populatio | VMT      | Trips   | NOx_RUNI | NOx_IDLE | PM2.5_RU | PM2.5_IDI | PM10_RUI | PM10_IDL | CO2_RUNI | CO2_IDLE | CH4_RUNI | CH4_IDLE | N2O_RUN  | N2O_IDLE | ROG_RUN | ROG_IDLE | CO_RUNE  | CO_IDLEX | SOx_RUNE | SOx_IDLEX |  |
|----------------|------------|-------------------------------|-----------|-----------|------|-----------|----------|---------|----------|----------|----------|-----------|----------|----------|----------|----------|----------|----------|----------|----------|---------|----------|----------|----------|----------|-----------|--|
| Season: Winter |            |                               |           |           |      |           |          |         |          |          |          |           |          |          |          |          |          |          |          |          |         |          |          |          |          |           |  |
| SOUTH CO       | 2021       | T6 instate construction small | 2018      | Aggregate | DSL  | 708.3824  | 50199.92 | 3202.57 | 0.846361 | 3.058156 | 0.005258 | 0.000787  | 0.005495 | 0.000822 | 898.5586 | 607.9895 | 0.000294 | 0.002088 | 0.141241 | 0.095567 | 0.00633 | 0.044959 | 0.061928 | 2.12822  | 0.008489 | 0.005744  |  |
| Season: Summer |            |                               |           |           |      |           |          |         |          |          |          |           |          |          |          |          |          |          |          |          |         |          |          |          |          |           |  |
| SOUTH CO       | 2021       | T6 instate construction small | 2018      | Aggregate | DSL  | 708.3824  | 50199.92 | 3202.57 | 0.813109 | 2.708744 | 0.005258 | 0.000606  | 0.005495 | 0.000633 | 898.5586 | 586.7334 | 0.000294 | 0.002438 | 0.141241 | 0.092226 | 0.00633 | 0.052499 | 0.061928 | 2.06052  | 0.008489 | 0.005543  |  |
| Season: Annual |            |                               |           |           |      |           |          |         |          |          |          |           |          |          |          |          |          |          |          |          |         |          |          |          |          |           |  |
| SOUTH CO       | 2021       | T6 instate construction small | 2018      | Aggregate | DSL  | 708.3824  | 50199.92 | 3202.57 | 0.860751 | 2.855497 | 0.005258 | 0.000682  | 0.005495 | 0.000713 | 898.5586 | 595.6609 | 0.000294 | 0.002291 | 0.141241 | 0.09363  | 0.00633 | 0.049332 | 0.061928 | 2.088954 | 0.008489 | 0.005628  |  |

**Model Parameters**

| Modeled Source                  | Breathing (Regular)   | Breathing (Reflectiv Refueling)                 | Spillage              | Hose Permeation       | Gas Cans      | Exhaust Idling       |
|---------------------------------|-----------------------|---|-----------------------|-----------------------|---------------|----------------------|
| Emission Rate                   | 0.08 lb/1,000 gallons | 0.053 lb/1,000 gallon                           | 0.42 lb/1,000 gallons | 0.12 lb/1,000 gallons | 0.00112 lb/hr | 8.4 lb/1,000 gallons |
| Model Source Type               | Point                 | Point   | Volume                | Volume                | Volume        | Area                 |
| Length of Side                  |                       |   | 1.666 m               | 1.666 m               | 1.666 m       | 4 feet               |
| Release Height                  |                       |   | 1 m                   | 0 m                   | 1 m           | 0.4 m                |
| Initial Lateral Dimension (σy)  | N/A                   |   | 0.388 m               | 0.388 m               | 0.388 m       | N/A                  |
| Initial Vertical Dimension (σz) | None                  |   | 1.073 m               | 1.073 m               | 1.073 m       | None                 |
| Stack Height                    | 2.306 m               | 2.306 m   |                       |                       |               |                      |
| Stack Diameter                  | 10 in (0.254 m)       | 10 in (0.254 m)                                 |                       |                       |               |                      |
| Exit Velocity                   | 0.000014 m/s          | 0.0000894 m/s                                   |                       |                       |               |                      |
| Temperature                     | Ambient Temp          | 291K  |                       |                       |               |                      |
| Other Model Options             |                       |   |                       |                       |               |                      |
| Urban Population                | 2,035,210             |   |                       |                       |               |                      |
| Meteorological Data             | KONT                  | To represent worst case operations for a county |                       |                       |               |                      |

Comparison of Emission Factors

| Process         | UST TOG EF (lbs/1000gal) | AST TOG EF (lbs/1000gal) | CARB  |
|-----------------|--------------------------|--------------------------|-------|
| Loading         | 0.15                     | 0.42                     | 0.15  |
| Breathing       | 0.024                    | 0.053                    | 0.024 |
| Refueling       | 0.32                     | 0.208                    | 0.021 |
| Hose Permeation | 0.009                    | 0                        | 0.009 |
| Spillage        | 0.24                     | 0.42                     | 0.24  |

0.42 for non-ORVR 2017 and after

Bulk transfer  
Pressure drive losses

**Emission Factors**

| Process         | TOG EF (lbs/1000gal) | Benzene wt % | Benzene EF (lbs/1000gal) | Ethylbenzene wt % | Ethylbenzene EF (lbs/1000gal) | Naphthalene wt % | Naphthalene EF (lbs/1000gal) | Comments                      |
|-----------------|----------------------|--------------|--------------------------|-------------------|-------------------------------|------------------|------------------------------|-------------------------------|
| Gas cans        | 8.4                  | 0.46%        | 0.03822                  | 0.107%            | 0.008988                      | 0.0004%          | 0.0000336                    | Uncontrolled Refueling        |
| Breathing (Reg) | 0.08                 | 0.46%        | 0.000364                 | 0.107%            | 0.0000856                     | 0.0004%          | 0.00000032                   | From AP-42 Transit losses     |
| Breathing (Ref) | 0.053                | 0.46%        | 0.00024115               | 0.107%            | 0.0000567                     | 0.0004%          | 0.000000212                  | For Booster reflective trucks |
| Refueling       | 0.42                 | 0.46%        | 0.0019110                | 0.107%            | 0.0004494                     | 0.0004%          | 0.00000168                   | 95% control only              |
| Spillage        | 0.12                 | 0.71%        | 0.0008484                | 1.290%            | 0.0015480                     | 0.1740%          | 0.0002088                    | Per EO                        |
|                 | TOG EF (lb/day)      |              | Benzene EF (lbs/day)     |                   | Ethylbenzene EF (lbs/day)     |                  | Naphthalene EF (lbs/day)     |                               |
| Hose Permeation | 0.0268               | 0.46%        | 0.0001219                | 0.107%            | 0.0000287                     | 0.0004%          | 1.072E-07                    | Based on daily rate           |
| Idling          | 0.000386252          | DPM          |                          |                   |                               |                  |                              | Based on 24 hours of idling   |
| Idling          | 4.82815E-05          | DPM          |                          |                   |                               |                  |                              | Based on 3 hours of idling    |

Assume gas cans account for 4% of fueling at a location

Note: Although the speciation profile shows 0.36 wt% for benzene, 0.30 wt% was used to be consistent with CAPCOA

**Emissions for 1 MM gallons/year Operation (normalized)**

| Process         | Benzene Q (lb/hr) | Ethylbenzene Q (lb/hr) | Naphthalene Q (lb/hr) | DPM Q (lb/hr) |          |
|-----------------|-------------------|------------------------|-----------------------|---------------|----------|
| Gas Cans        | 4.363E-03         | 1.026E-03              | 3.836E-06             | 0.000E+00     |          |
| Breathing (Reg) | 4.155E-05         | 9.772E-06              | 3.653E-08             | 0.000E+00     |          |
| Breathing (Ref) | 2.753E-05         | 6.474E-06              | 2.420E-08             | 0.000E+00     |          |
| Refueling       | 2.182E-04         | 5.130E-05              | 1.918E-07             | 0.000E+00     |          |
| Spillage        | 9.685E-05         | 1.767E-04              | 2.384E-05             | 0.000E+00     |          |
| Hose Permeation | 5.081E-06         | 1.195E-06              | 4.467E-09             | 0.000E+00     |          |
| Idling          | 0.000E+00         | 0.000E+00              | 0.000E+00             | 1.609E-05     | 24 hours |
| Idling          | 0.000E+00         | 0.000E+00              | 0.000E+00             | 2.012E-06     | 3 hours  |



## **APPENDIX C**

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### **Comment Letters Received on the Draft SEA and Responses to Comments**

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## **CHAPTER 1 INTRODUCTION**

### **1.1 OVERVIEW**

This appendix to the Final EA has been prepared in accordance with the California Environmental Quality Act (CEQA) and the South Coast Air Quality Management District’s (South Coast AQMD) Certified Regulatory Program Guidelines. Public Resources Code Section 21080.5(d)(2)(D), CEQA Guidelines Section 15251(l), and South Coast AQMD’s Certified Regulatory Program (Codified under Rule 110) require that the final action on PR 461.1 and PARs 461 and 219 include written responses to issues raised during the public process. South Coast AQMD Rule 110 (the rule which codifies and implements the South Coast AQMD’s certified regulatory program) does not impose any greater requirements for summarizing and responding to comments than is required for an environmental impact report under CEQA.

### **1.2 CEQA PROCESS OF THE DRAFT EA**

The Draft Environmental Assessment (EA) was released for a 30-day public review and comment period that started on Wednesday, November 24, 2022 and ended at 5:00 p.m. on Friday, December 24, 2021. A Notice of Completion (NOC) was uploaded to the Governor’s Office of Planning and Research (OPR) CEQA Submit Database (State Clearinghouse [SCH] # 2021110387) and posted on the State Clearinghouse’s CEQAnet Web Portal at: <https://ceqanet.opr.ca.gov/2021110387>. In addition, the NOC and Draft EA were filed and posted with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties. The NOC was distributed using electronic mail to various government agencies and other interested agencies, organizations, and individuals (collectively referred to as the public). The NOC was also provided to all California Native American Tribes (Tribes) that requested to be on the Native American Heritage Commission’s (NAHC) notification list per Public Resources Code Section 21080.3.1 (b)(1). The NAHC notification list provides a 30-day period during which a Tribe may respond to the formal notice, in writing, requesting consultation on the Draft EA. Additionally, the NOC was published in the Los Angeles Times on Wednesday, November 24, 2021. The Draft EA was posted on South Coast AQMD’s website at: <http://www.aqmd.gov/home/research/documents-reports/lead-agency-scaqmd-projects>.

### **1.3 LIST OF COMMENTERS**

A total of two comment letters were received by South Coast AQMD during the public review and comment period on the Draft EA. This appendix (C) contains responses to those comments received on the Draft EA. Response to comments received on the proposed rule language can be found in Appendix A of the Final Staff Report.

For the purposes of identifying and responding to comments on the Draft EA, comment letters are assigned a number (top left-hand corner of the first page of each letter) and each comment within each letter is assigned a bracketed comment number. The following is a list of comment letters received relative to the Draft EA along with the date the comment was submitted.

| <b>Number Reference</b>   | <b>Comment Letter</b>              | <b>Date of Comment</b> | <b>Page No.</b> |
|---|------------------------------------|------------------------|-----------------|
| <b>Comment Letters Received During the Public Review Period</b> |                                    |                        |                 |
| 1   | Santa Ynez Band of Chumash Indians | December 6, 2021       | 2-2             |
| 2   | San Manuel Band of Mission Indians | December 14, 2021      | 2-4             |

Where Pursuant to CEQA Guidelines Section 15088(a) and South Coast AQMD Rule 110(d), South Coast AQMD is required to evaluate and provide written responses to only the comments received during the public comment period of the EA which raise significant environmental issues. South Coast AQMD staff has reviewed the comments submitted, updated the EA to reflect the responses to the comments, and determined that none of the comments raise significant environmental issues and none of the revisions to the EA contain the type of significant new information that requires recirculation of the Draft EA for further public comment under CEQA Guidelines Sections 15073.5 and 15088.5. Further, none of the comments indicate that the proposed project will result in a significant new environmental impact not previously disclosed in the Draft EA. Additionally, none of comments indicate that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in CEQA Guidelines Sections 15073.5 and 15088.5.

#### **1.4 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES**

CEQA Guidelines Section 15204 (b) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of the Draft EA should be “on the proposed finding that the project will not have a significant effect on the environment.” If persons and public agencies believe that the project may have a significant effect, they should (1) identify the specific effect, (2) explain why they believe the effect would occur, and (3) explain why they believe the effect would be significant. Comments are most helpful when they are as specific as possible. At the same time, reviewers should be aware that CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (e) also states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

Written responses have been prepared consistent with Section 15088 of Title 14 of the California Code of Regulations. Pursuant to this section, the level of detail contained in the response may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general).

## **CHAPTER 2 COMMENT LETTERS AND RESPONSES**

### **2.1 COMMENT LETTERS RECEIVED DURING THE PUBLIC REVIEW PERIOD**

This section includes responses to the two comment letters received by South Coast AQMD during the public review and comment period. The 30-day public review and comment period started on Wednesday, November 24, 2021 and ended at 5:00 p.m. on Friday, December 24, 2021.

**COMMENT LETTER #1 – Santa Ynez Band of Chumash Indians (page 1 of 1)**



**Santa Ynez Band of Chumash Indians  
Tribal Elders' Council**

P.O. Box 517 ♦ Santa Ynez ♦ CA ♦ 93460

Phone: (805)688-7997 ♦ Fax: (805)688-9578 ♦ Email: [elders@santaynezchumash.org](mailto:elders@santaynezchumash.org)

December 6, 2021

South Coast  
Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178

Att.: Ryan Banuelos, C/O Planning/ CEQA

Re: Draft Environmental Assessment and Opportunity for Public Comment Proposed  
Amended Rule 461.1, 461,219,222

Dear Mr. Banuelos:

Thank you for contacting the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians.

At this time, the Elders' Council requests no further consultation on this project; however, we understand that as part of NHPA Section 106, we must be notified of the project.

Thank you for remembering that at one time our ancestors walked this sacred land.

Sincerely Yours,

Kelsie Shroll  
Administrative Assistant | Elders' Council and Culture Department  
Santa Ynez Band of Chumash Indians | Tribal Hall  
(805) 688-7997 ext. 7516  
[kshroll@santaynezchumash.org](mailto:kshroll@santaynezchumash.org)

1-1

**RESPONSE TO COMMENT LETTER #1 – Santa Ynez Band of Chumash Indians, from Kelsie Shroll, dated December 6, 2021**

Dear Mr. Banuelos:

Thank you for contacting the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians.

At this time, the Elders' Council requests no further consultation on this project; however, we understand that as part of NHPA Section 106, we must be notified of the project.

Thank you for remembering that at one time our ancestors walked this sacred land.

1-1

**Response 1.1**

The South Coast AQMD provided a formal notice of the proposed project to all California Native American Tribes that either requested to be on the Native American Heritage Commission's (NAHC) notification list or South Coast AQMD's mailing list per Public Resources Code Section 21080.3.1(b)(1) and a notice of the proposed project was provided to the commenter. These notices provide an opportunity for California Native American Tribes to request a consultation with the South Coast AQMD if potentially significant adverse impacts to Tribal cultural resources are identified. The Final EA for the proposed project did not identify any potentially significant adverse impacts to Tribal cultural resources and the commenter requests no further consultation, unless additional information or the scope of work changes. Further, the South Coast AQMD did not receive any consultation requests from any California Native American Tribes, including the commenter, relative to the proposed project. Since this comment does not raise any issues relative to Tribal cultural resources during the comment period for the Draft EA, no further response is necessary under CEQA.

**COMMENT LETTER #2 – San Manuel Band of Mission Indians (page 1 of 1)**

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**From:** Ryan Nordness <Ryan.Nordness@sanmanuel-nsn.gov>  
**Sent:** Tuesday, December 14, 2021 1:37 PM  
**To:** Ryan Banuelos  
**Subject:** RE: CEQA Notice for the South Coast Quality Management District, Proposed Gasoline Transfer for Mobile Fueling Operations

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. SMBMI appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on November 30<sup>th</sup>, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department’s present state of knowledge, SMBMI does not have any concerns with the project’s implementation, as planned, at this time.

2-1

Please provide the final copy of the project/permit/plan conditions so that SMBMI may review the included language. This communication concludes SMBMI’s input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for SMBMI with respect to this project.

Respectfully,  
 Ryan Nordness

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that the email address record can be corrected. Thank You

## **RESPONSE TO COMMENT LETTER #2 –San Manuel Band of Mission Indians, from Ryan Nordness, dated December 14, 2021**

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. SMBMI appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on November 30<sup>th</sup>, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the project's implementation, as planned, at this time.

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Please provide the final copy of the project/permit/plan conditions so that SMBMI may review the included language. This communication concludes SMBMI's input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for SMBMI with respect to this project.

### **Response 2.1**

The South Coast AQMD provided a formal notice of the proposed project to all California Native American Tribes that either requested to be on the Native American Heritage Commission's (NAHC) notification list or South Coast AQMD's mailing list per Public Resources Code Section 21080.3.1(b)(1) and a notice of the proposed project was provided to the commenter. These notices provide an opportunity for California Native American Tribes to request a consultation with the South Coast AQMD if potentially significant adverse impacts to Tribal cultural resources are identified. The Final EA for the proposed project did not identify any potentially significant adverse impacts to Tribal cultural resources and the commenter requests no further consultation, unless additional information or the scope of work changes. Further, the South Coast AQMD did not receive any consultation requests from any California Native American Tribes, including the commenter, relative to the proposed project. Since this comment does not raise any issues relative to Tribal cultural resources during the comment period for the Draft EA, no further response is necessary under CEQA.



# Proposed Rule 461.1

Gasoline Transfer and Dispensing for Mobile Fueling Operations

# Proposed Amended Rule 461

Gasoline Transfer and Dispensing

# Proposed Amended Rule 219

Equipment Not Requiring a Written Permit Pursuant to Regulation II

## Board Meeting

January 7, 2022



# Background

- Rule 461 – Regulates stationary and mobile gasoline dispensing operations
- Vapor controls needed to control VOC and benzene emissions
- Over the past several years retail mobile fueling has been emerging and some mobile fuelers have no vapor controls
- Proposed Rule 461.1 will establish requirements for retail and non-retail mobile fueling operations
- PR 461.1 was developed through a public process
  - Nine Working Group Meetings
  - One Public Workshop



# Overview of Proposed Rules

## PAR 461

Moves mobile fueling requirements into PR 461.1

No changes to transfer and dispensing for stationary gasoline dispensing facilities

Move

## PR 461.1

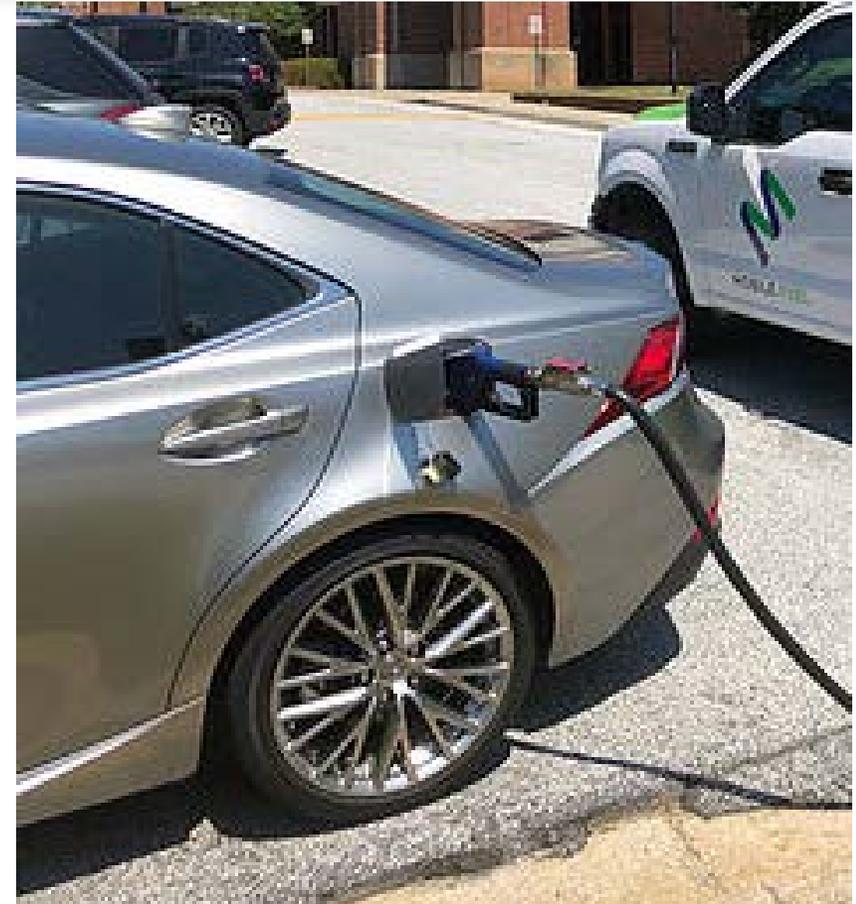
Establishes requirements for retail and non-retail mobile fueling operations

## PAR 219

Revises mobile fueling permitting thresholds  
**Retail:** Permit required if greater than 10 gallons  
**Non-Retail:** Permit required if greater than 120 gallons

# Overview of PR 461.1

- Applies to owners or operators of:
  - Retail mobile fuelers – greater than 10 gallons
  - Non-Retail mobile fuelers – greater than 120 gallons
- Provisions generally based on Rule 461
  - All vapor recovery equipment must be CARB certified - similar to stationary gasoline dispensing facilities
  - Incorporates applicable maintenance, repair, testing, recordkeeping, and reporting requirements from Rule 461
- New recordkeeping and reporting requirements for retail mobile fueling to ensure enforceability



# Key Features of PR 461.1



Requires retail mobile fuelers greater than 10 gallons to meet vapor recovery requirements



Requires retail mobile fuelers to use CARB certified equipment and to provide notification of all dispensing locations



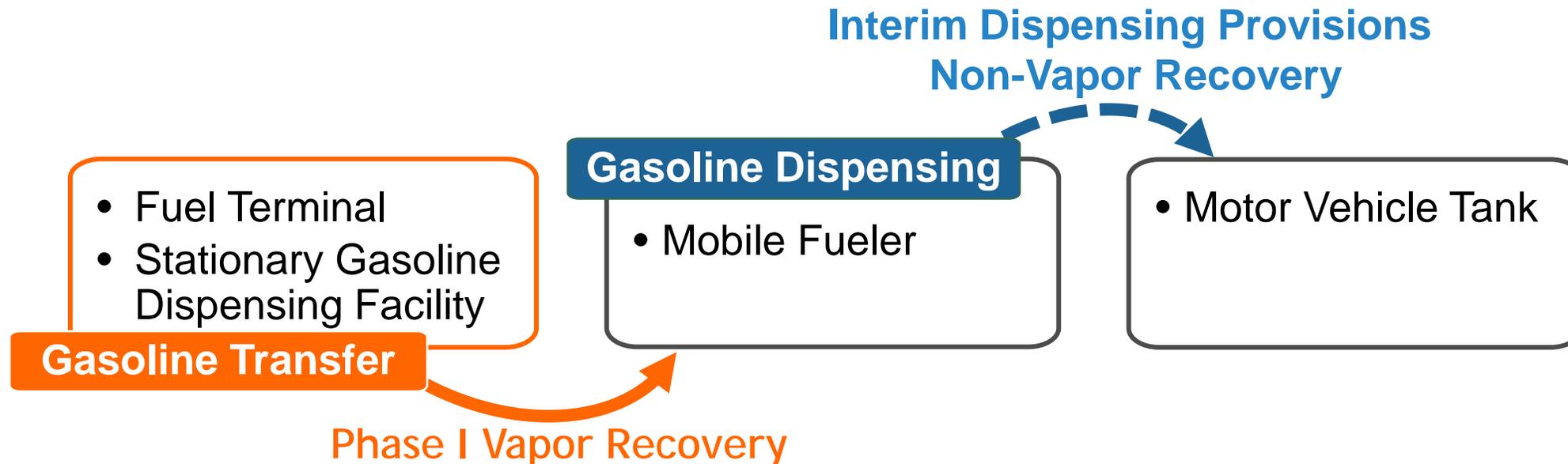
Restricts mobile fuelers from dispensing on public streets or during school hours if within 1,000 feet of a school



Provisions for non-retail mobile fuelers are generally the same as Rule 461

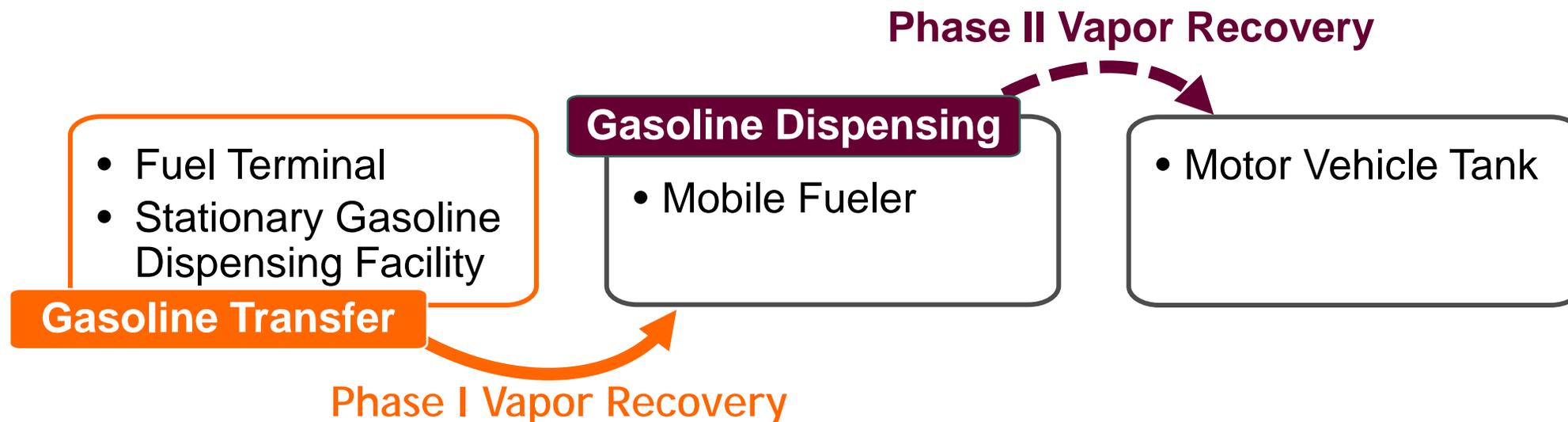
# Gasoline Transfer and Interim Dispensing Requirements

- **Gasoline Transfer:** Requires CARB Certified **Phase I Vapor Recovery**
- **Interim Dispensing:** Allows CARB Certified **Non-Vapor Recovery** until CARB certifies two Phase II Vapor Recovery Systems for mobile fuelers



# Gasoline Transfer and Gasoline Dispensing Requirements

- **Gasoline Transfer:** Requires CARB Certified **Phase I Vapor Recovery**
- **Interim Dispensing:** Allows CARB Certified **Non-Vapor Recovery** until CARB certifies two Phase II Vapor Recovery Systems for mobile fuelers
- **Gasoline Dispensing:** Operator has 60 months to meet **Phase II Vapor Recovery** Requirement after two systems are CARB certified



# Impacted Facilities and Emission Reductions

- Approximately 80 mobile fuelers at 38 facilities are expected to be affected by PR 461.1
  - Rule 461 currently requires Phase II vapor recovery equipment for mobile fuelers
  - Existing facilities complying with Rule 461 not expected to purchase any additional equipment or incur additional costs
- Number of unregulated small retail mobile fuelers are unknown
  - PR 461.1 will reduce VOC and toxic emissions from unregulated mobile fuelers not equipped with required vapor controls

# Recommended Actions

- Resolution includes commitment to initiate rulemaking for Rule 219 in the first quarter of 2022 to address comments regarding UV/EB/LED permit exemptions
- Staff is not aware of any other key issues
- Recommended actions:
  - Certify Final Environmental Assessment for Proposed Rule 461.1, Proposed Amended Rules 461 and 219; and
  - Adopt Rule 461.1 and Amend Rules 461 and 219



 [Back to Agenda](#)

BOARD MEETING DATE: January 7, 2022

AGENDA NO. 24

**PROPOSAL** Approve Two-Year Labor Agreement with Teamsters Local 911, Approve Comparable Terms for Non-Represented Employees, Executive Officer and General Counsel, and Approve Unit Modification for Three Classifications

**SYNOPSIS:** South Coast AQMD management and representatives of Teamsters Local 911, representing the Technical & Enforcement and Office Clerical & Maintenance bargaining units, have reached agreement on a new 2-year MOU. This action is to present the proposed agreement to the Board for approval. This action also requests Board approval to adopt comparable terms for non-represented employees through amendments to the South Coast AQMD *Administrative Code* and *Salary Resolution*, and for the Executive Officer and the General Counsel through amendments to Executive Management Agreements. This action also requests Board approval of a unit modification to transfer three classifications from the Confidential Unit to Teamsters Bargaining Units.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTIONS:**

1. Approve a two-year agreement for a successor 2022-2023 Teamsters MOU, representing the Technical & Enforcement and Office Clerical & Maintenance bargaining units. Proposed changes to the current 2021 Teamsters MOU are shown in Attachment A. All other provisions remain unchanged in the successor MOU;
2. Approve amendments to the South Coast AQMD *Administrative Code* and *Salary Resolution* to effect comparable terms for non-represented employees. Proposed amendments are shown in Attachments B and C, respectively;
3. Approve amendments to the Executive Management Agreements with the Executive Officer and the General Counsel to effect comparable terms. Proposed amendments are shown in Attachments D and E, respectively; and

4. Approve a unit modification to transfer three classifications from the Confidential unit to Teamsters Bargaining Units.

Wayne Natri  
Executive Officer

AJO:mm

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### **Background**

The 2021 Memorandum of Understanding (MOU) between South Coast AQMD and Teamsters Local 911 (Teamsters), covering the Technical & Enforcement and Office Clerical & Maintenance bargaining units, expired December 31, 2021. The parties have engaged in bargaining and have reached a tentative agreement for a successor MOU. The Teamsters bargaining unit members have voted to ratify the tentative agreement. A new MOU requires adoption by the Board to have full force and effect.

Comparable terms are being proposed for non-represented employees, which includes the Confidential Unit, Management, Designated Deputies, the General Counsel and the Executive Officer.

A unit modification is also being proposed regarding three Confidential Unit classifications – Administrative Assistant II, Legislative Assistant, and Senior Public Affairs Specialist – based on the definition of a Confidential Employee set forth in the Employee Relations Resolution (ERR). The ERR defines a Confidential Employee as one “who may be privy to the decision-making process of District Management affecting employee relations.” These three classifications are not, and unlikely to be, privy to the decision-making process of District Management affecting employee relations. The parties have reached agreement to transfer these classifications into Teamster Bargaining units, but to allow current employees in these classifications to retain their Confidential Unit leaves and benefits.

### **Proposal**

This action is to present the proposed 2022-2023 Teamsters MOU to the Board for approval. The primary changes for a successor MOU include: a two-year term, from January 1, 2022 to December 31, 2023; a 3 percent across-the-board increase to base salary in each year, effective as of pay periods encompassing January 1, 2022 and January 1, 2023; adding Juneteenth as a holiday; providing an employer contribution match up to \$300 per calendar year for members participating in the South Coast AQMD Section 457 Deferred Compensation Plan; adding stepsiblings to the list of relatives for Bereavement Leave and adding one additional day of Bereavement Leave when out-of-town travel is required. All provisions of the 2021 Teamsters MOU are

incorporated in the proposed successor MOU, unless indicated otherwise. The revised provisions for the proposed 2022-2023 Teamsters MOU are shown in Attachment A.

Comparable terms for the non-represented employees listed above are also proposed for approval, and these changes are reflected in Attachments B through E.

Approval of the proposed unit modification would transfer the Administrative Assistant II and Legislative Assistant classifications into the Office Clerical & Maintenance Unit and would transfer the Senior Public Affairs Specialist classification into the Technical & Enforcement Unit. Through agreement, current employees in these classifications will retain their Confidential Unit leaves and benefits while they remain in the classification.

**Resource Impacts**

There is sufficient funding available for the first six months of the proposed two-year successor MOU and for the comparable terms for non-represented employees in the FY 2021-22 Budget. Funding for the remaining term of the successor MOU and for the comparable terms for non-represented employees will be requested in subsequent fiscal year budgets.

**Attachments**

- A. Teamsters MOU Changes
- B. Administrative Code Amendments
- C. Salary Resolution Amendments
- D. Executive Management Agreement with Executive Officer
- E. Executive Management Agreement with General Counsel

**Attachment A**

**SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT**

**MEMORANDUM  
OF  
UNDERSTANDING**

**TECHNICAL AND ENFORCEMENT  
AND  
OFFICE CLERICAL AND MAINTENANCE  
UNITS**

**January 1, ~~2021~~2022 – December 31, ~~2021~~2023**

**ARTICLE 3**

**SALARIES**

Section 1. Salaries during the term of this contract will be those in effect on the start of the pay period encompassing January 1<sup>st</sup> of ~~2018, 2019, and 2020~~ 2022 and 2023, as listed in Appendices A and B.

**ARTICLE 14**

(Salary Resolution, Section 28, "Holidays")

**HOLIDAYS**

Section 1. For the term of this Agreement, South Coast AQMD-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)
- j. June 19 (Juneteenth)

On each September 1 during the term of this Agreement, South Coast AQMD employees shall be granted 10 hours of floating holiday time (or 8 hours of floating holiday time if working an 8-hour-per-day schedule) in lieu of celebrating Admissions Day.

On each February 1 during the term of this Agreement, South Coast AQMD 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.

## ARTICLE 17

### GROUP INSURANCE

Section 7. No earlier than September 15~~10, 2018~~2022 and September 15~~10, 2019~~2023, the parties agree to a reopener of Article 17, Sections 2 and 3 of the MOU for purposes of discussing potential health insurance premium increases effective January 1, 2019~~2023~~ and January 1, 2020~~2024~~, respectively.

## ARTICLE 19

### DEFERRED COMPENSATION

Section 1. South Coast AQMD shall offer regular full-time employees the opportunity to participate in a Section 457 Deferred Compensation Plan ~~without an employer contribution~~. The same opportunity will also be offered 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.

Section 2. Effective Pay Period 1 of 2023 (which has a Pay Date of January 4, 2023), for employees choosing to participate, South Coast AQMD shall fund a 1:1 matching contribution up to \$300 per calendar year. The maximum annual total contribution made to the plan for each employee shall be as stipulated by law.

## 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, stepsiblings, 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 (3) working days in any fiscal year for each occurrence~~ in any fiscal year, for each occurrence, be allowed the time necessary to be absent from work at regular pay for three working days; or for four consecutive working days if out-of-town travel is required. 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.

## **ARTICLE 40**

### **AUTHORIZED AGENTS**

For the purpose of administering the terms and provisions of this MOU, principal authorized agents shall be:

1. Representing management:

A. John Olvera  
~~Assistant~~-DEO, Administrative & Human Resources  
21685 Copley Drive, Diamond Bar, CA 91765-4182  
Telephone No.: (909) 396-2309

2. The Teamsters Local 911 principal authorized agent shall be:

Ray Whitmer  
Secretary-Treasurer, Teamsters Local 911  
9900 Flower Street, Bellflower, CA 90706  
Telephone No.: (562) 595-4518, ext. 104

## **ARTICLE 42**

### **RENEGOTIATION**

Section 1. The parties shall commence renegotiations under the terms of this Agreement, no later than September 1, ~~2021~~2023, ~~except as provided for in Section 2 of this Article.~~

## **ARTICLE 44**

### **TERM OF MOU**

Section 1. The term of this MOU shall commence on January 1, ~~2021~~2022, and shall continue for the period through December 31, ~~2021~~2023.

Section 2. All contract changes except salary adjustments are to be effective the beginning of the first pay period following the adoption of this Agreement by South Coast AQMD's Governing Board, unless otherwise stated.

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2018**

| <b><u>Title</u></b>             | <b><u>Unit</u></b> | <b><u>Schedule</u></b> | <b>Approximate<br/><u>Annual<br/>1<sup>st</sup> Step</u></b> | <b>Approximate<br/><u>Annual<br/>5<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual<br/>6<sup>th</sup> Step</u></b> |
|---------------------------------|--------------------|------------------------|--|--|--|
| AQ Inspector                    | T/E                | 37E                    | \$48,900   | \$60,606   | \$62,424   |
| AQ Inspector I                  | T/E                | 39C                    | \$51,419   | \$63,689   | \$65,600   |
| AQ Inspector II                 | T/E                | 47H                    | \$64,815   | \$80,285   | \$82,694   |
| AQ Inspector III                | T/E                | 50L                    | \$70,919   | \$87,814   | \$90,447   |
| AQ Instrument Specialist I      | T/E                | 44G                    | \$59,540   | \$73,764   | \$75,978   |
| AQ Instrument Specialist II     | T/E                | 47H                    | \$64,815   | \$80,285   | \$82,694   |
| Asst. AQ Instrument Specialist  | T/E                | 37E                    | \$48,900   | \$60,606   | \$62,424   |
| Asst. Computer Operator         | T/E                | 32C                    | \$42,409   | \$52,545   | \$54,121   |
| Asst. Info. Tech. Specialist    | T/E                | 35H                    | \$46,648   | \$57,791   | \$59,525   |
| Asst. Programmer                | T/E                | 40H                    | \$53,494   | \$66,267   | \$68,255   |
| Graphic Arts Illustrator I      | T/E                | 34J                    | \$45,462   | \$56,339   | \$58,029   |
| Graphic Arts Illustrator II     | T/E                | 38J                    | \$50,768   | \$62,918   | \$64,806   |
| Info. Tech. Supervisor          | T/E                | 14T                    | \$89,573   | \$108,907  | \$112,174  |
| Information Tech. Specialist I  | T/E                | 34J                    | \$49,641   | \$61,496   | \$63,341   |
| Information Tech. Specialist II | T/E                | 38J                    | \$60,725   | \$75,217   | \$77,474   |
| Investigator                    | T/E                | 53D                    | \$75,691   | \$93,740   | \$96,552   |
| Laboratory Technician           | T/E                | 39E                    | \$51,657   | \$64,014   | \$65,935   |
| Meteorologist Technician        | T/E                | 50D                    | \$69,675   | \$86,330   | \$88,921   |
| Paralegal                       | T/E                | 45B                    | \$60,429   | \$74,862   | \$77,108   |
| Prin. AQ Instrument Specialist  | T/E                | 54J                    | \$78,773   | \$97,593   | \$100,521  |
| Programmer                      | T/E                | 47B                    | \$63,866   | \$79,130   | \$81,503   |
| Programmer Analyst              | T/E                | 53B                    | \$75,276   | \$93,265   | \$96,064   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2018**

| <b>Title</b>                     | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> |
|----------------------------------|-------------|-----------------|--|--|--|
| Sr. AQ Instrument Specialist     | T/E         | 50L             | \$70,919                                   | \$87,814                                   | \$90,447                                   |
| Sr. Information Tech. Specialist | T/E         | 53B             | \$75,277                                   | \$93,266                                   | \$96,064                                   |
| Sr. Paralegal                    | T/E         | 48B             | \$65,644                                   | \$81,322                                   | \$83,762                                   |
| Supv. AQ Inspector               | T/E         | 54J             | \$78,773                                   | \$97,593                                   | \$100,521                                  |
| Supv. Investigator               | T/E         | 55G             | \$80,551                                   | \$99,786                                   | \$102,780                                  |
| Transportation Plan Reviewer     | T/E         | 42F             | \$56,250                                   | \$69,675                                   | \$71,765                                   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2019**

| <b><u>Title</u></b>             | <b><u>Unit</u></b> | <b><u>Schedule</u></b> | <b>Approximate<br/><u>Annual<br/>1<sup>st</sup> Step</u></b> | <b>Approximate<br/><u>Annual<br/>5<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual<br/>6<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual<br/>7<sup>th</sup> Step</u></b> |
|---------------------------------|--------------------|------------------------|--|--|--|--|
| AQ Inspector                    | T/E                | 37E                    | \$48,900   | \$60,606   | \$62,424   | \$64,297   |
| AQ Inspector I                  | T/E                | 39C                    | \$51,419   | \$63,689   | \$65,600   | \$67,568   |
| AQ Inspector II                 | T/E                | 47H                    | \$64,815   | \$80,285   | \$82,694   | \$85,174   |
| AQ Inspector III                | T/E                | 50L                    | \$70,919   | \$87,814   | \$90,447   | \$93,161   |
| AQ Instrument Specialist I      | T/E                | 44G                    | \$59,540   | \$73,764   | \$75,978   | \$78,257   |
| AQ Instrument Specialist II     | T/E                | 47H                    | \$64,815   | \$80,285   | \$82,694   | \$85,174   |
| Asst. AQ Instrument Specialist  | T/E                | 37E                    | \$48,900   | \$60,606   | \$62,424   | \$64,297   |
| Asst. Computer Operator         | T/E                | 32C                    | \$42,409   | \$52,545   | \$54,121   | \$55,745   |
| Asst. Info. Tech. Specialist    | T/E                | 35H                    | \$46,648   | \$57,791   | \$59,525   | \$61,310   |
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| Paralegal                       | T/E                | 45B                    | \$60,429   | \$74,862   | \$77,108   | \$79,421   |
| Prin. AQ Instrument Specialist  | T/E                | 54J                    | \$78,773   | \$97,593   | \$100,521  | \$103,536  |
| Programmer                      | T/E                | 47B                    | \$63,866   | \$79,130   | \$81,503   | \$83,948   |
| Programmer Analyst              | T/E                | 53B                    | \$75,276   | \$93,265   | \$96,064   | \$98,946   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2019**

| <b>Title</b>                     | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> | <b>Approximate<br/>Annual<br/>7th Step</b> |
|----------------------------------|-------------|-----------------|--|--|--|--|
| Sr. AQ Instrument Specialist     | T/E         | 50L             | \$70,919                                   | \$87,814                                   | \$90,447                                   | \$93,161                                   |
| Sr. Information Tech. Specialist | T/E         | 53B             | \$75,277                                   | \$93,266                                   | \$96,064                                   | \$98,946                                   |
| Sr. Paralegal                    | T/E         | 48B             | \$65,644                                   | \$81,322                                   | \$83,762                                   | \$86,275                                   |
| Supv. AQ Inspector               | T/E         | 54J             | \$78,773                                   | \$97,593                                   | \$100,521                                  | \$103,536                                  |
| Supv. Investigator               | T/E         | 55G             | \$80,551                                   | \$99,786                                   | \$102,780                                  | \$105,863                                  |
| Transportation Plan Reviewer     | T/E         | 42F             | \$56,250                                   | \$69,675                                   | \$71,765                                   | \$73,918                                   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2020**

| <b><u>Title</u></b>             | <b><u>Unit</u></b> | <b><u>Schedule</u></b> | <b>Approximate<br/><u>Annual</u><br/><u>1<sup>st</sup> Step</u></b> | <b>Approximate<br/><u>Annual</u><br/><u>5<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual</u><br/><u>6<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual</u><br/><u>7<sup>th</sup> Step</u></b> | <b>Approximate<br/><u>Annual</u><br/><u>8<sup>th</sup> Step</u></b> |
|---------------------------------|--------------------|------------------------|---|---|---|---|---|
| AQ Inspector                    | T/E                | 37E                    | \$48,900  | \$60,606  | \$62,424  | \$64,297  | \$66,226  |
| AQ Inspector-I                  | T/E                | 39C                    | \$51,419  | \$63,689  | \$65,600  | \$67,568  | \$69,595  |
| AQ Inspector-II                 | T/E                | 47H                    | \$64,815  | \$80,285  | \$82,694  | \$85,174  | \$87,730  |
| AQ Inspector-III                | T/E                | 50L                    | \$70,919  | \$87,814  | \$90,447  | \$93,161  | \$95,956  |
| AQ Instrument Specialist I      | T/E                | 44G                    | \$59,540  | \$73,764  | \$75,978  | \$78,257  | \$80,605  |
| AQ Instrument Specialist II     | T/E                | 47H                    | \$64,815  | \$80,285  | \$82,694  | \$85,174  | \$87,730  |
| Asst. AQ Instrument Specialist  | T/E                | 37E                    | \$48,900  | \$60,606  | \$62,424  | \$64,297  | \$66,226  |
| Asst. Computer Operator         | T/E                | 32C                    | \$42,409  | \$52,545  | \$54,121  | \$55,745  | \$57,417  |
| Asst. Info. Tech. Specialist    | T/E                | 35H                    | \$46,648  | \$57,791  | \$59,525  | \$61,310  | \$63,150  |
| Asst. Programmer                | T/E                | 40H                    | \$53,494  | \$66,267  | \$68,255  | \$70,303  | \$72,412  |
| Graphic Arts Illustrator I      | T/E                | 34J                    | \$45,462  | \$56,339  | \$58,029  | \$59,770  | \$61,563  |
| Graphic Arts Illustrator II     | T/E                | 38J                    | \$50,768  | \$62,918  | \$64,806  | \$66,750  | \$68,752  |
| Info. Tech. Supervisor          | T/E                | 14T                    | \$89,573  | \$108,907   | \$112,174   | \$115,539   | \$119,006   |
| Information Tech. Specialist I  | T/E                | 34J                    | \$49,641  | \$61,496  | \$63,341  | \$65,241  | \$67,198  |
| Information Tech. Specialist II | T/E                | 38J                    | \$60,725  | \$75,217  | \$77,474  | \$79,798  | \$82,192  |
| Investigator                    | T/E                | 53D                    | \$75,691  | \$93,740  | \$96,552  | \$99,449  | \$102,432   |
| Laboratory Technician           | T/E                | 39E                    | \$51,657  | \$64,014  | \$65,935  | \$67,914  | \$69,951  |
| Meteorologist Technician        | T/E                | 50D                    | \$69,675  | \$86,330  | \$88,921  | \$91,589  | \$94,336  |
| Paralegal                       | T/E                | 45B                    | \$60,429  | \$74,862  | \$77,108  | \$79,421  | \$81,804  |
| Prin. AQ Instrument Specialist  | T/E                | 54J                    | \$78,773  | \$97,593  | \$100,521   | \$103,536   | \$106,643   |
| Programmer                      | T/E                | 47B                    | \$63,866  | \$79,130  | \$81,503  | \$83,948  | \$86,466  |
| Programmer Analyst              | T/E                | 53B                    | \$75,276  | \$93,265  | \$96,064  | \$98,946  | \$101,914   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2020**

| <b>Title</b>                     | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> | <b>Approximate<br/>Annual<br/>7th Step</b> | <b>Approximate<br/>Annual<br/>8th Step</b> |
|----------------------------------|-------------|-----------------|--|--|--|--|--|
| Sr. AQ Instrument Specialist     | T/E         | 50L             | \$70,919                                   | \$87,814                                   | \$90,447                                   | \$93,161                                   | \$95,956                                   |
| Sr. Information Tech. Specialist | T/E         | 53B             | \$75,277                                   | \$93,266                                   | \$96,064                                   | \$98,946                                   | \$101,914                                  |
| Sr. Paralegal                    | T/E         | 48B             | \$65,644                                   | \$81,322                                   | \$83,762                                   | \$86,275                                   | \$88,863                                   |
| Supv. AQ Inspector               | T/E         | 54J             | \$78,773                                   | \$97,593                                   | \$100,521                                  | \$103,536                                  | \$106,643                                  |
| Supv. Investigator               | T/E         | 55G             | \$80,551                                   | \$99,786                                   | \$102,780                                  | \$105,863                                  | \$109,039                                  |
| Transportation Plan Reviewer     | T/E         | 42F             | \$56,250                                   | \$69,675                                   | \$71,765                                   | \$73,918                                   | \$76,136                                   |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2018**

| <b><u>Title</u></b>                | <b><u>Unit</u></b> | <b><u>Schedule</u></b> | <b><u>Approximate<br/>Annual<br/>1<sup>st</sup> Step</u></b> | <b><u>Approximate<br/>Annual<br/>5<sup>th</sup> Step</u></b> | <b><u>Approximate<br/>Annual<br/>6<sup>th</sup> Step</u></b> |
|------------------------------------|--------------------|------------------------|--|--|--|
| Accounting Technician              | OCM                | 37E                    | \$46,723   | \$57,907   | \$59,645   |
| Building Supervisor                | OCM                | 45K                    | \$58,899   | \$72,972   | \$75,161   |
| Contracts Assistant                | OCM                | 33G                    | \$42,078   | \$52,132   | \$53,695   |
| Data Technician                    | OCM                | 35F                    | \$44,344   | \$54,934   | \$56,582   |
| Deputy Clerk                       | OCM                | 34C                    | \$42,787   | \$53,008   | \$54,599   |
| Deputy Clerk/Transcriber           | OCM                | 37H                    | \$47,062   | \$58,303   | \$60,053   |
| District Storekeeper               | OCM                | 36B                    | \$45,081   | \$55,868   | \$57,545   |
| Facilities Services Specialist     | OCM                | 37L                    | \$47,430   | \$58,757   | \$60,520   |
| Facilities Services Technician     | OCM                | 41C                    | \$51,848   | \$64,251   | \$66,179   |
| Fiscal Assistant                   | OCM                | 29J                    | \$37,859   | \$46,893   | \$48,299   |
| Fleet Services Supervisor          | OCM                | 38J                    | \$48,506   | \$60,117   | \$61,919   |
| Fleet Services Worker I            | OCM                | 28D                    | \$36,387   | \$45,080   | \$46,432   |
| Fleet Services Worker II           | OCM                | 33B                    | \$41,569   | \$51,480   | \$53,024   |
| General Maintenance Helper         | OCM                | 28J                    | \$36,812   | \$45,619   | \$46,987   |
| General Maintenance Worker         | OCM                | 43A                    | \$54,538   | \$67,564   | \$69,591   |
| Mail / Subscription Services Clerk | OCM                | 28D                    | \$36,387   | \$45,080   | \$46,432   |
| Mail / Subscription Services Supv. | OCM                | 36A                    | \$44,995   | \$55,728   | \$57,399   |
| Office Assistant                   | OCM                | 28D                    | \$36,387   | \$45,080   | \$46,432   |
| Offset Press Operator              | OCM                | 34J                    | \$43,438   | \$53,830   | \$55,445   |
| Payroll Technician                 | OCM                | 34F                    | \$43,126   | \$53,406   | \$55,007   |
| Prim. Office Assistant             | OCM                | 39G                    | \$49,611   | \$61,447   | \$63,290   |
| Print Shop Duplicator              | OCM                | 29J                    | \$37,859   | \$46,893   | \$48,299   |
| Print Shop Supervisor              | OCM                | 40L                    | \$51,480   | \$63,770   | \$65,682   |
| Purchasing Assistant               | OCM                | 38K                    | \$48,620   | \$60,229   | \$62,037   |
| Purchasing Supervisor              | OCM                | 48B                    | \$62,722   | \$77,700   | \$80,032   |
| Radio Telephone Operator           | OCM                | 28H                    | \$36,726   | \$45,477   | \$46,841   |
| Secretary                          | OCM                | 33G                    | \$42,078   | \$52,132   | \$53,695   |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2018**

| <b>Title</b>                   | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> |
|--------------------------------|-------------|-----------------|--|--|--|
| Sr. Deputy Clerk               | OCM         | 41A             | \$51,621                                   | \$63,940                                   | \$65,857                                   |
| Sr. Fiscal Assistant           | OCM         | 33G             | \$42,078                                   | \$52,132                                   | \$53,695                                   |
| Sr. Office Assistant           | OCM         | 32C             | \$40,521                                   | \$50,205                                   | \$51,712                                   |
| Staff Assistant                | OCM         | 34K             | \$43,579                                   | \$54,000                                   | \$55,620                                   |
| Stock Clerk                    | OCM         | 28D             | \$36,387                                   | \$45,080                                   | \$46,432                                   |
| Supv. Office Assistant         | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   |
| Supv. Radio Telephone Operator | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   |
| Technical Writer               | OCM         | 43J             | \$55,614                                   | \$68,894                                   | \$70,959                                   |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2019**

| <u>Title</u>                       | <u>Unit</u> | <u>Schedule</u> | <u>Approximate Annual 1<sup>st</sup> Step</u> | <u>Approximate Annual 5<sup>th</sup> Step</u> | <u>Approximate Annual 6<sup>th</sup> Step</u> | <u>Approximate Annual 7<sup>th</sup> Step</u> |
|------------------------------------|-------------|-----------------|---|---|---|---|
| Accounting Technician              | OCM         | 37E             | \$46,723                                      | \$57,907                                      | \$59,645                                      | \$61,435                                      |
| Building Supervisor                | OCM         | 45K             | \$58,899                                      | \$72,972                                      | \$75,161                                      | \$77,416                                      |
| Contracts Assistant                | OCM         | 33G             | \$42,078                                      | \$52,132                                      | \$53,695                                      | \$55,306                                      |
| Data Technician                    | OCM         | 35F             | \$44,344                                      | \$54,934                                      | \$56,582                                      | \$58,279                                      |
| Deputy Clerk                       | OCM         | 34C             | \$42,787                                      | \$53,008                                      | \$54,599                                      | \$56,237                                      |
| Deputy Clerk/Transcriber           | OCM         | 37H             | \$47,062                                      | \$58,303                                      | \$60,053                                      | \$61,855                                      |
| District Storekeeper               | OCM         | 36B             | \$45,081                                      | \$55,868                                      | \$57,545                                      | \$59,271                                      |
| Facilities Services Specialist     | OCM         | 37L             | \$47,430                                      | \$58,757                                      | \$60,520                                      | \$62,335                                      |
| Facilities Services Technician     | OCM         | 41C             | \$51,848                                      | \$64,251                                      | \$66,179                                      | \$68,164                                      |
| Fiscal Assistant                   | OCM         | 29J             | \$37,859                                      | \$46,893                                      | \$48,299                                      | \$49,748                                      |
| Fleet Services Supervisor          | OCM         | 38J             | \$48,506                                      | \$60,117                                      | \$61,919                                      | \$63,777                                      |
| Fleet Services Worker I            | OCM         | 28D             | \$36,387                                      | \$45,080                                      | \$46,432                                      | \$47,825                                      |
| Fleet Services Worker II           | OCM         | 33B             | \$41,569                                      | \$51,480                                      | \$53,024                                      | \$54,615                                      |
| General Maintenance Helper         | OCM         | 28J             | \$36,812                                      | \$45,619                                      | \$46,987                                      | \$48,396                                      |
| General Maintenance Worker         | OCM         | 43A             | \$54,538                                      | \$67,564                                      | \$69,591                                      | \$71,679                                      |
| Mail / Subscription Services Clerk | OCM         | 28D             | \$36,387                                      | \$45,080                                      | \$46,432                                      | \$47,825                                      |
| Mail / Subscription Services Supv. | OCM         | 36A             | \$44,995                                      | \$55,728                                      | \$57,399                                      | \$59,121                                      |
| Office Assistant                   | OCM         | 28D             | \$36,387                                      | \$45,080                                      | \$46,432                                      | \$47,825                                      |
| Offset Press Operator              | OCM         | 34J             | \$43,438                                      | \$53,830                                      | \$55,445                                      | \$57,108                                      |
| Payroll Technician                 | OCM         | 34F             | \$43,126                                      | \$53,406                                      | \$55,007                                      | \$56,657                                      |
| Prin. Office Assistant             | OCM         | 39G             | \$49,611                                      | \$61,447                                      | \$63,290                                      | \$65,189                                      |
| Print Shop Duplicator              | OCM         | 29J             | \$37,859                                      | \$46,893                                      | \$48,299                                      | \$49,748                                      |
| Print Shop Supervisor              | OCM         | 40L             | \$51,480                                      | \$63,770                                      | \$65,682                                      | \$67,653                                      |
| Purchasing Assistant               | OCM         | 38K             | \$48,620                                      | \$60,229                                      | \$62,037                                      | \$63,898                                      |
| Purchasing Supervisor              | OCM         | 48B             | \$62,722                                      | \$77,700                                      | \$80,032                                      | \$82,433                                      |
| Radio Telephone Operator           | OCM         | 28H             | \$36,726                                      | \$45,477                                      | \$46,841                                      | \$48,247                                      |
| Secretary                          | OCM         | 33G             | \$42,078                                      | \$52,132                                      | \$53,695                                      | \$55,306                                      |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2019**

| <b>Title</b>                   | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> | <b>Approximate<br/>Annual<br/>7th Step</b> |
|--------------------------------|-------------|-----------------|--|--|--|--|
| Sr. Deputy Clerk               | OCM         | 41A             | \$51,621                                   | \$63,940                                   | \$65,857                                   | \$67,833                                   |
| Sr. Fiscal Assistant           | OCM         | 33G             | \$42,078                                   | \$52,132                                   | \$53,695                                   | \$55,306                                   |
| Sr. Office Assistant           | OCM         | 32C             | \$40,521                                   | \$50,205                                   | \$51,712                                   | \$53,264                                   |
| Staff Assistant                | OCM         | 34K             | \$43,579                                   | \$54,000                                   | \$55,620                                   | \$57,289                                   |
| Stock Clerk                    | OCM         | 28D             | \$36,387                                   | \$45,080                                   | \$46,432                                   | \$47,825                                   |
| Supv. Office Assistant         | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   | \$59,121                                   |
| Supv. Radio Telephone Operator | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   | \$59,121                                   |
| Technical Writer               | OCM         | 43J             | \$55,614                                   | \$68,894                                   | \$70,959                                   | \$73,088                                   |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2020**

| <u>Title</u>                       | <u>Unit</u> | <u>Schedule</u> | <u>Approximate<br/>Annual<br/>1<sup>st</sup> Step</u> | <u>Approximate<br/>Annual<br/>5<sup>th</sup> Step</u> | <u>Approximate<br/>Annual<br/>6<sup>th</sup> Step</u> | <u>Approximate<br/>Annual<br/>7<sup>th</sup> Step</u> | <u>Approximate<br/>Annual<br/>8<sup>th</sup> Step</u> |
|------------------------------------|-------------|-----------------|---|---|---|---|---|
| Accounting Technician              | OCM         | 37E             | \$46,723  | \$57,907  | \$59,645  | \$61,435  | \$63,278  |
| Building Supervisor                | OCM         | 45K             | \$58,899  | \$72,972  | \$75,161  | \$77,416  | \$79,738  |
| Contracts Assistant                | OCM         | 33G             | \$42,078  | \$52,132  | \$53,695  | \$55,306  | \$56,965  |
| Data Technician                    | OCM         | 35F             | \$44,344  | \$54,934  | \$56,582  | \$58,279  | \$60,028  |
| Deputy Clerk                       | OCM         | 34C             | \$42,787  | \$53,008  | \$54,599  | \$56,237  | \$57,924  |
| Deputy Clerk/Transcriber           | OCM         | 37H             | \$47,062  | \$58,303  | \$60,053  | \$61,855  | \$63,710  |
| District Storekeeper               | OCM         | 36B             | \$45,081  | \$55,868  | \$57,545  | \$59,271  | \$61,050  |
| Facilities Services Specialist     | OCM         | 37L             | \$47,430  | \$58,757  | \$60,520  | \$62,335  | \$64,205  |
| Facilities Services Technician     | OCM         | 41C             | \$51,848  | \$64,251  | \$66,179  | \$68,164  | \$70,209  |
| Fiscal Assistant                   | OCM         | 29J             | \$37,859  | \$46,893  | \$48,299  | \$49,748  | \$51,240  |
| Fleet Services Supervisor          | OCM         | 38J             | \$48,506  | \$60,117  | \$61,919  | \$63,777  | \$65,690  |
| Fleet Services Worker I            | OCM         | 28D             | \$36,387  | \$45,080  | \$46,432  | \$47,825  | \$49,260  |
| Fleet Services Worker II           | OCM         | 33B             | \$41,569  | \$51,480  | \$53,024  | \$54,615  | \$56,254  |
| General Maintenance Helper         | OCM         | 28J             | \$36,812  | \$45,619  | \$46,987  | \$48,396  | \$49,848  |
| General Maintenance Worker         | OCM         | 43A             | \$54,538  | \$67,564  | \$69,591  | \$71,679  | \$73,829  |
| Mail / Subscription Services Clerk | OCM         | 28D             | \$36,387  | \$45,080  | \$46,432  | \$47,825  | \$49,260  |
| Mail / Subscription Services Supv. | OCM         | 36A             | \$44,995  | \$55,728  | \$57,399  | \$59,121  | \$60,894  |
| Office Assistant                   | OCM         | 28D             | \$36,387  | \$45,080  | \$46,432  | \$47,825  | \$49,260  |
| Offset Press Operator              | OCM         | 34J             | \$43,438  | \$53,830  | \$55,445  | \$57,108  | \$58,821  |
| Payroll Technician                 | OCM         | 34F             | \$43,126  | \$53,406  | \$55,007  | \$56,657  | \$58,357  |
| Prin. Office Assistant             | OCM         | 39G             | \$49,611  | \$61,447  | \$63,290  | \$65,189  | \$67,145  |
| Print Shop Duplicator              | OCM         | 29J             | \$37,859  | \$46,893  | \$48,299  | \$49,748  | \$51,240  |
| Print Shop Supervisor              | OCM         | 40L             | \$51,480  | \$63,770  | \$65,682  | \$67,653  | \$69,682  |
| Purchasing Assistant               | OCM         | 38K             | \$48,620  | \$60,229  | \$62,037  | \$63,898  | \$65,815  |
| Purchasing Supervisor              | OCM         | 48B             | \$62,722  | \$77,700  | \$80,032  | \$82,433  | \$84,906  |
| Secretary                          | OCM         | 33G             | \$42,078  | \$52,132  | \$53,695  | \$55,306  | \$56,965  |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2020**

| <b>Title</b>                   | <b>Unit</b> | <b>Schedule</b> | <b>Approximate<br/>Annual<br/>1st Step</b> | <b>Approximate<br/>Annual<br/>5th Step</b> | <b>Approximate<br/>Annual<br/>6th Step</b> | <b>Approximate<br/>Annual<br/>7th Step</b> | <b>Approximate<br/>Annual<br/>8th Step</b> |
|--------------------------------|-------------|-----------------|--|--|--|--|--|
| Sr. Deputy Clerk               | OCM         | 41A             | \$51,621                                   | \$63,940                                   | \$65,857                                   | \$67,833                                   | \$69,868                                   |
| Sr. Fiscal Assistant           | OCM         | 33G             | \$42,078                                   | \$52,132                                   | \$53,695                                   | \$55,306                                   | \$56,965                                   |
| Sr. Office Assistant           | OCM         | 32C             | \$40,521                                   | \$50,205                                   | \$51,712                                   | \$53,264                                   | \$54,861                                   |
| Staff Assistant                | OCM         | 34K             | \$43,579                                   | \$54,000                                   | \$55,620                                   | \$57,289                                   | \$59,007                                   |
| Stock Clerk                    | OCM         | 28D             | \$36,387                                   | \$45,080                                   | \$46,432                                   | \$47,825                                   | \$49,260                                   |
| Supv. Office Assistant         | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   | \$59,121                                   | \$60,894                                   |
| Supv. Radio Telephone Operator | OCM         | 36A             | \$44,995                                   | \$55,728                                   | \$57,399                                   | \$59,121                                   | \$60,894                                   |
| Technical Writer               | OCM         | 43J             | \$55,614                                   | \$68,894                                   | \$70,959                                   | \$73,088                                   | \$75,280                                   |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2022**

| <u>Title</u>                           | <u>Approximate Annual 1<sup>st</sup> Step</u> | <u>Approximate Annual 2<sup>nd</sup> Step</u> | <u>Approximate Annual 3<sup>rd</sup> Step</u> | <u>Approximate Annual 4<sup>th</sup> Step</u> | <u>Approximate Annual 5<sup>th</sup> Step</u> | <u>Approximate Annual 6<sup>th</sup> Step</u> | <u>Approximate Annual 7<sup>th</sup> Step</u> | <u>Approximate Annual 8<sup>th</sup> Step</u> |
|--|---|---|---|---|---|---|---|---|
| <u>AQ Inspector</u>                    | <u>\$50,367</u>                               | <u>\$53,145</u>                               | <u>\$56,075</u>                               | <u>\$59,158</u>                               | <u>\$62,425</u>                               | <u>\$64,297</u>                               | <u>\$66,226</u>                               | <u>\$68,213</u>                               |
| <u>AQ Inspector I</u>                  | <u>\$52,962</u>                               | <u>\$55,892</u>                               | <u>\$58,945</u>                               | <u>\$62,180</u>                               | <u>\$65,599</u>                               | <u>\$67,568</u>                               | <u>\$69,595</u>                               | <u>\$71,683</u>                               |
| <u>AQ Inspector II</u>                 | <u>\$66,759</u>                               | <u>\$70,422</u>                               | <u>\$74,299</u>                               | <u>\$78,389</u>                               | <u>\$82,694</u>                               | <u>\$85,174</u>                               | <u>\$87,730</u>                               | <u>\$90,361</u>                               |
| <u>AQ Inspector III</u>                | <u>\$73,048</u>                               | <u>\$77,046</u>                               | <u>\$81,289</u>                               | <u>\$85,746</u>                               | <u>\$90,447</u>                               | <u>\$93,161</u>                               | <u>\$95,956</u>                               | <u>\$98,834</u>                               |
| <u>AQ Instrument Specialist I</u>      | <u>\$61,326</u>                               | <u>\$64,714</u>                               | <u>\$68,255</u>                               | <u>\$72,010</u>                               | <u>\$75,978</u>                               | <u>\$78,257</u>                               | <u>\$80,605</u>                               | <u>\$83,023</u>                               |
| <u>AQ Instrument Specialist II</u>     | <u>\$66,759</u>                               | <u>\$70,422</u>                               | <u>\$74,299</u>                               | <u>\$78,389</u>                               | <u>\$82,694</u>                               | <u>\$85,174</u>                               | <u>\$87,730</u>                               | <u>\$90,361</u>                               |
| <u>Asst. AQ Instrument Specialist</u>  | <u>\$50,367</u>                               | <u>\$53,145</u>                               | <u>\$56,075</u>                               | <u>\$59,158</u>                               | <u>\$62,425</u>                               | <u>\$64,297</u>                               | <u>\$66,226</u>                               | <u>\$68,213</u>                               |
| <u>Asst. Computer Operator</u>         | <u>\$43,682</u>                               | <u>\$46,094</u>                               | <u>\$48,627</u>                               | <u>\$51,313</u>                               | <u>\$54,122</u>                               | <u>\$55,745</u>                               | <u>\$57,417</u>                               | <u>\$59,140</u>                               |
| <u>Asst. Info. Tech. Specialist</u>    | <u>\$48,047</u>                               | <u>\$50,703</u>                               | <u>\$53,481</u>                               | <u>\$56,411</u>                               | <u>\$59,525</u>                               | <u>\$61,311</u>                               | <u>\$63,150</u>                               | <u>\$65,044</u>                               |
| <u>Asst. Programmer</u>                | <u>\$55,098</u>                               | <u>\$58,120</u>                               | <u>\$61,326</u>                               | <u>\$64,684</u>                               | <u>\$68,255</u>                               | <u>\$70,303</u>                               | <u>\$72,412</u>                               | <u>\$74,584</u>                               |
| <u>Graphic Arts Illustrator I</u>      | <u>\$46,826</u>                               | <u>\$49,421</u>                               | <u>\$52,138</u>                               | <u>\$55,007</u>                               | <u>\$58,029</u>                               | <u>\$59,770</u>                               | <u>\$61,563</u>                               | <u>\$63,410</u>                               |
| <u>Graphic Arts Illustrator II</u>     | <u>\$52,290</u>                               | <u>\$55,190</u>                               | <u>\$58,212</u>                               | <u>\$61,417</u>                               | <u>\$64,806</u>                               | <u>\$66,750</u>                               | <u>\$68,752</u>                               | <u>\$70,815</u>                               |
| <u>Info. Tech. Supervisor</u>          | <u>\$92,261</u>                               | <u>\$96,885</u>                               | <u>\$101,724</u>                              | <u>\$106,810</u>                              | <u>\$112,174</u>                              | <u>\$115,539</u>                              | <u>\$119,006</u>                              | <u>\$122,576</u>                              |
| <u>Information Tech. Specialist I</u>  | <u>\$51,130</u>                               | <u>\$53,939</u>                               | <u>\$56,930</u>                               | <u>\$60,044</u>                               | <u>\$63,340</u>                               | <u>\$65,241</u>                               | <u>\$67,198</u>                               | <u>\$69,214</u>                               |
| <u>Information Tech. Specialist II</u> | <u>\$62,547</u>                               | <u>\$65,996</u>                               | <u>\$69,598</u>                               | <u>\$73,444</u>                               | <u>\$77,474</u>                               | <u>\$79,798</u>                               | <u>\$82,192</u>                               | <u>\$84,657</u>                               |
| <u>Investigator</u>                    | <u>\$77,962</u>                               | <u>\$82,236</u>                               | <u>\$86,753</u>                               | <u>\$91,546</u>                               | <u>\$96,552</u>                               | <u>\$99,449</u>                               | <u>\$102,432</u>                              | <u>\$105,505</u>                              |
| <u>Laboratory Technician</u>           | <u>\$53,206</u>                               | <u>\$56,136</u>                               | <u>\$59,219</u>                               | <u>\$62,486</u>                               | <u>\$65,935</u>                               | <u>\$67,914</u>                               | <u>\$69,951</u>                               | <u>\$72,049</u>                               |
| <u>Meteorologist Technician</u>        | <u>\$71,765</u>                               | <u>\$75,703</u>                               | <u>\$79,885</u>                               | <u>\$84,281</u>                               | <u>\$88,921</u>                               | <u>\$91,589</u>                               | <u>\$94,336</u>                               | <u>\$97,166</u>                               |
| <u>Paralegal</u>                       | <u>\$62,241</u>                               | <u>\$65,660</u>                               | <u>\$69,262</u>                               | <u>\$73,078</u>                               | <u>\$77,107</u>                               | <u>\$79,421</u>                               | <u>\$81,804</u>                               | <u>\$84,258</u>                               |
| <u>Prin. AQ Instrument Specialist</u>  | <u>\$81,137</u>                               | <u>\$85,594</u>                               | <u>\$90,325</u>                               | <u>\$95,270</u>                               | <u>\$100,520</u>                              | <u>\$103,536</u>                              | <u>\$106,642</u>                              | <u>\$109,842</u>                              |
| <u>Programmer</u>                      | <u>\$65,782</u>                               | <u>\$69,415</u>                               | <u>\$73,231</u>                               | <u>\$77,260</u>                               | <u>\$81,503</u>                               | <u>\$83,948</u>                               | <u>\$86,466</u>                               | <u>\$89,060</u>                               |
| <u>Programmer Analyst</u>              | <u>\$77,535</u>                               | <u>\$81,808</u>                               | <u>\$86,296</u>                               | <u>\$91,057</u>                               | <u>\$96,064</u>                               | <u>\$98,946</u>                               | <u>\$101,914</u>                              | <u>\$104,972</u>                              |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2022**

| <b><u>Title</u></b>                     | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|---|--|--|--|--|--|--|--|--|
| <u>Sr. AQ Instrument Specialist</u>     | <u>\$73,048</u>                                      | <u>\$77,046</u>                                      | <u>\$81,289</u>                                      | <u>\$85,746</u>                                      | <u>\$90,447</u>                                      | <u>\$93,161</u>                                      | <u>\$95,956</u>                                      | <u>\$98,834</u>                                      |
| <u>Sr. Information Tech. Specialist</u> | <u>\$77,535</u>                                      | <u>\$81,808</u>                                      | <u>\$86,296</u>                                      | <u>\$91,057</u>                                      | <u>\$96,064</u>                                      | <u>\$98,946</u>                                      | <u>\$101,914</u>                                     | <u>\$104,972</u>                                     |
| <u>Sr. Paralegal</u>                    | <u>\$67,614</u>                                      | <u>\$71,338</u>                                      | <u>\$75,245</u>                                      | <u>\$79,397</u>                                      | <u>\$83,762</u>                                      | <u>\$86,275</u>                                      | <u>\$88,863</u>                                      | <u>\$91,529</u>                                      |
| <u>Sr. Public Affairs Specialist</u>    | <u>\$74,813</u>                                      | <u>\$78,913</u>                                      | <u>\$83,260</u>                                      | <u>\$87,822</u>                                      | <u>\$92,630</u>                                      | <u>\$95,178</u>                                      | <u>\$97,796</u>                                      | <u>\$100,485</u>                                     |
| <u>Supv. AQ Inspector</u>               | <u>\$81,137</u>                                      | <u>\$85,594</u>                                      | <u>\$90,325</u>                                      | <u>\$95,270</u>                                      | <u>\$100,520</u>                                     | <u>\$103,536</u>                                     | <u>\$106,642</u>                                     | <u>\$109,842</u>                                     |
| <u>Supv. Investigator</u>               | <u>\$82,968</u>                                      | <u>\$87,547</u>                                      | <u>\$92,340</u>                                      | <u>\$97,437</u>                                      | <u>\$102,779</u>                                     | <u>\$105,863</u>                                     | <u>\$109,039</u>                                     | <u>\$112,310</u>                                     |
| <u>Transportation Plan Reviewer</u>     | <u>\$57,937</u>                                      | <u>\$61,112</u>                                      | <u>\$64,470</u>                                      | <u>\$68,011</u>                                      | <u>\$71,765</u>                                      | <u>\$73,918</u>                                      | <u>\$76,136</u>                                      | <u>\$78,420</u>                                      |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2023**

| <u>Title</u>                           | <u>Approximate Annual 1<sup>st</sup> Step</u> | <u>Approximate Annual 2<sup>nd</sup> Step</u> | <u>Approximate Annual 3<sup>rd</sup> Step</u> | <u>Approximate Annual 4<sup>th</sup> Step</u> | <u>Approximate Annual 5<sup>th</sup> Step</u> | <u>Approximate Annual 6<sup>th</sup> Step</u> | <u>Approximate Annual 7<sup>th</sup> Step</u> | <u>Approximate Annual 8<sup>th</sup> Step</u> |
|--|---|---|---|---|---|---|---|---|
| <u>AQ Inspector</u>                    | <u>\$51,878</u>                               | <u>\$54,739</u>                               | <u>\$57,758</u>                               | <u>\$60,933</u>                               | <u>\$64,297</u>                               | <u>\$66,226</u>                               | <u>\$68,213</u>                               | <u>\$70,259</u>                               |
| <u>AQ Inspector I</u>                  | <u>\$54,551</u>                               | <u>\$57,569</u>                               | <u>\$60,713</u>                               | <u>\$64,046</u>                               | <u>\$67,567</u>                               | <u>\$69,595</u>                               | <u>\$71,683</u>                               | <u>\$73,833</u>                               |
| <u>AQ Inspector II</u>                 | <u>\$68,762</u>                               | <u>\$72,535</u>                               | <u>\$76,528</u>                               | <u>\$80,741</u>                               | <u>\$85,174</u>                               | <u>\$87,729</u>                               | <u>\$90,361</u>                               | <u>\$93,072</u>                               |
| <u>AQ Inspector III</u>                | <u>\$75,239</u>                               | <u>\$79,358</u>                               | <u>\$83,728</u>                               | <u>\$88,318</u>                               | <u>\$93,160</u>                               | <u>\$95,956</u>                               | <u>\$98,834</u>                               | <u>\$101,799</u>                              |
| <u>AQ Instrument Specialist I</u>      | <u>\$63,165</u>                               | <u>\$66,655</u>                               | <u>\$70,303</u>                               | <u>\$74,170</u>                               | <u>\$78,257</u>                               | <u>\$80,605</u>                               | <u>\$83,023</u>                               | <u>\$85,514</u>                               |
| <u>AQ Instrument Specialist II</u>     | <u>\$68,762</u>                               | <u>\$72,535</u>                               | <u>\$76,528</u>                               | <u>\$80,741</u>                               | <u>\$85,174</u>                               | <u>\$87,729</u>                               | <u>\$90,361</u>                               | <u>\$93,072</u>                               |
| <u>Asst. AQ Instrument Specialist</u>  | <u>\$51,878</u>                               | <u>\$54,739</u>                               | <u>\$57,758</u>                               | <u>\$60,933</u>                               | <u>\$64,297</u>                               | <u>\$66,226</u>                               | <u>\$68,213</u>                               | <u>\$70,259</u>                               |
| <u>Asst. Computer Operator</u>         | <u>\$44,992</u>                               | <u>\$47,476</u>                               | <u>\$50,086</u>                               | <u>\$52,853</u>                               | <u>\$55,745</u>                               | <u>\$57,417</u>                               | <u>\$59,140</u>                               | <u>\$60,914</u>                               |
| <u>Asst. Info. Tech. Specialist</u>    | <u>\$49,488</u>                               | <u>\$52,224</u>                               | <u>\$55,085</u>                               | <u>\$58,104</u>                               | <u>\$61,310</u>                               | <u>\$63,150</u>                               | <u>\$65,044</u>                               | <u>\$66,996</u>                               |
| <u>Asst. Programmer</u>                | <u>\$56,752</u>                               | <u>\$59,864</u>                               | <u>\$63,165</u>                               | <u>\$66,624</u>                               | <u>\$70,303</u>                               | <u>\$72,412</u>                               | <u>\$74,584</u>                               | <u>\$76,822</u>                               |
| <u>Graphic Arts Illustrator I</u>      | <u>\$48,231</u>                               | <u>\$50,903</u>                               | <u>\$53,702</u>                               | <u>\$56,657</u>                               | <u>\$59,770</u>                               | <u>\$61,563</u>                               | <u>\$63,410</u>                               | <u>\$65,312</u>                               |
| <u>Graphic Arts Illustrator II</u>     | <u>\$53,859</u>                               | <u>\$56,846</u>                               | <u>\$59,958</u>                               | <u>\$63,260</u>                               | <u>\$66,750</u>                               | <u>\$68,752</u>                               | <u>\$70,815</u>                               | <u>\$72,939</u>                               |
| <u>Info. Tech. Supervisor</u>          | <u>\$95,028</u>                               | <u>\$99,791</u>                               | <u>\$104,776</u>                              | <u>\$110,015</u>                              | <u>\$115,539</u>                              | <u>\$119,006</u>                              | <u>\$122,576</u>                              | <u>\$126,253</u>                              |
| <u>Information Tech. Specialist I</u>  | <u>\$52,664</u>                               | <u>\$55,557</u>                               | <u>\$58,638</u>                               | <u>\$61,845</u>                               | <u>\$65,241</u>                               | <u>\$67,198</u>                               | <u>\$69,214</u>                               | <u>\$71,291</u>                               |
| <u>Information Tech. Specialist II</u> | <u>\$64,423</u>                               | <u>\$67,976</u>                               | <u>\$71,686</u>                               | <u>\$75,648</u>                               | <u>\$79,798</u>                               | <u>\$82,192</u>                               | <u>\$84,657</u>                               | <u>\$87,197</u>                               |
| <u>Investigator</u>                    | <u>\$80,301</u>                               | <u>\$84,703</u>                               | <u>\$89,356</u>                               | <u>\$94,292</u>                               | <u>\$99,449</u>                               | <u>\$102,432</u>                              | <u>\$105,505</u>                              | <u>\$108,670</u>                              |
| <u>Laboratory Technician</u>           | <u>\$54,802</u>                               | <u>\$57,820</u>                               | <u>\$60,996</u>                               | <u>\$64,360</u>                               | <u>\$67,913</u>                               | <u>\$69,951</u>                               | <u>\$72,049</u>                               | <u>\$74,211</u>                               |
| <u>Meteorologist Technician</u>        | <u>\$73,918</u>                               | <u>\$77,974</u>                               | <u>\$82,282</u>                               | <u>\$86,809</u>                               | <u>\$91,588</u>                               | <u>\$94,336</u>                               | <u>\$97,166</u>                               | <u>\$100,081</u>                              |
| <u>Paralegal</u>                       | <u>\$64,109</u>                               | <u>\$67,630</u>                               | <u>\$71,340</u>                               | <u>\$75,270</u>                               | <u>\$79,421</u>                               | <u>\$81,804</u>                               | <u>\$84,258</u>                               | <u>\$86,786</u>                               |
| <u>Prin. AQ Instrument Specialist</u>  | <u>\$83,571</u>                               | <u>\$88,161</u>                               | <u>\$93,035</u>                               | <u>\$98,128</u>                               | <u>\$103,536</u>                              | <u>\$106,642</u>                              | <u>\$109,842</u>                              | <u>\$113,137</u>                              |
| <u>Programmer</u>                      | <u>\$67,756</u>                               | <u>\$71,497</u>                               | <u>\$75,428</u>                               | <u>\$79,578</u>                               | <u>\$83,948</u>                               | <u>\$86,466</u>                               | <u>\$89,060</u>                               | <u>\$91,732</u>                               |
| <u>Programmer Analyst</u>              | <u>\$79,861</u>                               | <u>\$84,263</u>                               | <u>\$88,884</u>                               | <u>\$93,789</u>                               | <u>\$98,946</u>                               | <u>\$101,914</u>                              | <u>\$104,972</u>                              | <u>\$108,121</u>                              |

**APPENDIX A**  
**TECHNICAL & ENFORCEMENT**  
**EFFECTIVE JANUARY 1, 2023**

| <b><u>Title</u></b>                     | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|---|--|--|--|--|--|--|--|--|
| <u>Sr. AQ Instrument Specialist</u>     | <u>\$75,239</u>                                      | <u>\$79,358</u>                                      | <u>\$83,728</u>                                      | <u>\$88,318</u>                                      | <u>\$93,160</u>                                      | <u>\$95,956</u>                                      | <u>\$98,834</u>                                      | <u>\$101,799</u>                                     |
| <u>Sr. Information Tech. Specialist</u> | <u>\$79,861</u>                                      | <u>\$84,263</u>                                      | <u>\$88,884</u>                                      | <u>\$93,789</u>                                      | <u>\$98,946</u>                                      | <u>\$101,914</u>                                     | <u>\$104,972</u>                                     | <u>\$108,121</u>                                     |
| <u>Sr. Paralegal</u>                    | <u>\$69,642</u>                                      | <u>\$73,478</u>                                      | <u>\$77,503</u>                                      | <u>\$81,779</u>                                      | <u>\$86,275</u>                                      | <u>\$88,863</u>                                      | <u>\$91,529</u>                                      | <u>\$94,274</u>                                      |
| <u>Sr. Public Affairs Specialist</u>    | <u>\$77,058</u>                                      | <u>\$81,281</u>                                      | <u>\$85,757</u>                                      | <u>\$90,456</u>                                      | <u>\$95,410</u>                                      | <u>\$98,034</u>                                      | <u>\$100,730</u>                                     | <u>\$103,500</u>                                     |
| <u>Supv. AQ Inspector</u>               | <u>\$83,571</u>                                      | <u>\$88,161</u>                                      | <u>\$93,035</u>                                      | <u>\$98,128</u>                                      | <u>\$103,536</u>                                     | <u>\$106,642</u>                                     | <u>\$109,842</u>                                     | <u>\$113,137</u>                                     |
| <u>Supv. Investigator</u>               | <u>\$85,457</u>                                      | <u>\$90,173</u>                                      | <u>\$95,110</u>                                      | <u>\$100,361</u>                                     | <u>\$105,863</u>                                     | <u>\$109,039</u>                                     | <u>\$112,310</u>                                     | <u>\$115,679</u>                                     |
| <u>Transportation Plan Reviewer</u>     | <u>\$59,675</u>                                      | <u>\$62,945</u>                                      | <u>\$66,404</u>                                      | <u>\$70,051</u>                                      | <u>\$73,918</u>                                      | <u>\$76,136</u>                                      | <u>\$78,420</u>                                      | <u>\$80,772</u>                                      |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2022**

| <b><u>Title</u></b>                       | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|---|--|--|--|--|--|--|--|--|
| <u>Accounting Technician</u>              | <u>\$48,124</u>                                      | <u>\$50,779</u>                                      | <u>\$53,578</u>                                      | <u>\$56,524</u>                                      | <u>\$59,645</u>                                      | <u>\$61,435</u>                                      | <u>\$63,278</u>                                      | <u>\$65,176</u>                                      |
| <u>Administrative Assistant I</u>         | <u>\$43,341</u>                                      | <u>\$45,733</u>                                      | <u>\$48,241</u>                                      | <u>\$50,895</u>                                      | <u>\$53,695</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      |
| <u>Administrative Assistant II</u>        | <u>\$56,195</u>                                      | <u>\$59,277</u>                                      | <u>\$62,545</u>                                      | <u>\$65,966</u>                                      | <u>\$69,573</u>                                      | <u>\$71,487</u>                                      | <u>\$73,453</u>                                      | <u>\$75,473</u>                                      |
| <u>Building Supervisor</u>                | <u>\$60,666</u>                                      | <u>\$64,020</u>                                      | <u>\$67,549</u>                                      | <u>\$71,253</u>                                      | <u>\$75,161</u>                                      | <u>\$77,416</u>                                      | <u>\$79,738</u>                                      | <u>\$82,131</u>                                      |
| <u>Career Development Intern</u>          | <u>\$34,278</u>                                      | <u>\$35,874</u>                                      | <u>\$37,470</u>                                      | <u>---</u>   | <u>---</u>   | <u>---</u>   | <u>---</u>   | <u>---</u>   |
| <u>Contracts Assistant</u>                | <u>\$43,341</u>                                      | <u>\$45,733</u>                                      | <u>\$48,241</u>                                      | <u>\$50,895</u>                                      | <u>\$53,695</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      |
| <u>Data Technician</u>                    | <u>\$45,674</u>                                      | <u>\$48,183</u>                                      | <u>\$50,837</u>                                      | <u>\$53,608</u>                                      | <u>\$56,583</u>                                      | <u>\$58,280</u>                                      | <u>\$60,028</u>                                      | <u>\$61,829</u>                                      |
| <u>Deputy Clerk</u>                       | <u>\$44,070</u>                                      | <u>\$46,491</u>                                      | <u>\$49,058</u>                                      | <u>\$51,741</u>                                      | <u>\$54,599</u>                                      | <u>\$56,237</u>                                      | <u>\$57,924</u>                                      | <u>\$59,662</u>                                      |
| <u>Deputy Clerk/Transcriber</u>           | <u>\$48,474</u>                                      | <u>\$51,128</u>                                      | <u>\$53,958</u>                                      | <u>\$56,932</u>                                      | <u>\$60,053</u>                                      | <u>\$61,855</u>                                      | <u>\$63,710</u>                                      | <u>\$65,622</u>                                      |
| <u>District Storekeeper</u>               | <u>\$46,433</u>                                      | <u>\$48,999</u>                                      | <u>\$51,683</u>                                      | <u>\$54,541</u>                                      | <u>\$57,545</u>                                      | <u>\$59,271</u>                                      | <u>\$61,050</u>                                      | <u>\$62,881</u>                                      |
| <u>Facilities Services Specialist</u>     | <u>\$48,853</u>                                      | <u>\$51,537</u>                                      | <u>\$54,395</u>                                      | <u>\$57,370</u>                                      | <u>\$60,520</u>                                      | <u>\$62,335</u>                                      | <u>\$64,205</u>                                      | <u>\$66,132</u>                                      |
| <u>Facilities Services Technician</u>     | <u>\$53,403</u>                                      | <u>\$56,349</u>                                      | <u>\$59,441</u>                                      | <u>\$62,707</u>                                      | <u>\$66,178</u>                                      | <u>\$68,164</u>                                      | <u>\$70,209</u>                                      | <u>\$72,315</u>                                      |
| <u>Fiscal Assistant</u>                   | <u>\$38,995</u>                                      | <u>\$41,124</u>                                      | <u>\$43,399</u>                                      | <u>\$45,762</u>                                      | <u>\$48,299</u>                                      | <u>\$49,748</u>                                      | <u>\$51,240</u>                                      | <u>\$52,777</u>                                      |
| <u>Fleet Services Supervisor</u>          | <u>\$49,962</u>                                      | <u>\$52,732</u>                                      | <u>\$55,620</u>                                      | <u>\$58,683</u>                                      | <u>\$61,920</u>                                      | <u>\$63,777</u>                                      | <u>\$65,690</u>                                      | <u>\$67,661</u>                                      |
| <u>Fleet Services Worker I</u>            | <u>\$37,478</u>                                      | <u>\$39,549</u>                                      | <u>\$41,708</u>                                      | <u>\$44,012</u>                                      | <u>\$46,433</u>                                      | <u>\$47,825</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      |
| <u>Fleet Services Worker II</u>           | <u>\$42,816</u>                                      | <u>\$45,178</u>                                      | <u>\$47,657</u>                                      | <u>\$50,282</u>                                      | <u>\$53,024</u>                                      | <u>\$54,615</u>                                      | <u>\$56,254</u>                                      | <u>\$57,941</u>                                      |
| <u>General Maintenance Helper</u>         | <u>\$37,916</u>                                      | <u>\$40,016</u>                                      | <u>\$42,203</u>                                      | <u>\$44,537</u>                                      | <u>\$46,987</u>                                      | <u>\$48,396</u>                                      | <u>\$49,848</u>                                      | <u>\$51,344</u>                                      |
| <u>General Maintenance Worker</u>         | <u>\$56,174</u>                                      | <u>\$59,266</u>                                      | <u>\$62,532</u>                                      | <u>\$65,974</u>                                      | <u>\$69,591</u>                                      | <u>\$71,679</u>                                      | <u>\$73,829</u>                                      | <u>\$76,044</u>                                      |
| <u>Legislative Assistant</u>              | <u>\$60,788</u>                                      | <u>\$64,148</u>                                      | <u>\$67,662</u>                                      | <u>\$71,392</u>                                      | <u>\$75,245</u>                                      | <u>\$77,314</u>                                      | <u>\$79,440</u>                                      | <u>\$81,625</u>                                      |
| <u>Mail / Subscription Services Clerk</u> | <u>\$37,478</u>                                      | <u>\$39,549</u>                                      | <u>\$41,708</u>                                      | <u>\$44,012</u>                                      | <u>\$46,433</u>                                      | <u>\$47,825</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      |
| <u>Mail / Subscription Services Supv.</u> | <u>\$46,345</u>                                      | <u>\$48,883</u>                                      | <u>\$51,595</u>                                      | <u>\$54,424</u>                                      | <u>\$57,399</u>                                      | <u>\$59,121</u>                                      | <u>\$60,894</u>                                      | <u>\$62,721</u>                                      |
| <u>Office Assistant</u>                   | <u>\$37,478</u>                                      | <u>\$39,549</u>                                      | <u>\$41,708</u>                                      | <u>\$44,012</u>                                      | <u>\$46,433</u>                                      | <u>\$47,825</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      |
| <u>Offset Press Operator</u>              | <u>\$44,741</u>                                      | <u>\$47,220</u>                                      | <u>\$49,816</u>                                      | <u>\$52,557</u>                                      | <u>\$55,445</u>                                      | <u>\$57,108</u>                                      | <u>\$58,822</u>                                      | <u>\$60,586</u>                                      |
| <u>Payroll Technician</u>                 | <u>\$44,420</u>                                      | <u>\$46,841</u>                                      | <u>\$49,437</u>                                      | <u>\$52,149</u>                                      | <u>\$55,007</u>                                      | <u>\$56,657</u>                                      | <u>\$58,357</u>                                      | <u>\$60,108</u>                                      |
| <u>Prin. Office Assistant</u>             | <u>\$51,099</u>                                      | <u>\$53,899</u>                                      | <u>\$56,874</u>                                      | <u>\$59,995</u>                                      | <u>\$63,291</u>                                      | <u>\$65,189</u>                                      | <u>\$67,145</u>                                      | <u>\$69,159</u>                                      |
| <u>Print Shop Duplicator</u>              | <u>\$38,995</u>                                      | <u>\$41,124</u>                                      | <u>\$43,399</u>                                      | <u>\$45,762</u>                                      | <u>\$48,299</u>                                      | <u>\$49,748</u>                                      | <u>\$51,240</u>                                      | <u>\$52,777</u>                                      |
| <u>Print Shop Supervisor</u>              | <u>\$53,024</u>                                      | <u>\$55,941</u>                                      | <u>\$59,032</u>                                      | <u>\$62,270</u>                                      | <u>\$65,682</u>                                      | <u>\$67,653</u>                                      | <u>\$69,682</u>                                      | <u>\$71,772</u>                                      |
| <u>Purchasing Assistant</u>               | <u>\$50,078</u>                                      | <u>\$52,820</u>                                      | <u>\$55,737</u>                                      | <u>\$58,799</u>                                      | <u>\$62,037</u>                                      | <u>\$63,898</u>                                      | <u>\$65,815</u>                                      | <u>\$67,789</u>                                      |
| <u>Purchasing Supervisor</u>              | <u>\$64,603</u>                                      | <u>\$68,161</u>                                      | <u>\$71,895</u>                                      | <u>\$75,861</u>                                      | <u>\$80,032</u>                                      | <u>\$82,433</u>                                      | <u>\$84,906</u>                                      | <u>\$87,453</u>                                      |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2022**

| <b><u>Title</u></b>           | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|-------------------------------|--|--|--|--|--|--|--|--|
| <u>Sr. Deputy Clerk</u>       | <u>\$53,170</u>                                      | <u>\$56,087</u>                                      | <u>\$59,178</u>                                      | <u>\$62,445</u>                                      | <u>\$65,857</u>                                      | <u>\$67,833</u>                                      | <u>\$69,868</u>                                      | <u>\$71,964</u>                                      |
| <u>Sr. Fiscal Assistant</u>   | <u>\$43,341</u>                                      | <u>\$45,733</u>                                      | <u>\$48,241</u>                                      | <u>\$50,895</u>                                      | <u>\$53,695</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      |
| <u>Sr. Office Assistant</u>   | <u>\$41,737</u>                                      | <u>\$44,041</u>                                      | <u>\$46,462</u>                                      | <u>\$49,028</u>                                      | <u>\$51,712</u>                                      | <u>\$53,264</u>                                      | <u>\$54,862</u>                                      | <u>\$56,507</u>                                      |
| <u>Staff Assistant</u>        | <u>\$44,887</u>                                      | <u>\$47,366</u>                                      | <u>\$49,962</u>                                      | <u>\$52,703</u>                                      | <u>\$55,620</u>                                      | <u>\$57,289</u>                                      | <u>\$59,007</u>                                      | <u>\$60,778</u>                                      |
| <u>Stock Clerk</u>            | <u>\$37,478</u>                                      | <u>\$39,549</u>                                      | <u>\$41,708</u>                                      | <u>\$44,012</u>                                      | <u>\$46,433</u>                                      | <u>\$47,825</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      |
| <u>Supv. Office Assistant</u> | <u>\$46,345</u>                                      | <u>\$48,883</u>                                      | <u>\$51,595</u>                                      | <u>\$54,424</u>                                      | <u>\$57,399</u>                                      | <u>\$59,121</u>                                      | <u>\$60,894</u>                                      | <u>\$62,721</u>                                      |
| <u>Technical Writer</u>       | <u>\$57,282</u>                                      | <u>\$60,432</u>                                      | <u>\$63,757</u>                                      | <u>\$67,257</u>                                      | <u>\$70,961</u>                                      | <u>\$73,088</u>                                      | <u>\$75,281</u>                                      | <u>\$77,538</u>                                      |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2023**

| <b><u>Title</u></b>                       | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|---|--|--|--|--|--|--|--|--|
| <u>Accounting Technician</u>              | <u>\$49,568</u>                                      | <u>\$52,302</u>                                      | <u>\$55,186</u>                                      | <u>\$58,220</u>                                      | <u>\$61,434</u>                                      | <u>\$63,278</u>                                      | <u>\$65,176</u>                                      | <u>\$67,131</u>                                      |
| <u>Administrative Assistant I</u>         | <u>\$44,641</u>                                      | <u>\$47,105</u>                                      | <u>\$49,688</u>                                      | <u>\$52,422</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      | <u>\$60,434</u>                                      |
| <u>Administrative Assistant II</u>        | <u>\$57,881</u>                                      | <u>\$61,056</u>                                      | <u>\$64,421</u>                                      | <u>\$67,946</u>                                      | <u>\$71,660</u>                                      | <u>\$73,631</u>                                      | <u>\$75,656</u>                                      | <u>\$77,737</u>                                      |
| <u>Building Supervisor</u>                | <u>\$62,486</u>                                      | <u>\$65,940</u>                                      | <u>\$69,575</u>                                      | <u>\$73,391</u>                                      | <u>\$77,416</u>                                      | <u>\$79,738</u>                                      | <u>\$82,131</u>                                      | <u>\$84,595</u>                                      |
| <u>Career Development Intern</u>          | <u>\$35,307</u>                                      | <u>\$36,951</u>                                      | <u>\$38,594</u>                                      | <u>---</u>   | <u>---</u>   | <u>---</u>   | <u>---</u>   | <u>---</u>   |
| <u>Contracts Assistant</u>                | <u>\$44,641</u>                                      | <u>\$47,105</u>                                      | <u>\$49,688</u>                                      | <u>\$52,422</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      | <u>\$60,434</u>                                      |
| <u>Data Technician</u>                    | <u>\$47,045</u>                                      | <u>\$49,628</u>                                      | <u>\$52,362</u>                                      | <u>\$55,216</u>                                      | <u>\$58,280</u>                                      | <u>\$60,028</u>                                      | <u>\$61,829</u>                                      | <u>\$63,684</u>                                      |
| <u>Deputy Clerk</u>                       | <u>\$45,392</u>                                      | <u>\$47,886</u>                                      | <u>\$50,529</u>                                      | <u>\$53,293</u>                                      | <u>\$56,237</u>                                      | <u>\$57,924</u>                                      | <u>\$59,662</u>                                      | <u>\$61,452</u>                                      |
| <u>Deputy Clerk/Transcriber</u>           | <u>\$49,929</u>                                      | <u>\$52,662</u>                                      | <u>\$55,576</u>                                      | <u>\$58,640</u>                                      | <u>\$61,855</u>                                      | <u>\$63,710</u>                                      | <u>\$65,622</u>                                      | <u>\$67,590</u>                                      |
| <u>District Storekeeper</u>               | <u>\$47,826</u>                                      | <u>\$50,469</u>                                      | <u>\$53,233</u>                                      | <u>\$56,177</u>                                      | <u>\$59,271</u>                                      | <u>\$61,050</u>                                      | <u>\$62,881</u>                                      | <u>\$64,768</u>                                      |
| <u>Facilities Services Specialist</u>     | <u>\$50,319</u>                                      | <u>\$53,083</u>                                      | <u>\$56,027</u>                                      | <u>\$59,091</u>                                      | <u>\$62,336</u>                                      | <u>\$64,205</u>                                      | <u>\$66,132</u>                                      | <u>\$68,116</u>                                      |
| <u>Facilities Services Technician</u>     | <u>\$55,005</u>                                      | <u>\$58,040</u>                                      | <u>\$61,224</u>                                      | <u>\$64,589</u>                                      | <u>\$68,163</u>                                      | <u>\$70,209</u>                                      | <u>\$72,315</u>                                      | <u>\$74,485</u>                                      |
| <u>Fiscal Assistant</u>                   | <u>\$40,165</u>                                      | <u>\$42,358</u>                                      | <u>\$44,701</u>                                      | <u>\$47,135</u>                                      | <u>\$49,748</u>                                      | <u>\$51,240</u>                                      | <u>\$52,777</u>                                      | <u>\$54,361</u>                                      |
| <u>Fleet Services Supervisor</u>          | <u>\$51,461</u>                                      | <u>\$54,315</u>                                      | <u>\$57,289</u>                                      | <u>\$60,443</u>                                      | <u>\$63,777</u>                                      | <u>\$65,690</u>                                      | <u>\$67,661</u>                                      | <u>\$69,691</u>                                      |
| <u>Fleet Services Worker I</u>            | <u>\$38,603</u>                                      | <u>\$40,736</u>                                      | <u>\$42,959</u>                                      | <u>\$45,332</u>                                      | <u>\$47,826</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      | <u>\$52,260</u>                                      |
| <u>Fleet Services Worker II</u>           | <u>\$44,100</u>                                      | <u>\$46,534</u>                                      | <u>\$49,087</u>                                      | <u>\$51,791</u>                                      | <u>\$54,615</u>                                      | <u>\$56,254</u>                                      | <u>\$57,941</u>                                      | <u>\$59,679</u>                                      |
| <u>General Maintenance Helper</u>         | <u>\$39,054</u>                                      | <u>\$41,217</u>                                      | <u>\$43,470</u>                                      | <u>\$45,873</u>                                      | <u>\$48,396</u>                                      | <u>\$49,848</u>                                      | <u>\$51,344</u>                                      | <u>\$52,884</u>                                      |
| <u>General Maintenance Worker</u>         | <u>\$57,859</u>                                      | <u>\$61,044</u>                                      | <u>\$64,408</u>                                      | <u>\$67,953</u>                                      | <u>\$71,678</u>                                      | <u>\$73,829</u>                                      | <u>\$76,044</u>                                      | <u>\$78,325</u>                                      |
| <u>Legislative Assistant</u>              | <u>\$62,611</u>                                      | <u>\$66,072</u>                                      | <u>\$69,692</u>                                      | <u>\$73,533</u>                                      | <u>\$77,502</u>                                      | <u>\$79,633</u>                                      | <u>\$81,823</u>                                      | <u>\$84,073</u>                                      |
| <u>Mail / Subscription Services Clerk</u> | <u>\$38,603</u>                                      | <u>\$40,736</u>                                      | <u>\$42,959</u>                                      | <u>\$45,332</u>                                      | <u>\$47,826</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      | <u>\$52,260</u>                                      |
| <u>Mail / Subscription Services Supv.</u> | <u>\$47,735</u>                                      | <u>\$50,349</u>                                      | <u>\$53,143</u>                                      | <u>\$56,057</u>                                      | <u>\$59,121</u>                                      | <u>\$60,894</u>                                      | <u>\$62,721</u>                                      | <u>\$64,603</u>                                      |
| <u>Office Assistant</u>                   | <u>\$38,603</u>                                      | <u>\$40,736</u>                                      | <u>\$42,959</u>                                      | <u>\$45,332</u>                                      | <u>\$47,826</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      | <u>\$52,260</u>                                      |
| <u>Offset Press Operator</u>              | <u>\$46,083</u>                                      | <u>\$48,637</u>                                      | <u>\$51,310</u>                                      | <u>\$54,134</u>                                      | <u>\$57,108</u>                                      | <u>\$58,822</u>                                      | <u>\$60,586</u>                                      | <u>\$62,404</u>                                      |
| <u>Payroll Technician</u>                 | <u>\$45,753</u>                                      | <u>\$48,246</u>                                      | <u>\$50,920</u>                                      | <u>\$53,714</u>                                      | <u>\$56,658</u>                                      | <u>\$58,357</u>                                      | <u>\$60,108</u>                                      | <u>\$61,911</u>                                      |
| <u>Prin. Office Assistant</u>             | <u>\$52,632</u>                                      | <u>\$55,516</u>                                      | <u>\$58,580</u>                                      | <u>\$61,795</u>                                      | <u>\$65,190</u>                                      | <u>\$67,145</u>                                      | <u>\$69,159</u>                                      | <u>\$71,234</u>                                      |
| <u>Print Shop Duplicator</u>              | <u>\$40,165</u>                                      | <u>\$42,358</u>                                      | <u>\$44,701</u>                                      | <u>\$47,135</u>                                      | <u>\$49,748</u>                                      | <u>\$51,240</u>                                      | <u>\$52,777</u>                                      | <u>\$54,361</u>                                      |
| <u>Print Shop Supervisor</u>              | <u>\$54,615</u>                                      | <u>\$57,619</u>                                      | <u>\$60,803</u>                                      | <u>\$64,138</u>                                      | <u>\$67,653</u>                                      | <u>\$69,682</u>                                      | <u>\$71,772</u>                                      | <u>\$73,926</u>                                      |
| <u>Purchasing Assistant</u>               | <u>\$51,581</u>                                      | <u>\$54,405</u>                                      | <u>\$57,409</u>                                      | <u>\$60,563</u>                                      | <u>\$63,898</u>                                      | <u>\$65,815</u>                                      | <u>\$67,789</u>                                      | <u>\$69,823</u>                                      |
| <u>Purchasing Supervisor</u>              | <u>\$66,541</u>                                      | <u>\$70,206</u>                                      | <u>\$74,052</u>                                      | <u>\$78,137</u>                                      | <u>\$82,433</u>                                      | <u>\$84,906</u>                                      | <u>\$87,453</u>                                      | <u>\$90,077</u>                                      |

**APPENDIX B**  
**OFFICE CLERICAL & MAINTENANCE**  
**EFFECTIVE JANUARY 1, 2023**

| <b><u>Title</u></b>           | <b><u>Approximate Annual 1<sup>st</sup> Step</u></b> | <b><u>Approximate Annual 2<sup>nd</sup> Step</u></b> | <b><u>Approximate Annual 3<sup>rd</sup> Step</u></b> | <b><u>Approximate Annual 4<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 5<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 6<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 7<sup>th</sup> Step</u></b> | <b><u>Approximate Annual 8<sup>th</sup> Step</u></b> |
|-------------------------------|--|--|--|--|--|--|--|--|
| <u>Sr. Deputy Clerk</u>       | <u>\$54,765</u>                                      | <u>\$57,769</u>                                      | <u>\$60,954</u>                                      | <u>\$64,318</u>                                      | <u>\$67,833</u>                                      | <u>\$69,868</u>                                      | <u>\$71,964</u>                                      | <u>\$74,123</u>                                      |
| <u>Sr. Fiscal Assistant</u>   | <u>\$44,641</u>                                      | <u>\$47,105</u>                                      | <u>\$49,688</u>                                      | <u>\$52,422</u>                                      | <u>\$55,306</u>                                      | <u>\$56,965</u>                                      | <u>\$58,674</u>                                      | <u>\$60,434</u>                                      |
| <u>Sr. Office Assistant</u>   | <u>\$42,989</u>                                      | <u>\$45,362</u>                                      | <u>\$47,856</u>                                      | <u>\$50,499</u>                                      | <u>\$53,263</u>                                      | <u>\$54,862</u>                                      | <u>\$56,507</u>                                      | <u>\$58,203</u>                                      |
| <u>Staff Assistant</u>        | <u>\$46,233</u>                                      | <u>\$48,787</u>                                      | <u>\$51,461</u>                                      | <u>\$54,284</u>                                      | <u>\$57,289</u>                                      | <u>\$59,007</u>                                      | <u>\$60,778</u>                                      | <u>\$62,601</u>                                      |
| <u>Stock Clerk</u>            | <u>\$38,603</u>                                      | <u>\$40,736</u>                                      | <u>\$42,959</u>                                      | <u>\$45,332</u>                                      | <u>\$47,826</u>                                      | <u>\$49,260</u>                                      | <u>\$50,738</u>                                      | <u>\$52,260</u>                                      |
| <u>Supv. Office Assistant</u> | <u>\$47,735</u>                                      | <u>\$50,349</u>                                      | <u>\$53,143</u>                                      | <u>\$56,057</u>                                      | <u>\$59,121</u>                                      | <u>\$60,894</u>                                      | <u>\$62,721</u>                                      | <u>\$64,603</u>                                      |
| <u>Technical Writer</u>       | <u>\$59,001</u>                                      | <u>\$62,245</u>                                      | <u>\$65,670</u>                                      | <u>\$69,275</u>                                      | <u>\$73,090</u>                                      | <u>\$75,280</u>                                      | <u>\$77,539</u>                                      | <u>\$79,864</u>                                      |

## **Attachment B**

### **Amendments to South Coast AQMD Administrative Code**

#### **Section 117 - Deferred Compensation**

*Represented employees should consult Article 19, "Deferred Compensation," of their MOU.*

South Coast AQMD shall provide all regular full-time employees, 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, and Board Member Assistants and Board Member Consultants who are contract South Coast AQMD employees with the opportunity to voluntarily participate in South Coast AQMD-sponsored Section 457 deferred compensation plan. Effective January 1, 2003, for all management and confidential employees choosing to participate, South Coast AQMD shall make a contribution equal to 50% of the total regular, non-catch-up contribution, up to the 2012 maximum total contribution rate established by the Internal Revenue Service. Effective Pay Period 1 of 2023, for all management and confidential employees choosing to participate, South Coast AQMD shall make a contribution equal to 50% of the total regular, non-catch-up contribution, up to \$8,800 per calendar year. The maximum annual total contribution made to the plan for each employee shall be as stipulated by law.

#### **Section 119 - Other Management Benefits**

##### **Section 119.1 - Physical Examinations Health and Wellness Reimbursement**

South Coast AQMD shall contribute a maximum reimbursement amount of \$300 per calendar year toward the cost of any item, program, or benefit that contributes to personal health and wellbeing for any management employee requesting this benefit. ~~If the employee does not use this benefit each year, the contribution will be allowed to carry over at the rate of \$300 per year for up to three years, permitting a contribution toward the cost of a physical examination of up to a maximum of \$600 biennially or \$900 triennially.~~ This contribution shall be made in accordance with the rules established by the Executive Officer or his designee.

## **Attachment C**

### **Amendments to South Coast AQMD Salary Resolution**

#### **CHAPTER I – General Provisions**

#### **Article 7. Work Hours, Work Week, and Holidays**

##### **Section 28. HOLIDAYS**

a. Definition. South Coast AQMD-paid holidays shall be:

- (1) July 4 (Independence Day)
- (2) First Monday in September (Labor Day)
- (3) November 11 (Veterans' Day)
- (4) Fourth Thursday and following Friday in November (Thanksgiving and following day)
- (5) December 25 (Christmas)
- (6) January 1 (New Year's Day)
- (7) Third Monday in January (Martin Luther King, Jr.'s Birthday)
- (8) Third Monday in February (President's Day)
- (9) Last Monday in May (Memorial Day)
- (10) June 19 (Juneteenth)

On each September 1, South Coast AQMD employees shall be granted ten (10) hours (or eight (8) hours if working a 4/8 or 5/8 schedule) of floating holiday time in lieu of celebrating Admissions Day. On each February 1, South Coast AQMD employees shall be granted ten (10) hours (or eight (8) hours if working a 4/8 or 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.

#### **Article 10. LEAVE OF ABSENCE**

##### **Section 45. OTHER LEAVES OF ABSENCE**

- b. 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, stepsiblings, 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 (3) working days for each occurrence in any fiscal year, for each occurrence, be allowed the time necessary to be absent from work at regular pay for three working days; or for four consecutive working days if out-of-town travel is required.~~ 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.

## CHAPTER II

### Article I. TABLE OF CLASSES

#### Section 54. MANAGEMENT AND CONFIDENTIAL CLASSIFICATION SALARIES

Effective with the start of the pay period encompassing January 1, 2017.

| <b><u>Classification</u></b>     |                  |                  |
|----------------------------------|------------------|------------------|
| Accountant                       | <b>\$64,404</b>  | <b>\$79,697</b>  |
| Administrative Assistant         | <b>\$80,835</b>  | <b>\$100,138</b> |
| Administrative Secretary         | <b>\$54,558</b>  | <b>\$67,546</b>  |
| Administrative Secretary/Legal   | <b>\$59,018</b>  | <b>\$73,054</b>  |
| Affirmative Action Officer       | <b>\$86,701</b>  | <b>\$105,405</b> |
| Assistant Database Administrator | <b>\$75,276</b>  | <b>\$93,265</b>  |
| Atmospheric Measurements Manager | <b>\$115,401</b> | <b>\$140,331</b> |
| Building Maintenance Manager     | <b>\$86,701</b>  | <b>\$105,405</b> |
| Business Services Manager        | <b>\$86,701</b>  | <b>\$105,405</b> |
| Clean Fuels Officer              | <b>\$104,926</b> | <b>\$127,552</b> |
| Clerk of the Boards              | <b>\$86,701</b>  | <b>\$105,405</b> |
| Community Relations Manager      | <b>\$86,701</b>  | <b>\$105,405</b> |
| Controller                       | <b>\$115,401</b> | <b>\$140,331</b> |
| Database Administrator           | <b>\$97,953</b>  | <b>\$121,296</b> |
| Deputy District Counsel I        | <b>\$77,723</b>  | <b>\$96,338</b>  |
| Deputy District Counsel II       | <b>\$104,926</b> | <b>\$127,552</b> |
| Executive Secretary              | <b>\$65,871</b>  | <b>\$81,732</b>  |
| Financial Analyst                | <b>\$80,835</b>  | <b>\$100,138</b> |
| Financial Services Manager       | <b>\$115,401</b> | <b>\$140,331</b> |

| <b><u>Classification</u></b>         |                  |                  |
|--------------------------------------|------------------|------------------|
| Graphic Arts Manager                 | <b>\$86,701</b>  | <b>\$105,405</b> |
| Human Resources Analyst              | <b>\$80,835</b>  | <b>\$100,138</b> |
| Human Resources Manager              | <b>\$115,401</b> | <b>\$140,331</b> |
| Human Resources Technician           | <b>\$52,822</b>  | <b>\$65,392</b>  |
| Information Technology Manager       | <b>\$115,401</b> | <b>\$140,331</b> |
| Investigations Manager               | <b>\$86,701</b>  | <b>\$105,405</b> |
| Legal Secretary                      | <b>\$54,558</b>  | <b>\$67,546</b>  |
| Legislative Analyst                  | <b>\$68,624</b>  | <b>\$85,025</b>  |
| Legislative Assistant                | <b>\$59,018</b>  | <b>\$73,054</b>  |
| Planning & Rules Manager             | <b>\$115,401</b> | <b>\$140,331</b> |
| Principal Deputy District Counsel    | <b>\$124,418</b> | <b>\$151,297</b> |
| Procurement Manager                  | <b>\$115,401</b> | <b>\$140,331</b> |
| Public Affairs Manager               | <b>\$95,409</b>  | <b>\$115,999</b> |
| Quality Assurance Manager            | <b>\$104,926</b> | <b>\$127,552</b> |
| Risk Manager                         | <b>\$95,409</b>  | <b>\$115,999</b> |
| Secretary (Confidential)             | <b>\$44,472</b>  | <b>\$55,097</b>  |
| Senior Accountant                    | <b>\$70,989</b>  | <b>\$87,748</b>  |
| Senior Administrative Secretary      | <b>\$59,018</b>  | <b>\$73,054</b>  |
| Senior AQ Engineering Manager        | <b>\$115,401</b> | <b>\$140,331</b> |
| Senior Deputy District Counsel       | <b>\$118,862</b> | <b>\$144,541</b> |
| Senior Enforcement Manager           | <b>\$115,401</b> | <b>\$140,331</b> |
| Senior Public Affairs Manager        | <b>\$115,401</b> | <b>\$140,331</b> |
| Senior Public Information Specialist | <b>\$72,634</b>  | <b>\$89,932</b>  |
| Source Testing Manager               | <b>\$104,926</b> | <b>\$127,552</b> |
| Supervising Payroll Technician       | <b>\$54,139</b>  | <b>\$66,948</b>  |
| Systems Analyst                      | <b>\$88,257</b>  | <b>\$109,266</b> |

| <u>Classification</u>             |                  |                  |
|-----------------------------------|------------------|------------------|
| Systems & Programming Supervisor  | <b>\$97,953</b>  | <b>\$121,296</b> |
| Technology Implementation Manager | <b>\$115,401</b> | <b>\$140,331</b> |
| Telecommunications Analyst        | <b>\$79,937</b>  | <b>\$99,001</b>  |
| Telecommunications Supervisor     | <b>\$89,574</b>  | <b>\$108,907</b> |
| Workers Comp. & Safety Analyst    | <b>\$64,404</b>  | <b>\$79,697</b>  |

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Effective with the start of the pay period encompassing July 1, 2018.

| <b>Classification</b>            | <b>Step 1</b> | <b>Step 5</b> | <b>Step 6</b> |
|----------------------------------|---------------|---------------|---------------|
| Accountant                       | \$64,404      | \$79,697      | \$81,889      |
| Administrative Assistant         | \$80,835      | \$100,138     | \$102,892     |
| Administrative Secretary         | \$54,558      | \$67,546      | \$69,405      |
| Administrative Secretary/Legal   | \$59,018      | \$73,054      | \$75,062      |
| Affirmative Action Officer       | \$86,701      | \$105,405     | \$108,304     |
| Assistant Database Administrator | \$75,276      | \$93,265      | \$95,831      |
| Atmospheric Measurements Manager | \$115,401     | \$140,331     | \$144,190     |
| Building Maintenance Manager     | \$86,701      | \$105,405     | \$108,304     |
| Business Services Manager        | \$86,701      | \$105,405     | \$108,304     |
| Clean Fuels Officer              | \$104,926     | \$127,552     | \$131,060     |
| Clerk of the Boards              | \$86,701      | \$105,405     | \$108,304     |
| Community Relations Manager      | \$86,701      | \$105,405     | \$108,304     |
| Controller                       | \$115,401     | \$140,331     | \$144,190     |
| Database Administrator           | \$97,953      | \$121,296     | \$124,633     |
| Deputy District Counsel I        | \$77,723      | \$96,338      | \$98,986      |
| Deputy District Counsel II       | \$104,926     | \$127,552     | \$131,060     |
| Executive Secretary              | \$65,871      | \$81,732      | \$83,980      |
| Financial Analyst                | \$80,835      | \$100,138     | \$102,892     |
| Financial Services Manager       | \$115,401     | \$140,331     | \$144,190     |
| Graphic Arts Manager             | \$86,701      | \$105,405     | \$108,304     |
| Human Resources Analyst          | \$80,835      | \$100,138     | \$102,892     |
| Human Resources Manager          | \$115,401     | \$140,331     | \$144,190     |
| Human Resources Technician       | \$52,822      | \$65,392      | \$67,190      |
| Information Technology Manager   | \$115,401     | \$140,331     | \$144,190     |

| <b>Classification</b>                | <b>Step 1</b> | <b>Step 5</b> | <b>Step 6</b> |
|--------------------------------------|---------------|---------------|---------------|
| Investigations Manager               | \$86,701      | \$105,405     | \$108,304     |
| Legal Secretary                      | \$54,558      | \$67,546      | \$69,405      |
| Legislative Analyst                  | \$68,624      | \$85,025      | \$87,362      |
| Legislative Assistant                | \$59,018      | \$73,054      | \$75,062      |
| Planning & Rules Manager             | \$115,401     | \$140,331     | \$144,190     |
| Principal Deputy District Counsel    | \$124,418     | \$151,297     | \$155,457     |
| Procurement Manager                  | \$115,401     | \$140,331     | \$144,190     |
| Public Affairs Manager               | \$95,409      | \$115,999     | \$119,190     |
| Quality Assurance Manager            | \$104,926     | \$127,552     | \$131,060     |
| Risk Manager                         | \$95,409      | \$115,999     | \$119,190     |
| Secretary (Confidential)             | \$44,472      | \$55,097      | \$56,612      |
| Senior Accountant                    | \$70,989      | \$87,748      | \$90,161      |
| Senior Administrative Secretary      | \$59,018      | \$73,054      | \$75,062      |
| Senior AQ Engineering Manager        | \$115,401     | \$140,331     | \$144,190     |
| Senior Deputy District Counsel       | \$118,862     | \$144,541     | \$148,516     |
| Senior Enforcement Manager           | \$115,401     | \$140,331     | \$144,190     |
| Senior Public Affairs Manager        | \$115,401     | \$140,331     | \$144,190     |
| Senior Public Information Specialist | \$72,634      | \$89,932      | \$92,406      |
| Source Testing Manager               | \$104,926     | \$127,552     | \$131,060     |
| Supervising Payroll Technician       | \$54,139      | \$66,948      | \$68,789      |
| Systems Analyst                      | \$88,257      | \$109,266     | \$112,271     |
| Systems & Programming Supervisor     | \$97,953      | \$121,296     | \$124,633     |
| Technology Implementation Manager    | \$115,401     | \$140,331     | \$144,190     |
| Workers Comp. & Safety Analyst       | \$64,404      | \$79,697      | \$81,889      |

Effective with the start of the pay period encompassing July 1, 2019.

| <b>Classification</b>            | <b>Step 1</b> | <b>Step 5</b> | <b>Step 6</b> | <b>Step 7</b> |
|----------------------------------|---------------|---------------|---------------|---------------|
| Accountant                       | \$64,404      | \$79,697      | \$81,889      | \$84,141      |
| Administrative Assistant         | \$80,835      | \$100,138     | \$102,892     | \$105,721     |
| Administrative Secretary         | \$54,558      | \$67,546      | \$69,405      | \$71,313      |
| Administrative Secretary/Legal   | \$59,018      | \$73,054      | \$75,062      | \$77,126      |
| Affirmative Action Officer       | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Assistant Database Administrator | \$75,276      | \$93,265      | \$95,831      | \$98,466      |
| Atmospheric Measurements Manager | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Building Maintenance Manager     | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Business Services Manager        | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Clean Fuels Officer              | \$104,926     | \$127,552     | \$131,060     | \$134,664     |
| Clerk of the Boards              | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Community Relations Manager      | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Controller                       | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Database Administrator           | \$97,953      | \$121,296     | \$124,633     | \$128,060     |
| Deputy District Counsel I        | \$77,723      | \$96,338      | \$98,986      | \$101,708     |
| Deputy District Counsel II       | \$104,926     | \$127,552     | \$131,060     | \$134,664     |
| Executive Secretary              | \$65,871      | \$81,732      | \$83,980      | \$86,289      |
| Financial Analyst                | \$80,835      | \$100,138     | \$102,892     | \$105,721     |
| Financial Services Manager       | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Graphic Arts Manager             | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Human Resources Analyst          | \$80,835      | \$100,138     | \$102,892     | \$105,721     |
| Human Resources Manager          | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Human Resources Technician       | \$52,822      | \$65,392      | \$67,190      | \$69,038      |
| Information Technology Manager   | \$115,401     | \$140,331     | \$144,190     | \$148,155     |

| <b>Classification</b>                | <b>Step 1</b> | <b>Step 5</b> | <b>Step 6</b> | <b>Step 7</b> |
|--------------------------------------|---------------|---------------|---------------|---------------|
| Investigations Manager               | \$86,701      | \$105,405     | \$108,304     | \$111,282     |
| Legal Secretary                      | \$54,558      | \$67,546      | \$69,405      | \$71,313      |
| Legislative Analyst                  | \$68,624      | \$85,025      | \$87,362      | \$89,765      |
| Legislative Assistant                | \$59,018      | \$73,054      | \$75,062      | \$77,126      |
| Monitoring Operations Manager        | \$95,409      | \$115,999     | \$119,190     | \$122,468     |
| Payroll Supervisor                   | \$80,835      | \$100,138     | \$102,892     | \$105,721     |
| Planning & Rules Manager             | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Principal Deputy District Counsel    | \$124,418     | \$151,297     | \$155,457     | \$159,732     |
| Procurement Manager                  | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Public Affairs Manager               | \$95,409      | \$115,999     | \$119,190     | \$122,468     |
| Quality Assurance Manager            | \$104,926     | \$127,552     | \$131,060     | \$134,664     |
| Secretary (Confidential)             | \$44,472      | \$55,097      | \$56,612      | \$58,169      |
| Senior Accountant                    | \$70,989      | \$87,748      | \$90,161      | \$92,640      |
| Senior Administrative Secretary      | \$59,018      | \$73,054      | \$75,062      | \$77,126      |
| Senior AQ Engineering Manager        | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Senior Deputy District Counsel       | \$118,862     | \$144,541     | \$148,516     | \$152,600     |
| Senior Enforcement Manager           | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Senior Public Affairs Manager        | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Senior Public Information Specialist | \$72,634      | \$89,932      | \$92,406      | \$94,947      |
| Source Testing Manager               | \$104,926     | \$127,552     | \$131,060     | \$134,664     |
| Systems Analyst                      | \$88,257      | \$109,266     | \$112,271     | \$115,358     |
| Systems & Programming Supervisor     | \$97,953      | \$121,296     | \$124,633     | \$128,060     |
| Technology Implementation Manager    | \$115,401     | \$140,331     | \$144,190     | \$148,155     |
| Workers Comp. & Safety Analyst       | \$64,404      | \$79,697      | \$81,889      | \$84,141      |

Effective the start of the pay period encompassing July 1, 2020.

| <b>Classification</b>            | <b>Step 1</b> | <b>Step 5</b> | <b>Step 6</b> | <b>Step 7</b> | <b>Step 8</b> |
|----------------------------------|---------------|---------------|---------------|---------------|---------------|
| Accountant                       | \$64,404      | \$79,697      | \$81,889      | \$84,141      | \$86,454      |
| Administrative Assistant         | \$80,835      | \$100,138     | \$102,892     | \$105,721     | \$108,629     |
| Administrative Secretary         | \$54,558      | \$67,546      | \$69,405      | \$71,313      | \$73,274      |
| Administrative Secretary/Legal   | \$59,018      | \$73,054      | \$75,062      | \$77,126      | \$79,247      |
| Affirmative Action Officer       | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Assistant Database Administrator | \$75,276      | \$93,265      | \$95,831      | \$98,466      | \$101,174     |
| Atmospheric Measurements Manager | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Building Maintenance Manager     | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Business Services Manager        | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Clean Fuels Officer              | \$104,926     | \$127,552     | \$131,060     | \$134,664     | \$138,367     |
| Clerk of the Boards              | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Community Relations Manager      | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Controller                       | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Database Administrator           | \$97,953      | \$121,296     | \$124,633     | \$128,060     | \$131,582     |
| Deputy District Counsel I        | \$77,723      | \$96,338      | \$98,986      | \$101,708     | \$104,505     |
| Deputy District Counsel II       | \$104,926     | \$127,552     | \$131,060     | \$134,664     | \$138,367     |
| Executive Secretary              | \$65,871      | \$81,732      | \$83,980      | \$86,289      | \$88,662      |
| Financial Analyst                | \$80,835      | \$100,138     | \$102,892     | \$105,721     | \$108,629     |
| Financial Services Manager       | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Graphic Arts Manager             | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Human Resources Analyst          | \$80,835      | \$100,138     | \$102,892     | \$105,721     | \$108,629     |
| Human Resources Manager          | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Human Resources Technician       | \$52,822      | \$65,392      | \$67,190      | \$69,038      | \$70,937      |
| Information Technology Manager   | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |

| <b>Classification</b>                | <b>Step-1</b> | <b>Step-5</b> | <b>Step-6</b> | <b>Step-7</b> | <b>Step-8</b> |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|
| Investigations Manager               | \$86,701      | \$105,405     | \$108,304     | \$111,282     | \$114,342     |
| Legal Secretary                      | \$54,558      | \$67,546      | \$69,405      | \$71,313      | \$73,274      |
| Legislative Analyst                  | \$68,624      | \$85,025      | \$87,362      | \$89,765      | \$92,233      |
| Legislative Assistant                | \$59,018      | \$73,054      | \$75,062      | \$77,126      | \$79,247      |
| Monitoring Operations Manager        | \$95,409      | \$115,999     | \$119,190     | \$122,468     | \$125,836     |
| Planning & Rules Manager             | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Payroll Supervisor                   | \$80,835      | \$100,138     | \$102,892     | \$105,721     | \$108,629     |
| Principal Deputy District Counsel    | \$124,418     | \$151,297     | \$155,457     | \$159,732     | \$164,124     |
| Procurement Manager                  | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Public Affairs Manager               | \$95,409      | \$115,999     | \$119,190     | \$122,468     | \$125,836     |
| Quality Assurance Manager            | \$104,926     | \$127,552     | \$131,060     | \$134,664     | \$138,367     |
| Secretary (Confidential)             | \$44,472      | \$55,097      | \$56,612      | \$58,169      | \$59,769      |
| Senior Accountant                    | \$70,989      | \$87,748      | \$90,161      | \$92,640      | \$95,188      |
| Senior Administrative Secretary      | \$59,018      | \$73,054      | \$75,062      | \$77,126      | \$79,247      |
| Senior AQ Engineering Manager        | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Senior Deputy District Counsel       | \$118,862     | \$144,541     | \$148,516     | \$152,600     | \$156,797     |
| Senior Enforcement Manager           | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Senior Public Affairs Manager        | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Senior Public Information Specialist | \$72,634      | \$89,932      | \$92,406      | \$94,947      | \$97,558      |
| Source Testing Manager               | \$104,926     | \$127,552     | \$131,060     | \$134,664     | \$138,367     |
| Systems Analyst                      | \$88,257      | \$109,266     | \$112,271     | \$115,358     | \$118,531     |
| Systems & Programming Supervisor     | \$97,953      | \$121,296     | \$124,633     | \$128,060     | \$131,582     |
| Technology Implementation Manager    | \$115,401     | \$140,331     | \$144,190     | \$148,155     | \$152,230     |
| Workers Comp. & Safety Analyst       | \$64,404      | \$79,697      | \$81,889      | \$84,141      | \$86,454      |

Effective the start of the pay period encompassing January 1, 2022.

| <b>Classification</b>                   | <b>Step 1</b>    | <b>Step 2</b>    | <b>Step 3</b>    | <b>Step 4</b>    | <b>Step 5</b>    | <b>Step 6</b>    | <b>Step 7</b>    | <b>Step 8</b>    |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <u>Accountant</u>                       | <u>\$66,336</u>  | <u>\$69,974</u>  | <u>\$73,827</u>  | <u>\$77,896</u>  | <u>\$82,088</u>  | <u>\$84,345</u>  | <u>\$86,665</u>  | <u>\$89,048</u>  |
| <u>Administrative Analyst</u>           | <u>\$83,260</u>  | <u>\$87,853</u>  | <u>\$92,692</u>  | <u>\$97,778</u>  | <u>\$103,142</u> | <u>\$105,979</u> | <u>\$108,893</u> | <u>\$111,888</u> |
| <u>Administrative Assistant - HR</u>    | <u>\$45,807</u>  | <u>\$48,334</u>  | <u>\$50,985</u>  | <u>\$53,790</u>  | <u>\$56,750</u>  | <u>\$58,310</u>  | <u>\$59,914</u>  | <u>\$61,562</u>  |
| <u>Administrative Secretary/Legal</u>   | <u>\$60,788</u>  | <u>\$64,148</u>  | <u>\$67,662</u>  | <u>\$71,392</u>  | <u>\$75,245</u>  | <u>\$77,314</u>  | <u>\$79,440</u>  | <u>\$81,625</u>  |
| <u>Affirmative Action Officer</u>       | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Assistant Database Administrator</u> | <u>\$77,535</u>  | <u>\$81,808</u>  | <u>\$86,296</u>  | <u>\$91,057</u>  | <u>\$96,064</u>  | <u>\$98,706</u>  | <u>\$101,420</u> | <u>\$104,209</u> |
| <u>Atmospheric Measurements Manager</u> | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Building Maintenance Manager</u>     | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Business Services Manager</u>        | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Clean Fuels Officer</u>              | <u>\$108,074</u> | <u>\$113,469</u> | <u>\$119,141</u> | <u>\$125,090</u> | <u>\$131,378</u> | <u>\$134,991</u> | <u>\$138,704</u> | <u>\$142,518</u> |
| <u>Clerk of the Boards</u>              | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Community Relations Manager</u>      | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Controller</u>                       | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Database Administrator</u>           | <u>\$100,892</u> | <u>\$106,440</u> | <u>\$112,297</u> | <u>\$118,462</u> | <u>\$124,936</u> | <u>\$128,372</u> | <u>\$131,902</u> | <u>\$135,529</u> |
| <u>Deputy District Counsel I</u>        | <u>\$80,054</u>  | <u>\$84,462</u>  | <u>\$89,117</u>  | <u>\$94,018</u>  | <u>\$99,227</u>  | <u>\$101,956</u> | <u>\$104,760</u> | <u>\$107,641</u> |
| <u>Deputy District Counsel II</u>       | <u>\$108,074</u> | <u>\$113,469</u> | <u>\$119,141</u> | <u>\$125,090</u> | <u>\$131,378</u> | <u>\$134,991</u> | <u>\$138,704</u> | <u>\$142,518</u> |
| <u>Executive Assistant</u>              | <u>\$67,847</u>  | <u>\$71,577</u>  | <u>\$75,522</u>  | <u>\$79,684</u>  | <u>\$84,184</u>  | <u>\$86,499</u>  | <u>\$88,878</u>  | <u>\$91,322</u>  |
| <u>Financial Analyst</u>                | <u>\$83,260</u>  | <u>\$87,853</u>  | <u>\$92,692</u>  | <u>\$97,778</u>  | <u>\$103,142</u> | <u>\$105,979</u> | <u>\$108,893</u> | <u>\$111,888</u> |
| <u>Financial Services Manager</u>       | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Graphic Arts Manager</u>             | <u>\$89,301</u>  | <u>\$93,771</u>  | <u>\$98,457</u>  | <u>\$103,389</u> | <u>\$108,567</u> | <u>\$111,553</u> | <u>\$114,620</u> | <u>\$117,772</u> |
| <u>Human Resources Analyst</u>          | <u>\$83,260</u>  | <u>\$87,853</u>  | <u>\$92,692</u>  | <u>\$97,778</u>  | <u>\$103,142</u> | <u>\$105,979</u> | <u>\$108,893</u> | <u>\$111,888</u> |
| <u>Human Resources Manager</u>          | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Human Resources Technician</u>       | <u>\$54,407</u>  | <u>\$57,397</u>  | <u>\$60,572</u>  | <u>\$63,901</u>  | <u>\$67,354</u>  | <u>\$69,206</u>  | <u>\$71,109</u>  | <u>\$73,065</u>  |
| <u>Information Technology Manager</u>   | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Legal Secretary</u>                  | <u>\$56,195</u>  | <u>\$59,277</u>  | <u>\$62,545</u>  | <u>\$65,966</u>  | <u>\$69,573</u>  | <u>\$71,487</u>  | <u>\$73,453</u>  | <u>\$75,473</u>  |

| <b>Classification</b>                       | <b>Step 1</b>    | <b>Step 2</b>    | <b>Step 3</b>    | <b>Step 4</b>    | <b>Step 5</b>    | <b>Step 6</b>    | <b>Step 7</b>    | <b>Step 8</b>    |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <u>Legislative Analyst</u>                  | <u>\$70,683</u>  | <u>\$74,567</u>  | <u>\$78,667</u>  | <u>\$82,982</u>  | <u>\$87,575</u>  | <u>\$89,983</u>  | <u>\$92,458</u>  | <u>\$95,000</u>  |
| <u>Monitoring Operations Manager</u>        | <u>\$98,272</u>  | <u>\$103,173</u> | <u>\$108,321</u> | <u>\$113,746</u> | <u>\$119,480</u> | <u>\$122,766</u> | <u>\$126,142</u> | <u>\$129,611</u> |
| <u>Planning &amp; Rules Manager</u>         | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Payroll Supervisor</u>                   | <u>\$83,260</u>  | <u>\$87,853</u>  | <u>\$92,692</u>  | <u>\$97,778</u>  | <u>\$103,142</u> | <u>\$105,979</u> | <u>\$108,893</u> | <u>\$111,888</u> |
| <u>Principal Deputy District Counsel</u>    | <u>\$128,151</u> | <u>\$134,565</u> | <u>\$141,279</u> | <u>\$148,357</u> | <u>\$155,835</u> | <u>\$160,120</u> | <u>\$164,524</u> | <u>\$169,048</u> |
| <u>Procurement Manager</u>                  | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Public Affairs Manager</u>               | <u>\$98,272</u>  | <u>\$103,173</u> | <u>\$108,321</u> | <u>\$113,746</u> | <u>\$119,480</u> | <u>\$122,766</u> | <u>\$126,142</u> | <u>\$129,611</u> |
| <u>Quality Assurance Manager</u>            | <u>\$108,074</u> | <u>\$113,469</u> | <u>\$119,141</u> | <u>\$125,090</u> | <u>\$131,378</u> | <u>\$134,991</u> | <u>\$138,704</u> | <u>\$142,518</u> |
| <u>Senior Accountant</u>                    | <u>\$73,118</u>  | <u>\$77,156</u>  | <u>\$81,379</u>  | <u>\$85,880</u>  | <u>\$90,380</u>  | <u>\$92,866</u>  | <u>\$95,420</u>  | <u>\$98,044</u>  |
| <u>Senior Administrative Assistant</u>      | <u>\$60,788</u>  | <u>\$64,148</u>  | <u>\$67,662</u>  | <u>\$71,392</u>  | <u>\$75,245</u>  | <u>\$77,314</u>  | <u>\$79,440</u>  | <u>\$81,625</u>  |
| <u>Senior AQ Engineering Manager</u>        | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Senior Deputy District Counsel</u>       | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,971</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,501</u> |
| <u>Senior Enforcement Manager</u>           | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Senior Public Affairs Manager</u>        | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Source Testing Manager</u>               | <u>\$108,074</u> | <u>\$113,469</u> | <u>\$119,141</u> | <u>\$125,090</u> | <u>\$131,378</u> | <u>\$134,991</u> | <u>\$138,704</u> | <u>\$142,518</u> |
| <u>Systems Analyst</u>                      | <u>\$90,904</u>  | <u>\$95,898</u>  | <u>\$101,169</u> | <u>\$106,749</u> | <u>\$112,544</u> | <u>\$115,639</u> | <u>\$118,819</u> | <u>\$122,087</u> |
| <u>Systems &amp; Programming Supervisor</u> | <u>\$100,892</u> | <u>\$106,440</u> | <u>\$112,297</u> | <u>\$118,462</u> | <u>\$124,936</u> | <u>\$128,372</u> | <u>\$131,902</u> | <u>\$135,529</u> |
| <u>Technology Implementation Manager</u>    | <u>\$118,863</u> | <u>\$124,812</u> | <u>\$131,039</u> | <u>\$137,605</u> | <u>\$144,541</u> | <u>\$148,516</u> | <u>\$152,600</u> | <u>\$156,796</u> |
| <u>Workers Comp. &amp; Safety Analyst</u>   | <u>\$66,336</u>  | <u>\$69,974</u>  | <u>\$73,827</u>  | <u>\$77,896</u>  | <u>\$82,088</u>  | <u>\$84,345</u>  | <u>\$86,665</u>  | <u>\$89,048</u>  |

Effective the start of the pay period encompassing January 1, 2023.

| <u>Classification</u>                   | <u>Step 1</u>    | <u>Step 2</u>    | <u>Step 3</u>    | <u>Step 4</u>    | <u>Step 5</u>    | <u>Step 6</u>    | <u>Step 7</u>    | <u>Step 8</u>    |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <u>Accountant</u>                       | <u>\$68,326</u>  | <u>\$72,073</u>  | <u>\$76,042</u>  | <u>\$80,233</u>  | <u>\$84,551</u>  | <u>\$86,876</u>  | <u>\$89,265</u>  | <u>\$91,719</u>  |
| <u>Administrative Analyst</u>           | <u>\$85,757</u>  | <u>\$90,488</u>  | <u>\$95,473</u>  | <u>\$100,712</u> | <u>\$106,236</u> | <u>\$109,158</u> | <u>\$112,160</u> | <u>\$115,244</u> |
| <u>Administrative Assistant - HR</u>    | <u>\$47,181</u>  | <u>\$49,784</u>  | <u>\$52,515</u>  | <u>\$55,404</u>  | <u>\$58,452</u>  | <u>\$60,060</u>  | <u>\$61,712</u>  | <u>\$63,409</u>  |
| <u>Administrative Secretary/Legal</u>   | <u>\$62,611</u>  | <u>\$66,072</u>  | <u>\$69,692</u>  | <u>\$73,533</u>  | <u>\$77,502</u>  | <u>\$79,633</u>  | <u>\$81,823</u>  | <u>\$84,073</u>  |
| <u>Affirmative Action Officer</u>       | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Assistant Database Administrator</u> | <u>\$79,861</u>  | <u>\$84,263</u>  | <u>\$88,884</u>  | <u>\$93,789</u>  | <u>\$98,946</u>  | <u>\$101,667</u> | <u>\$104,463</u> | <u>\$107,336</u> |
| <u>Atmospheric Measurements Manager</u> | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Building Maintenance Manager</u>     | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Business Services Manager</u>        | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Clean Fuels Officer</u>              | <u>\$111,316</u> | <u>\$116,873</u> | <u>\$122,715</u> | <u>\$128,842</u> | <u>\$135,320</u> | <u>\$139,041</u> | <u>\$142,865</u> | <u>\$146,794</u> |
| <u>Clerk of the Boards</u>              | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Community Relations Manager</u>      | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Controller</u>                       | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Database Administrator</u>           | <u>\$103,919</u> | <u>\$109,634</u> | <u>\$115,666</u> | <u>\$122,016</u> | <u>\$128,684</u> | <u>\$132,223</u> | <u>\$135,859</u> | <u>\$139,595</u> |
| <u>Deputy District Counsel I</u>        | <u>\$82,455</u>  | <u>\$86,996</u>  | <u>\$91,790</u>  | <u>\$96,838</u>  | <u>\$102,204</u> | <u>\$105,015</u> | <u>\$107,902</u> | <u>\$110,870</u> |
| <u>Deputy District Counsel II</u>       | <u>\$111,316</u> | <u>\$116,873</u> | <u>\$122,715</u> | <u>\$128,842</u> | <u>\$135,320</u> | <u>\$139,041</u> | <u>\$142,865</u> | <u>\$146,794</u> |
| <u>Executive Assistant</u>              | <u>\$69,882</u>  | <u>\$73,724</u>  | <u>\$77,788</u>  | <u>\$82,074</u>  | <u>\$86,710</u>  | <u>\$89,094</u>  | <u>\$91,544</u>  | <u>\$94,062</u>  |
| <u>Financial Analyst</u>                | <u>\$85,757</u>  | <u>\$90,488</u>  | <u>\$95,473</u>  | <u>\$100,712</u> | <u>\$106,236</u> | <u>\$109,158</u> | <u>\$112,160</u> | <u>\$115,244</u> |
| <u>Financial Services Manager</u>       | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Graphic Arts Manager</u>             | <u>\$91,980</u>  | <u>\$96,584</u>  | <u>\$101,410</u> | <u>\$106,490</u> | <u>\$111,824</u> | <u>\$114,899</u> | <u>\$118,059</u> | <u>\$121,306</u> |
| <u>Human Resources Analyst</u>          | <u>\$85,757</u>  | <u>\$90,488</u>  | <u>\$95,473</u>  | <u>\$100,712</u> | <u>\$106,236</u> | <u>\$109,158</u> | <u>\$112,160</u> | <u>\$115,244</u> |
| <u>Human Resources Manager</u>          | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Human Resources Technician</u>       | <u>\$56,039</u>  | <u>\$59,119</u>  | <u>\$62,389</u>  | <u>\$65,818</u>  | <u>\$69,374</u>  | <u>\$71,282</u>  | <u>\$73,243</u>  | <u>\$75,256</u>  |
| <u>Information Technology Manager</u>   | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Legal Secretary</u>                  | <u>\$57,881</u>  | <u>\$61,056</u>  | <u>\$64,421</u>  | <u>\$67,946</u>  | <u>\$71,660</u>  | <u>\$73,631</u>  | <u>\$75,656</u>  | <u>\$77,737</u>  |

| <b>Classification</b>                       | <b>Step 1</b>    | <b>Step 2</b>    | <b>Step 3</b>    | <b>Step 4</b>    | <b>Step 5</b>    | <b>Step 6</b>    | <b>Step 7</b>    | <b>Step 8</b>    |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <u>Legislative Analyst</u>                  | <u>\$72,803</u>  | <u>\$76,804</u>  | <u>\$81,027</u>  | <u>\$85,472</u>  | <u>\$90,203</u>  | <u>\$92,682</u>  | <u>\$95,231</u>  | <u>\$97,850</u>  |
| <u>Monitoring Operations Manager</u>        | <u>\$101,220</u> | <u>\$106,268</u> | <u>\$111,570</u> | <u>\$117,158</u> | <u>\$123,064</u> | <u>\$126,449</u> | <u>\$129,926</u> | <u>\$133,499</u> |
| <u>Planning &amp; Rules Manager</u>         | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Payroll Supervisor</u>                   | <u>\$85,757</u>  | <u>\$90,488</u>  | <u>\$95,473</u>  | <u>\$100,712</u> | <u>\$106,236</u> | <u>\$109,158</u> | <u>\$112,160</u> | <u>\$115,244</u> |
| <u>Principal Deputy District Counsel</u>    | <u>\$131,996</u> | <u>\$138,602</u> | <u>\$145,518</u> | <u>\$152,807</u> | <u>\$160,510</u> | <u>\$164,924</u> | <u>\$169,459</u> | <u>\$174,119</u> |
| <u>Procurement Manager</u>                  | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Public Affairs Manager</u>               | <u>\$101,220</u> | <u>\$106,268</u> | <u>\$111,570</u> | <u>\$117,158</u> | <u>\$123,064</u> | <u>\$126,449</u> | <u>\$129,926</u> | <u>\$133,499</u> |
| <u>Quality Assurance Manager</u>            | <u>\$111,316</u> | <u>\$116,873</u> | <u>\$122,715</u> | <u>\$128,842</u> | <u>\$135,320</u> | <u>\$139,041</u> | <u>\$142,865</u> | <u>\$146,794</u> |
| <u>Senior Accountant</u>                    | <u>\$75,312</u>  | <u>\$79,471</u>  | <u>\$83,821</u>  | <u>\$88,456</u>  | <u>\$93,092</u>  | <u>\$95,652</u>  | <u>\$98,282</u>  | <u>\$100,985</u> |
| <u>Senior Administrative Assistant</u>      | <u>\$62,611</u>  | <u>\$66,072</u>  | <u>\$69,692</u>  | <u>\$73,533</u>  | <u>\$77,502</u>  | <u>\$79,633</u>  | <u>\$81,823</u>  | <u>\$84,073</u>  |
| <u>Senior AQ Engineering Manager</u>        | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Senior Deputy District Counsel</u>       | <u>\$126,102</u> | <u>\$132,414</u> | <u>\$139,020</u> | <u>\$145,985</u> | <u>\$153,343</u> | <u>\$157,561</u> | <u>\$161,893</u> | <u>\$166,345</u> |
| <u>Senior Enforcement Manager</u>           | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Senior Public Affairs Manager</u>        | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Source Testing Manager</u>               | <u>\$111,316</u> | <u>\$116,873</u> | <u>\$122,715</u> | <u>\$128,842</u> | <u>\$135,320</u> | <u>\$139,041</u> | <u>\$142,865</u> | <u>\$146,794</u> |
| <u>Systems Analyst</u>                      | <u>\$93,631</u>  | <u>\$98,775</u>  | <u>\$104,204</u> | <u>\$109,951</u> | <u>\$115,920</u> | <u>\$119,108</u> | <u>\$122,384</u> | <u>\$125,749</u> |
| <u>Systems &amp; Programming Supervisor</u> | <u>\$103,919</u> | <u>\$109,634</u> | <u>\$115,666</u> | <u>\$122,016</u> | <u>\$128,684</u> | <u>\$132,223</u> | <u>\$135,859</u> | <u>\$139,595</u> |
| <u>Technology Implementation Manager</u>    | <u>\$122,429</u> | <u>\$128,557</u> | <u>\$134,970</u> | <u>\$141,733</u> | <u>\$148,877</u> | <u>\$152,971</u> | <u>\$157,178</u> | <u>\$161,500</u> |
| <u>Workers Comp. &amp; Safety Analyst</u>   | <u>\$68,326</u>  | <u>\$72,073</u>  | <u>\$76,042</u>  | <u>\$80,233</u>  | <u>\$84,551</u>  | <u>\$86,876</u>  | <u>\$89,265</u>  | <u>\$91,719</u>  |

**CHAPTER III**  
**TERMS AND CONDITIONS OF**  
**AT-WILL DESIGNATED DEPUTY APPOINTMENTS**

**Article 3**

**Benefits**

**Section 56. FRINGE BENEFITS**

1. Other

- (7) ~~Physical Examinations~~ Health and Wellness Reimbursement Program. South Coast AQMD will contribute toward the cost of an annual physical examination any item, program, or benefit that contributes to personal health and wellbeing for Designated Deputies in accordance with prevailing South Coast AQMD policy for management employees.

## Article 7

### DESIGNATED DEPUTY ANNUAL SALARIES

(Effective with the start of the pay period encompassing January 1, 2017)

|  |                                |
|--|--------------------------------|
| Assistant Chief Deputy Counsel, Major Prosecutions   | \$162,826                      |
| Assistant Deputy Executive Officer, including Chief Information Officer                      | \$160,374                      |
| Chief Deputy Counsel   | \$183,790                      |
| Deputy Executive Officer, including Chief Operating Officer and Chief Administrative Officer | \$171,651                      |
| Director of Strategic Initiatives  | \$153,218                      |
| Health Effects Officer   | <del>\$126,053</del> \$153,218 |
|  | (Steps 1 – 5)                  |
| Intergovernmental Affairs Officer  | Vacant                         |
| Senior Policy Advisor  | \$156,196                      |

(Effective with the start of the pay period encompassing July 1, 2018)

|  |                                |
|--|--------------------------------|
| Assistant Chief Deputy Counsel, Major Prosecutions   | \$167,304                      |
| Assistant Deputy Executive Officer, including Chief Information Officer                      | \$164,784                      |
| Chief Deputy Counsel   | \$188,844                      |
| Deputy Executive Officer, including Chief Operating Officer and Chief Administrative Officer | \$176,371                      |
| Director of Strategic Initiatives  | \$157,432                      |
| Director of Communications   | \$157,432                      |
| Health Effects Officer   | <del>\$126,053</del> \$157,432 |
|  | (Steps 1 – 6)                  |
| Intergovernmental Affairs Officer  | Vacant                         |
| Senior Policy Advisor  | Vacant                         |

(Effective with the start of the pay period encompassing July 1, 2019)

|   |                                |
|---|--------------------------------|
| Assistant Chief Deputy Counsel, Major Prosecutions  | \$171,905                      |
| Assistant Deputy Executive Officer  | \$169,316                      |
| Chief Deputy Counsel  | \$194,037                      |
| Chief Operating Officer   | \$194,037                      |
| Deputy Executive Officer, including Chief Financial Officer and Chief Information Officer | \$181,222                      |
| Director of Strategic Initiatives   | \$161,761                      |
| Director of Communications  | \$161,761                      |
| Director of Community Air Programs/Health Effects Officer                                 | <del>\$126,053</del> \$161,761 |
|   | (Steps 1 – 7)                  |
| Intergovernmental Affairs Officer   | Vacant                         |
| Senior Policy Advisor   | Vacant                         |

(Effective with the start of the pay period encompassing July 1, 2020)

|  |   |
|--|---|
| <del>Assistant Chief Deputy Counsel, Major Prosecutions</del>  | <del>\$176,632</del>                      |
| <del>Assistant Deputy Executive Officer</del>  | <del>\$173,972</del>                      |
| <del>Chief Deputy Counsel</del>  | <del>\$199,373</del>                      |
| <del>Chief Operating Officer</del>   | <del>\$199,373</del>                      |
| <del>Deputy Executive Officer, including Chief Financial Officer, Chief Information Officer, Chief Technologist, and Diversity, Equity &amp; Inclusion Officer</del> | <del>\$186,205</del>                      |
| <del>Director of Strategic Initiatives</del>   | <del>\$166,209</del>                      |
| <del>Director of Communications</del>  | <del>\$166,209</del>                      |
| <del>Director of Community Air Programs/Health Effects Officer</del>   | <del>\$126,053</del> <del>\$166,209</del> |
|  | <del>(Steps 1 — 8)</del>                  |
| <del>Intergovernmental Affairs Officer</del>   | <del>Vacant</del>                         |
| <del>Senior Policy Advisor</del>   | <del>Vacant</del>                         |

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(Effective with the start of the pay period encompassing July 1, 2022)

|  |                              |
|--|------------------------------|
| <u>Assistant Chief Deputy Counsel, Major Prosecutions</u>  | <u>\$181,931</u>             |
| <u>Assistant Deputy Executive Officer</u>  | <u>\$179,191</u>             |
| <u>Chief Deputy Counsel</u>  | <u>\$205,354</u>             |
| <u>Chief Operating Officer</u>   | <u>\$205,354</u>             |
| <u>Deputy Executive Officer, including Chief Financial Officer, Chief Information Officer, Chief Technologist, and Diversity, Equity &amp; Inclusion Officer</u> | <u>\$191,791</u>             |
| <u>Director of Community Air Programs</u>  | <u>\$171,195</u>             |
| <u>Director of Communications</u>  | <u>\$171,195</u>             |
| <u>Director of Monitoring &amp; Analysis</u>   | <u>\$171,195</u>             |
| <u>Health Effects Officer</u>  | <u>\$129,834 - \$171,195</u> |
|  | <u>(Steps 1 – 8)</u>         |
| <u>Intergovernmental Affairs Officer</u>   | <u>Vacant</u>                |
| <u>Senior Policy Advisor</u>   | <u>Vacant</u>                |

(Effective with the start of the pay period encompassing July 1, 2023)

|  |                              |
|--|------------------------------|
| <u>Assistant Chief Deputy Counsel, Major Prosecutions</u>  | <u>\$187,389</u>             |
| <u>Assistant Deputy Executive Officer</u>  | <u>\$184,567</u>             |
| <u>Chief Deputy Counsel</u>  | <u>\$211,515</u>             |
| <u>Chief Operating Officer</u>   | <u>\$211,515</u>             |
| <u>Deputy Executive Officer, including Chief Financial Officer, Chief Information Officer, Chief Technologist, and Diversity, Equity &amp; Inclusion Officer</u> | <u>\$197,545</u>             |
| <u>Director of Community Air Programs</u>  | <u>\$176,331</u>             |
| <u>Director of Communications</u>  | <u>\$176,331</u>             |
| <u>Director of Monitoring &amp; Analysis</u>   | <u>\$176,331</u>             |
| <u>Health Effects Officer</u>  | <u>\$133,729 - \$176,331</u> |
|  | <u>(Steps 1 – 8)</u>         |
| <u>Intergovernmental Affairs Officer</u>   | <u>Vacant</u>                |
| <u>Senior Policy Advisor</u>   | <u>Vacant</u>                |

## Attachment D

### Amendments to

### Executive Agreement with Executive Officer

#### Section I. TERMS OF AGREEMENT

- B. Effective March 3, 2017, the Executive Officer received an annual base salary of \$271,080.68. The term "base salary" shall not include any benefits that the Executive Officer shall receive under the terms of this Agreement. The ~~District~~ South Coast AQMD Board may consider increases to the Executive Officer's base salary, at the time and in the manner it deems appropriate. Said annual salary shall be less federal and state taxes which are also applicable to other employees of the ~~District~~ South Coast AQMD and shall be payable every two weeks commencing on the first applicable payday following Board approval of this Agreement.

Effective July 1, 2018, the Executive Officer shall receive an annual base salary increase of 2.75% (\$278,535). Effective July 1, 2019, the Executive Officer shall receive an annual base salary increase of 2.75% (\$286,195). Effective July 1, 2020, the Executive officer shall receive an annual base salary increase of 2.75% (\$294,065). Effective January 1, 2022, the Executive Officer shall receive an annual base salary increase of 3.0% (\$302,887). Effective January 1, 2023, the Executive Officer shall receive an annual base salary increase of 3.0% (\$311,974). The ~~District~~ South Coast AQMD Board will determine subsequent increases to the Executive Officer's base salary, at the time and in the manner it deems appropriate.

D.

10. Other.

- d) 401(a) Money Purchase Plan. The ~~District~~ South Coast AQMD created a 401(a) Money Purchase Plan, and the Executive Officer is eligible to participate in the Plan. Starting at the pay period ending January 1, 2017, the ~~District~~ South Coast AQMD contributed \$923.00 per bi-weekly pay period, for a total amount of \$24,000 annually into the Executive Officer's 401(a) Plan account. If the 401(a) Money Purchase Plan is established after the pay period ending January 1, 2017, the ~~District~~ South Coast AQMD will contribute the amount of \$923.00 per pay period, retroactive to the pay period ending January 1, 2017. Retroactive to the pay period encompassing January 1, 2018, the ~~District~~ South Coast AQMD will contribute \$942.31 per bi-weekly pay period, for a total amount of \$24,500 annually into the Executive Officer's 401(a) Plan account. The ~~District's~~ South Coast AQMD's contribution amount ~~will is equal to match~~ the IRS 401(a) Money Purchase Section 457 Deferred Compensation Plan contribution limits.

- g) Physical Examinations Health and Wellness Reimbursement Program. The ~~District~~ South Coast AQMD will contribute toward the cost of ~~an annual physical examination~~ any item, program, or benefit that contributes to personal health and wellbeing for Executive Officer in accordance with the policy applicable to management employees.

## Attachment E

### Amendments to

#### Executive Agreement with General Counsel

#### Section I. TERMS OF AGREEMENT

- B. General Counsel shall initially receive a base salary of \$202,684. The term "base salary" shall not include any benefits that the General Counsel shall receive under the terms of this Agreement. The ~~District-South Coast AQMD~~ Board may consider increases to the General Counsel's base salary based on his annual performance evaluation and as part of the ~~District's-South Coast AQMD's~~ annual budget process. Said annual salary shall be less federal and state truces which are also applicable to other employees of the ~~District-South Coast AQMD~~ and shall be payable every two weeks commencing on the first applicable payday following Board approval of this Agreement.

Effective April 6, 2018, General Counsel shall receive a base salary of \$208,531. Effective July 1, 2018, General Counsel shall receive a base salary increase of 2.75% (\$214,265). Effective July 1, 2019, General Counsel shall receive a base salary increase of 2.75% (\$220,158). Effective July 1, 2020, General Counsel shall receive a base salary increase of 2.75% (\$226,212). Effective January 1, 2022, General Counsel shall receive a base salary increase of 3.0% (\$232,998). Effective January 1, 2023, General Counsel shall receive a base salary increase of 3.0% (\$239,988). The ~~District-South Coast AQMD~~ Board will determine subsequent increases to the General Counsel's base salary, at the time and in the manner it deems appropriate.

D.

10. ~~Bereavement Leave. General Counsel is entitled to three working days per occasion during this Agreement, upon the death of his father, mother, stepfather, stepmother, father-in-law, mother-in-law, sister, brother, spouse, domestic partner (subject to SCAQMD domestic partner certification requirements), child or stepchild, grandmother, grandfather, grandchild.~~

Other Leave. Except as otherwise provided in this Agreement, General Counsel is entitled to the same leaves of absence as management employees.

11. Other.

- g. ~~Physical Examinations~~Health and Wellness Reimbursement Program. The ~~District South Coast AQMD~~ will contribute toward the cost of ~~an annual physical examination~~ any item, program, or benefit that contributes to personal health and wellbeing for General Counsel in accordance with the policy applicable to management employees.