



# South Coast Air Quality Management District

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

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## A G E N D A

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### HYBRID GOVERNING BOARD MEETING FEBRUARY 2, 2024

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, February 2, 2024 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates, and details on how to participate at: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

#### Electronic Participation Information (Instructions provided at the 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#

#### Spanish Language Only Audience (telephone)

Número Telefónico para la Audiencia que Habla Español

Teleconference Dial In/Numero para llamar: +1 669 900 6833

Meeting ID/Identificación de la reunión: **932 0955 9643**

One tap mobile: +16699006833,,93209559643

#### Public Comment Will Still Be Taken

**Audience will be allowed to provide public comment in person and through Zoom connection or telephone.** Comments are limited to three (3) minutes per person for all items on the Consent and Board Calendars and may be further limited by the Chair to ensure all can be heard.

Phone controls for participants:

The following commands can be used on your phone's dial pad while in meeting: \*6 (Toggle mute/unmute); \*9 - Raise hand

#### Questions About an Agenda Item

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

## Meeting Procedures

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

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting 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
- Opening Comments: Vanessa Delgado, Chair  
Other Board Members  
Wayne Nastri, Executive Officer

Staff/Phone (909) 396-

**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.**

**CONSENT AND BOARD CALENDAR (Items 1 through 25)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 26.

**Item 1 through 3 – Action Item/No Fiscal Impact**

1. Approve Minutes of January 5, 2024 **Thomas/3268**
2. Set Public Hearing March 1, 2024 to Consider Adoption **Nastri/3131**  
of and/or Amendments to a Draft State Implementation  
Plan Revision:

Consider Draft Coachella Valley Contingency Measure SIP Revision for 2008 8-Hour Ozone Standard Exempt from CEQA and Adopt Coachella Valley Contingency Measure SIP Revision for 2008 8-Hour Ozone Standard **Rees/2856**

The Draft Coachella Valley Contingency Measure SIP Revision was developed to meet Clean Air Act requirements for contingency measures in case an area fails to meet any applicable milestones or fails to attain an air quality standard by the attainment date. A Contingency Measure Plan addressing the 2008 ozone standard in the Coachella Valley was previously submitted to U.S. EPA as part of the 2016 AQMP. Following U.S.EPA’s recent proposal to revise its guidance on contingency measures in response to multiple lawsuits, South Coast AQMD withdrew its contingency measures elements in 2023. This proposed plan is designed to address this revised guidance and if adopted will be submitted to CARB for their consideration and transmittal to U.S. EPA. (Reviewed: Mobile Source Committee, February 16, 2024)

3. Local Government & Small Business Assistance Advisory Group Appointments of New Members

**Alatorre/3122**

This action is to recommend appointments of two new Local Government & Small Business Assistance Advisory Group members. (No Committee Review)

**Items 4 through 11 – Budget/Fiscal Impact**

4. Recognize Revenue, Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring Equipment

**Low/2269**

South Coast AQMD is expected to receive grant funds up to \$800,000 from U.S. EPA for the FY 2024-25 (32nd Year) PAMS Program. This action is to recognize revenue and appropriate funds for the PAMS Program in the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets. These actions are also to recognize revenue upon receipt, and appropriate \$73,000 for the PM2.5 Program in the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets and to issue solicitations and execute purchase orders for air monitoring equipment. (Reviewed: Administrative Committee, January 12, 2024; Recommended for Approval)

5. Recognize Funds and Execute MOU with City of Irvine for Lawn and Garden Equipment Projects

**Katzenstein/2219**

South Coast AQMD administers and implements both the Residential Electric Lawn Mower Rebate and the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program. The City of Irvine would like to partner with South Coast AQMD to fund zero-emission lawn and garden equipment replacement projects for residents and businesses operating within the City of Irvine. These actions are to: 1) authorize the Executive Officer to execute an MOU with the City of Irvine to contribute \$300,000 towards South Coast AQMD's programs that fund zero-emission lawn and garden equipment replacement projects for residents and businesses in the City of Irvine; and 2) recognize funds from the City of Irvine up to \$18,750 into the General Fund for administrative costs of implementing the MOU. (Reviewed: Technology Committee, January 19, 2024; Recommended for Approval)



6. Execute Contracts, Adopt Resolutions to Recognize Funds and Reimburse General Fund to Implement Year 25 & 26 Carl Moyer, SOON, FARMER and Community Air Protection Programs, and Appropriate Funds for Development of Carl Moyer Program Grant Management System

**Katzenstein/2219**

In May 2023, Program Announcements for the Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs closed. Over \$400M in grant applications were received. These actions are to: 1) adopt Resolutions and recognize FY 2023-24 funds from CARB of up to \$136,856,015 for the Carl Moyer, Funding Agricultural Replacement Measures for Emission Reductions (FARMER) and Community Air Protection Program (CAPP) Programs; 2) execute contracts for Carl Moyer, SOON, FARMER and CAPP in the amount of \$196,687,460; 3) authorize the Executive Officer to redistribute the source of funds for the awarded projects between Carl Moyer, FARMER and CAPP to ensure liquidation targets are met; 4) reimburse General Fund for administrative costs up to \$8,553,501 from Carl Moyer, FARMER and CAPP Programs; and 5) transfer and appropriate up to \$100,000 each (for a total of \$200,000) from the administrative portions of the Community Air Protection AB 134 Fund (77) and the Carl Moyer Program Fund (32), into Information Management's FY 2023-24 and/or 2024-25 Budget, Services and Supplies and/or Capital Outlays Major Objects for the final phase of the grant management system development.(Reviewed; Technology Committee, January 19, 2024; Recommended for Approval)

7. Execute Contract to Demonstrate Off-Grid Electrical Fast Charging Solution to Support UCLA's Electric Fleet

**Katzenstein/2219**

The University of California Los Angeles (UCLA) is committed to a sustainability goal and has a comprehensive transportation plan to reduce its environmental impact, including electrifying its fleet. However, upgrading the electrical infrastructure will take some time. To address the infrastructure challenge, UCLA plans to demonstrate an interim off-grid charging solution in partnership with GenCell, Inc. This action is to execute a contract with GenCell, Inc. to develop and demonstrate an off-grid fast charging solution to support UCLA's electric fleet in an amount not to exceed \$200,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, January 19, 2024; Recommended for Approval)

8. Execute Contract to Replace and Expand Existing Hydrogen Refueling Station at South Coast AQMD Headquarters

**Katzenstein/2219**

For over a decade, South Coast AQMD hosted a hydrogen refueling station at its headquarters that is part of a CEC award to Air Products and Chemicals, Inc. The current station's capacity to provide hydrogen refueling is limited. Recently, FirstElement Fuel, Inc. received a CEC grant in the amount of \$42.6 million to develop publicly accessible advanced hydrogen refueling stations. Additional funding is sought to clean up the site and expedite the replacement of the existing station. This action is to execute a contract with FirstElement to replace and expand the existing hydrogen refueling station at South Coast AQMD headquarters in an amount not to exceed \$750,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, January 19, 2024; Recommended for Approval)

9. Issue RFP and Execute Contracts for Green Space Program Within AB 617 Community of Southeast Los Angeles

**Higgins/3309**

Through participatory budgeting workshops held in early 2021, the Assembly Bill 617 (AB 617) Southeast Los Angeles (SELA) Community Steering Committee prioritized \$2.5 million in Community Air Protection Program incentive funding for green space projects within the SELA community. These actions are to: 1) issue an RFP in an amount up to \$2.5 million from the Community Air Protection AB 134 Fund (77) to solicit green space project bids from contractor(s) and to Execute Contracts to implement green space projects in the SELA community through the SELA Green Space Program; 2) reimburse the General Fund for administrative costs of up to \$141,667 from the Community Air Protection AB 134 Fund (77); and 3) transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity, and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the SELA Green Space Program. (Reviewed: Stationary Source Committee, January 19, 2024; Recommended for Approval).

10. Establish List of Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software

**Moskowitz/3329**

On November 3, 2023, the Board approved the release of a Request for Qualifications and Quotations (RFQQ) to prequalify vendors for computer, network, printer, hardware, and software. As a result of successful responses to this RFQQ, seven vendors were identified as capable of providing these products. This action is to approve these seven vendors to provide these products for a two-year period. Funds (\$380,000) for these purchases are

included in the FY 2023-24 Budget. (Reviewed: Administrative Committee, January 12, 2024; Recommended for Approval).

11. Approve Funding Allocations and Cooperative Agreement as Approved by MSRC

**McCallon**

The MSRC approved funding allocations to partner with Southern California Gas Company, Penske Truck Leasing Co., L.P., and Pilot Travel Center, LLC in applications seeking funding under the Carl Moyer Program. The MSRC also approved a proposed cooperative agreement with Los Angeles County Metropolitan Transportation Authority. The MSRC is seeking Board approval of the funding allocations as part of the FYs 2021-24 Work Program. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, January 18, 2024; Recommended for Approval)

**Items 12 through 18 – Information Only/Receive and File**

12. Legislative, Public Affairs and Media Report

**Alatorre/3122**

This report highlights the December 2023 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)

13. Hearing Board Report

**Verdugo-Peralta**

This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2023. (No Committee Review)

14. Civil Filings and Civil Penalties Report

**Gilchrist/3459**

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from December 1, 2023 through December 31, 2023. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, January 19, 2024)

15. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

**Krause /2706**

This report provides a listing of CEQA documents received by South Coast AQMD between December 1, 2023 and December 31, 2023, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, January 19, 2024)

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

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2024. (No Committee Review)

17. Status Report on Regulation XIII – New Source Review **Aspell/2491**

This report presents the state and federal Preliminary Determination of Equivalency for January 2022 through December 2022. The report provides information regarding the status of Regulation XIII – New Source Review (NSR) in meeting state and federal NSR requirements and shows that South Coast AQMD’s NSR program is in preliminary compliance with applicable state and federal requirements from January 2022 through December 2022. (Reviewed: Stationary Source Committee, January 19, 2024)

18. 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, January 12, 2024)

**Items 19 through 25 -- Reports for Committees and CARB**

- |   |                       |                         |
|---|-----------------------|-------------------------|
| 19. Administrative Committee (Receive & File)                               | Chair: Delgado        | <b>Nastri/3131</b>      |
| 20. Legislative Committee (Receive & File)                                  | Chair: Cacciotti      | <b>Alatorre/3122</b>    |
| 21. Mobile Source Committee (Receive & File)                                | Chair: Kracov         | <b>Rees/2856</b>        |
| 22. Stationary Source Committee (Receive & File)                            | Chair: McCallon       | <b>Aspell/2491</b>      |
| 23. Technology Committee (Receive & File)                                   | Chair: Rodriguez      | <b>Katzenstein/2219</b> |
| 24. Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Hagman | <b>Katzenstein/2219</b> |
| 25. California Air Resources Board Monthly Report (Receive & File)          | Board Rep.: Kracov    | <b>Thomas/3268</b>      |

26. Items Deferred from Consent and Board Calendar

**STAFF PRESENTATION/BOARD DISCUSSION/RECEIVE AND FILE**

27. Permitting Enhancement Program Status Update (Presentation In Lieu of Board Letter)

**Aspell/2491**

Staff will present a status update on the Workplan to implement the Permitting Enhancement Program. In August 2023, as part of the Chair's priorities, staff presented a comprehensive Workplan to overcome current and future permit processing challenges which included several short-term and long-term actions. Staff will present their progress on the actions and upcoming efforts. (No Committee Review)

**PUBLIC HEARINGS**

28. Determine That Proposed Amended Rule 461.1 - Gasoline Transfer and Dispensing for Mobile Fueling Operations, Is Exempt from CEQA; and Amend Rule 461.1

**Krause/2706**

Rule 461.1 applies to an owner or operator of a Mobile Fueler that conducts retail or non-retail operations. Proposed Amended Rule 461.1 will clarify that aviation gasoline is exempt from the rule. The proposed amendments will also remove outdated rule language and clarify several provisions. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations. (Reviewed: Stationary Source Committee, November 17, 2023)

29. Determine That Proposed Amendments to BACT Guidelines Are Exempt from CEQA and Amend BACT Guidelines

**Aspell/2491**

Periodically, after consultation with stakeholders through the BACT Scientific Review Committee, staff proposes amendments to the BACT Guidelines to reflect technological advancements in emissions controls and to maintain consistency with recent changes to South Coast AQMD rules and regulations as well as state requirements. Staff is proposing to add seven new listings and amend two existing listings in the following sections of the BACT Guidelines: Part B: Lowest Achievable Emission Rate Determinations for Major Polluting Facilities; and Part D: BACT Determinations for Non-Major Polluting Facilities. Staff is also proposing administrative and routine updates to the following sections of the BACT Guidelines: Overview; Part A: Policy and Procedures for Major Polluting Facilities; Part C: Policy and Procedures for Non-Major Polluting Facilities; and Part E: Policy and Procedures for Facilities Subject to Prevention of Significant Deterioration for GHGs. (Reviewed: Stationary Source Committee, January 19, 2024)

**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 South Coast AQMD is a party. The actions are:

- In the Matter of South Coast Air Quality Management District v. Southern California Gas Company, Aliso Canyon Storage Facility, South Coast AQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel South Coast Air Quality Management District v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No.4861;
- South Coast Air Quality Management District, 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);
- South Coast Air Quality Management District, 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); Fourth District Court of Appeal, Division One, No. D080902;
- California Trucking Association v. South Coast Air Quality Management District; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, U.S. District Court for the Central District of California, Case No. 2:21-cv-06341;
- In the Matter of South Coast Air Quality Management District v. Baker Commodities, South Coast AQMD Hearing Board Case No. 6223-1 (Order for Abatement); Baker Commodities, Inc. v. South Coast Air Quality Management District Hearing Board; South Coast Air Quality Management District; South Coast Air Quality Management District Hearing Board Members: Cynthia Verdugo-Peralta, Robert Pearman, Micah Ali, and Allan Bernstein, DPM MBA, in their official capacities only; and 100 Does and Roes, Los Angeles County Superior Court, Case No. 22STCP03597;
- South Coast Air Quality Management District v. EPA, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646;
- East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, the Governing Board of the South Coast Air Quality Management District, the California Air Resources Board, and Does 1 through 25, Inclusive, U.S. District Court for the Central District of California, Case No. 2:23-cv-06682;
- Western States Trucking Association, Inc. v. EPA, et al., United States Court of Appeals, D.C. Circuit, Case No. 23-1143 (amicus brief); and

- Legislature of the State of California, et al. v. Weber (Hiltachk), Supreme Court of California Case No. S81977 (amicus brief).

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

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

- Center for Biological Diversity and Center for Environmental Health v. Michael S. Regan, in his official capacity as Administrator, United States Environmental Protection Agency, U.S. District Court for the Northern District of California, Case No. 4:23-cv-00148 (PM 2.5);

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

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

#### **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: Executive Officer, General Counsel, 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 in person or 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, and website, <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>, at least 72 hours in advance of the meeting. At the beginning of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD’s authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

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

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

**ACRONYMS**

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



## **INSTRUCTIONS FOR ELECTRONIC PARTICIPATION**

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

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

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

#### **For language interpretation:**

Click the interpretation Globe icon at the bottom of the screen

Select the language you want to hear (either English or Spanish)

Click "Mute Original Audio" if you hear both languages at the same time.

#### **Para interpretación de idiomas:**

Haga clic en el icono de interpretación el globo terráqueo en la parte inferior de la pantalla

Seleccione el idioma que desea escuchar (inglés o español)

Haga clic en "Silenciar audio original" si escucha ambos idiomas al mismo tiempo.

**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 Chair 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.

#### **Directions to provide public comment on ZOOM from a DESKTOP/LAPTOP or SMARTPHONE:**

Click on the "Raise Hand" feature at 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 to provide public comment via TELEPHONE:**

Dial \*9 on your keypad to signal that you would like to comment.

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

- The call in number is the same (+1 669 900 6833)
- The meeting ID number is 928-3000-3925
- If you would like to make public comment, please dial \*9 on your keypad to signal that you would like to comment.

#### **Instrucciones para la línea de TELÉFONO en español únicamente:**

- El número de llamada es el mismo (+1 669900 6833 o +1 93209559643)
- El número de identificación de la reunión es 928-3000-3925
- Si desea hacer un comentario público, marque \*9 en su teclado para indicar que desea comentar.

 [Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the January 5, 2024  
Board Meeting.

RECOMMENDED ACTION:

Approve the January 5, 2024 Board Meeting Minutes.

Faye Thomas  
Clerk of the Boards

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**FRIDAY, JANUARY 5, 2024**

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

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

Councilmember Michael A. Cacciotti, Vice Chair  
Cities of Los Angeles County – Eastern Region

Mayor Patricia Lock Dawson (Did not return after closed session)  
Cities of Riverside County

Supervisor Andrew Do (Did not return after closed session)  
County of Orange

Gideon Kracov  
Governor's Appointee

Mayor Pro Tem Larry McCallon  
Cities of San Bernardino County

Supervisor Holly J. Mitchell  
County of Los Angeles

Veronica Padilla-Campos  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez  
County of Riverside

Councilmember Nithya Raman (Did not return after closed session)  
City of Los Angeles

Councilmember Carlos Rodriguez  
Cities of Orange County

Mayor José Luis Solache  
Cities of Los Angeles County – Western Region

Absent: Supervisor Curt Hagman  
County of San Bernardino

For additional details of the Governing Board Meeting, please refer to the recording of the [Webcast](#) at: [Live Webcast \(aqmd.gov\)](#)

**CALL TO ORDER:** Chair Delgado called the meeting to order at 9:10 a.m.

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

Executive Officer Wayne Nastri announced that Chair Delgado would be taking the Oath of Office for her reappointment as the Chair and Senate Rules Committee appointee of the Board; nominations were being accepted for the 34<sup>th</sup> Annual Clean Air Awards; and Agenda Item No.16 was being pulled.

Vice Chair Cacciotti shared photos of Supervisor Curt Hagman's holiday party at Chino Hills City Hall.

- Swearing in of Reappointed Board Members Vanessa Delgado, Larry McCallon and Carlos Rodriguez for Terms January 2024 – January 2028
- Swearing in of Chair and Vice Chair for Terms January 2024 – January 2026

General Counsel Bayron Gilchrist administered the Oath of Office to:

Senator (Ret.) Vanessa Delgado, who was reappointed as the Senate Rules Committee appointee for the term January 15, 2024 to January 15, 2028 and as the Chair for the term January 15, 2024 to January 15, 2026;

Councilmember Michael Cacciotti, who was reappointed as the Vice Chair for the term January 15, 2024 to January 15, 2026;

Mayor Pro Tem Larry McCallon, who was reappointed as the Cities of San Bernardino representative for the term January 15, 2024 to January 15, 2028; and

Councilmember Carlos Rodriguez, who was reappointed as the Cities of Orange County representative for the term January 15, 2024 to January 15, 2028.

- Recognize Employees with 20, 25, 30, and 35 Years of Service

A video presentation was shown that recognized those employees who reached the following employment service milestones.

20 years: Debra Ashby, Aaron Katzenstein, James Koizumi, Catherine Rodriguez, and Arlene Saria

25 years: Xin Chen, Elizabeth Krebs, Eric Martinez, and Michelle White

35 years: Penny Cedillo, Devorlyn Celestine, Rosalinda Diaz, Raul Dominguez, Javier Enriquez, Hiram Fong, David Hauck, Saad Karam, Tuyet-Le Pham, Eduardo Tung, and Connie Yee

Chair Delgado expressed appreciation to the employees for their hard work and dedication to the South Coast AQMD.

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

The Public Comment Period on Non-Agenda Items was opened. The following individuals addressed the Board.

The following South Coast AQMD employees, and labor union consultant commented on the South Coast AQMD Professional Employees Association’s (SC-PEA) vote on January 2, 2024 to reject management’s proposal and expressed concerns regarding compensation. They urged the Board to support their efforts for salaries and benefits that are fair and competitive. For additional details, please refer to the [Webcast](#) beginning at 23:31.

**South Coast AQMD Employees on behalf of SC-PEA**

Tris Carpenter, Labor Union Consultant to SC-PEA

Areio Soltani

Bettina Burleigh Sanchez

Brian Vlasich

Kevin Katz

Ben Blackburn

Julia Gomez

Lane Garcia

Nishanth Krishnamurthy

Cherie Balisi (ceded her time to Gurpreet Mattu)

Gurpreet Mattu

Melissa Maestas

Andrew Kaneda

Ronald Domholdt

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(Written Material Submitted)

Thomas Jelenic, Pacific Merchant Shipping Association, commented on concerns regarding the development and deployment of technologies and requested that staff reinstate the ISR Technical Advisory Group that existed prior to the COVID pandemic to address technical concerns. For additional details, please refer to the [Webcast](#) at 52:49.

Harvey Eder, Public Solar Power Coalition, commented on reported increase in methane emissions and its impact on climate change. For additional details, please refer to the [Webcast](#) at 58:18.

Mayor Pro Tem McCallon asked why the ISR Technical Advisory Group had not been re-established and considered the request to reinstate the group to be reasonable and necessary to develop the Ports ISR.

Mr. Nastri explained that staff believed the concerns expressed by Industry could be addressed in an open format through the Working Group meetings. Staff will report on the progress of the Working Group to the Mobile Source Committee. For additional details, please refer to the [Webcast](#) at 1:03:53.

Supervisor Perez acknowledged the comments of SC-PEA represented employees regarding ongoing labor negotiations and expressed concerns about equity and fair compensation. He was pleased that an agreement had been reached with the Teamsters bargaining unit and recommended bifurcating Agenda Item No. 15 and having a separate discussion in closed session on the proposed agreements for the Executive Officer and General Counsel. For additional details, please refer to the [Webcast](#) at 1:05:51.

Board Member Kracov thanked the SC-PEA represented employees for their testimony and acknowledged their concerns. He echoed Mayor Pro Tem McCallon's comments regarding the ISR Technical Advisory Group and commented on the need to take every opportunity to find common ground with stakeholders at the Ports. For additional details, please refer to the [Webcast](#) at 1:08:50.

Supervisor Do commented that the concerns of the SC-PEA represented employees registered with him and would be helpful in the closed session discussion. He concurred with Mayor McCallon's comments regarding the ISR Technical Advisory Group and expressed concern that the decision was made solely by staff and that the Board was not given an opportunity to discuss the merits of reinstating the Technical Advisory Group. For additional details, please refer to the [Webcast](#) at 1:10:48.

Mr. Nastri commented that the technical components of the Port ISR are key and requested 30 days to see how staff incorporates the technical discussions in the next Working Group Meeting. For additional details, please refer to the [Webcast](#) at 1:08:50.

Mayor Solache commented on the importance of respect and process and recommended that going forward staff should not schedule items requiring significant review and discussion in January to allow everyone to have quality time with family during the holidays. He expressed support for adopting the Teamsters MOU and recommended bifurcating Agenda Item No. 15 to have a separate discussion on the remaining components of that item. For additional details, please refer to the [Webcast](#) at 1:17:17 and 5:02:54.

Councilmember Rodriguez commended the SC-PEA represented employees for their courage to provide testimony. He acknowledged that their concerns and requests had been heard and was looking forward to discussing this matter with his fellow Board Members. He echoed Supervisor Do's sentiments regarding the ISR Technical Advisory Group and requested that the Technical Advisory Group be reinstated as soon as possible. For additional details, please refer to the [Webcast](#) at 1:20:01.

There being no further requests to speak, the Public Comment Period on non-agenda items was closed.

Chair Delgado announced that the Board would recess to closed session after the Consent and Board Calendar items had been voted on. The Board would return to open session following closed session. For additional details, please refer to the [Webcast](#) at 1:23:33.

## **CONSENT AND BOARD CALENDAR**

### **Items 1 and 2 – Action Items/No Fiscal Impact**

1. Approve Minutes of December 1, 2023 Board Meeting
2. Set Public Hearing February 2, 2024 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:  
Determine That Proposed Amended Rule 461.1 - Gasoline Transfer and Dispensing for Mobile Fueling Operations Is Exempt from CEQA; and Amend Rule 461.1

### **Item 3 – Budget/Fiscal Impact**

3. Establish List of Prequalified Counsel to Represent and Advise South Coast AQMD Hearing Board

### **Items 4 through 10 – Information Only/Receive and File**

4. Legislative, Public Affairs and Media Report
5. Hearing Board Report
6. Civil Filings and Civil Penalties Report
7. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects
8. Rule and Control Measure Forecast
9. Status Report on Major Ongoing and Upcoming Projects for Information Management
10. Receive and File Annual Report on South Coast AQMD's Deferred Compensation Plans

### **Items 11 and 12 – Reports for Committees and CARB**

*The Administrative, Legislative, Mobile Source, Stationary Source, and Technology Committees, the MSRC, and CARB Board did not meet in December 2023.*

11. Investment Oversight Committee
12. Climate Change Committee
13. Items Deferred from Consent and Board Calendar

Agenda Item No. 12 was pulled for discussion.

The public comment period was opened for Agenda Item Nos. 1 through 12 and the following individuals addressed the Board.

Dr. Genghmun Eng, a member of the public, expressed support for the SC-PEA represented employees. For additional details, please refer to the [Webcast](#) at 1:24:49.

Agenda Item No. 8

Fernando Gaytan, Earthjustice, commented on the need for a strong railyard and Ports ISR without any further delays and questioned the need for another ISR Technical Advisory Group. For additional details, please refer to the [Webcast](#) at 1:26:39.

There being no further requests to speak, the public comment period was closed for Agenda Item Nos. 1 through 12.

Item Pulled for Discussion – Agenda Item No. 12

Supervisor Perez provided a summary of the items and comments discussed at the December 15, 2023 Climate Change Committee meeting. He outlined the Committee’s four key priorities: (1) collaboration and partnerships; (2) zero-emissions infrastructure; (3) workforce development; and (4) to pursue funding. For additional details, please refer to the [Webcast](#) at 1:30:08.



**Board Action (Items 1-12)**

MOVED BY PEREZ AND SECONDED BY SOLACHE TO APPROVE AGENDA ITEM NOS. 1 THROUGH 12 AS RECOMMENDED AND RECEIVE AND FILE THE CLIMATE CHANGE COMMITTEE AND INVESTMENT OVERSIGHT COMMITTEE REPORTS.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Lock Dawson, Delgado, Do, Kracov, McCallon, Mitchell, Padilla-Campos, Perez, Raman, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Hagman



**CLOSED SESSION**

The Board recessed to closed session at 10:34 a.m., 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: Executive Officer, General Counsel, Designated Deputies and Management and Confidential employees.



(Due to technical issues, the audio for this portion of the [Webcast](#) at 4:10:15 could not be heard.) Mr. Gilchrist announced (at 1:10 p.m.) that it was also necessary for the Board to recess to closed session, pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to consider initiation of litigation:

Legislature of the State of California, et al. v. Weber (Hiltachk), Supreme Court of California Case No. S81977

The Board reconvened in open session at 1:15 p.m. The following Board Members did not return from closed session: Mayor Lock Dawson, Supervisor Do, and Councilmember Raman.

**This item was taken out of order.**

### **OTHER BUSINESS**

Mr. Gilchrist announced that the Board would be bifurcating Agenda Item No. 15 into two parts: 15A and 15B. For additional details, please refer to the [Webcast](#) at 4:17:21.

Chair Delgado explained that 15A is to vote on the 4-year agreement, January 1, 2024 – December 31, 2027, for a successor Teamsters MOU and comparable terms for non-represented employees. Mayor Solache moved to approve the Teamsters bargaining unit 4-year Labor Agreement and comparable terms for non-represented employees. Supervisor Perez seconded the motion.

John Olvera, Deputy Executive Officer/Administrative & Human Resources, clarified for the record that in addition to the Teamsters MOU, the item includes compensation increases to salary and benefits for executive staff members, as well as the approval of the Teamsters MOU and comparable terms for management and confidential employees. For additional details, please refer to the [Webcast](#) at 4:18:42.

The public comment period was opened for Agenda Item No. 15A and the following individual addressed the Board.

Dr. Eng suggested that the Board address the Teamsters MOU separately from the comparable terms for non-represented employees. For additional details, please refer to the [Webcast](#) at 4:19:31.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 15A.

Mayor Solache commended the Teamsters and management for reaching a negotiated agreement given current economic concerns. He commented on the need to take care of all workers and urged his fellow Board Members to support the MOU. For additional details, please refer to the [Webcast](#) at 4:20:49.

Mr. Gilchrist clarified for the record that the motion also includes part of Recommended Action No. 4 related to appropriating funds from the budget for the Teamsters 4-year successor MOU and costs related to non-represented employees, but not costs related to the Executive Officer and General Counsel. For additional details, please refer to the [Webcast](#) at 4:21:26

Mayor Solache acknowledged that workers at all levels of the agency are equally important and emphasized the need to ensure a positive morale among staff. He commented on California minimum wage increases and in supporting the motion, the Board wants to ensure that salary levels at the agency start at a minimum of \$20. For additional details, please refer to the [Webcast](#) at 4:21:53.

**Board Action (Item 15A)**

MOVED BY SOLACHE AND SECONDED BY PEREZ TO APPROVE AGENDA ITEM NO. 15A AS RECOMMENDED TO:

- 1) APPROVE A 4-YEAR AGREEMENT, JANUARY 1, 2024 – DECEMBER 31, 2027, AND TERMS FOR A SUCCESSOR TEAMSTERS MOU, REPRESENTING THE TECHNICAL & ENFORCEMENT AND OFFICE CLERICAL & MAINTENANCE BARGAINING UNITS.
- 2) APPROVE AMENDMENTS TO THE SOUTH COAST AQMD ADMINISTRATIVE CODE AND SALARY RESOLUTION TO EFFECT COMPARABLE TERMS FOR NON-REPRESENTED EMPLOYEES; AND
- 3) APPROPRIATE FUNDS INTO THE FY 2023-24 BUDGET FROM THE GENERAL FUND UNDESIGNATED (UNASSIGNED) FUND BALANCE FOR THE FIRST SIX MONTHS OF THE 4-YEAR SUCCESSOR MOU AND COSTS RELATED TO NON-REPRESENTED EMPLOYEES.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Lock Dawson, Delgado, Do, Kracov, McCallon, Mitchell, Padilla-Campos, Perez, Raman, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, Hagman, and Raman



Supervisor Mitchell summarized the Board's discussion regarding the proposed agreements with the Executive Officer and General Counsel. She commended staff for conducting a salary survey to compare how South AQMD employees' salaries compare to other similar agencies. Based on the comparison, the Board felt it was appropriate to increase the salaries of the Executive Officer and General Counsel to ensure that the agency remains competitive. For additional details, please refer to the [Webcast](#) at 4:25:21 (Written Material Presented)

Mayor McCallon echoed Supervisor Mitchell's comments and commented that he would be making a motion to increase the salaries for the Executive Officer and General Counsel to bring them within comparable salaries paid to executives at similar government agencies to attract future talent. He added that future salary adjustments will be based on merit and a performance review. For additional details, please refer to the [Webcast](#) at 4:27:44.

Mayor McCallon moved to increase the Executive Officer's base salary to \$390,000 effective January 1, 2024; increase the General Counsel's base salary to \$325,000 effective January 1, 2024; provide the same cost of living adjustments that is applicable to all employees; and institute an annual performance evaluation process. Supervisor Mitchell seconded the motion. For additional details, please refer to the [Webcast](#) at 4:28:56.

Senator Delgado explained that the current compensation is not competitive for both positions, as well as other job classifications, because a comprehensive salary survey had not been conducted in years. She asked Mayor McCallon to include in his motion for the Administrative Committee to look at the agency's policy to ensure that this does not happen again and develop an annual performance evaluation review process for the Executive Officer and General Counsel. Mayor McCallon accepted the amendment. For additional details, please refer to the [Webcast](#) at 4:29:30.

The public comment period was opened for Agenda Item No. 15B and the following individual addressed the Board.

Dr. Eng commented that staff should be given equal treatment for their compensation. For additional details, please refer to the [Webcast](#) at 4:30:29.

Mayor Solache explained that the compensation for the professional employees will be addressed and he hopes for a positive outcome. He commended the resume and background of the General Counsel and his office for their expertise. For additional details, please refer to the [Webcast](#) at 4:31:47.

Cherie Balisi, SC-PEA represented employee, asked whether the Executive Officer and General Counsel benefits packages included the new benefits that had been proposed to be added. She commented on the need to extend fair and competitive salaries to all employees. Mr. Gilchrist responded that those new proposed benefits are not included in the packages. For additional details, please refer to the [Webcast](#) at 4:33:02.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 15B.

**Board Action (Item 15B)**

MOVED BY MCCALLON AND SECONDED BY MITCHELL TO APPROVE THE AGREEMENTS WITH THE EXECUTIVE OFFICER AND GENERAL COUNSEL FOR COMPENSATION INCREASES AS RECOMMENDED; PROVIDE APPLICABLE COST OF LIVING ADJUSTMENTS; INSTITUTE AN ANNUAL PERFORMANCE REVIEW; AND FOR THE ADMINISTRATIVE COMMITTEE TO DEVELOP AN ANNUAL PERFORMANCE EVALUATION PROCESS FOR THE EXECUTIVE OFFICER AND GENERAL COUNSEL AND A POLICY TO EVALUATE EMPLOYEE SALARIES

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Kracov, McCallon, Mitchell, Padilla-Campos, Perez, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, Hagman, and Raman



**PUBLIC HEARING**

14. Determine that Proposed Amended Rule 1180 – Fenceline and Community Air Monitoring for Petroleum Refineries and Related Facilities, Proposed Rule 1180.1 – Fenceline and Community Air Monitoring for Other Refineries, and Proposed Amended Rule 1180 and Rule 1180.1 Fenceline Air Monitoring Plan Guidelines Are Exempt from CEQA; Amend Rule 1180, Adopt Rule 1180.1, and Amend the Rule 1180 and Rule 1180.1 Fenceline Air Monitoring Plan Guidelines

Heather Farr, Planning and Rules Manager, gave the staff presentation.

The public comment period was opened for Agenda Item No. 14 and the following individuals addressed the Board.

Dr. Eng commented on the notification threshold and pollutants monitored. (Written Comments Submitted) For additional details, please refer to the [Webcast](#) at 4:42:50.

Nina McAfee, Kinder Morgan, commented on the applicability of PAR 1180 to Kinder Morgan's liquids terminal and explained why they should not be subject to the rule. For additional details, please refer to the [Webcast](#) at 4:45:03. (Written Comments Submitted)

Cindy Donis, East Yard Communities for Environmental Justice (EYCEJ)\*  
Byron Chan, Earthjustice\*  
Laura Cortez, EYCEJ  
\*(Written Comments Submitted)

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Commented on the following issues regarding PAR 1180 and PR 1180.1 For additional details, please refer to the [Webcast](#) beginning at 4:47:30.

- Expressed support for the rules and ongoing fence-line monitoring for refineries;
- Concerned with the exemption for terminals based on tank capacity due to low emissions;
- Supported including Kinder Morgan terminals in the rule
- Urged for transparency in monitoring these rules

Ramine Cromartie, Western States Petroleum Association, expressed appreciation to staff for their efforts. For additional details, please refer to the [Webcast](#) beginning at 4:51:19.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 14.

Board Member Kracov expressed support for PAR 1180 and PR 1180.1. He thanked staff, the Stationary Source Committee, and stakeholders for their efforts and highlighted the consensus on this rule as another opportunity to demonstrate how the agency works with all stakeholders, including industry, on very difficult issues. For additional details, please refer to the [Webcast](#) at 4:54:08.

Board Member Kracov commented on a letter Marathon/Tesoro submitted today and pointed out that submitting comments late does not allow the Board sufficient time to review and assimilate the information. He requested a response to Marathon/Tesoro's comment regarding the direct versus indirect support of refineries. For additional details, please refer to the [Webcast](#) at 4:55:59.

Barbara Baird, Chief Deputy Counsel, responded that the South Coast AQMD has the authority to regulate stationary sources, which includes tank terminals. For additional details, please refer to the [Webcast](#) at 4:55:59.

Board Member Padilla-Campos asked staff to comment on a letter submitted by the Attorney General regarding a blanket exemption and asked whether staff would be providing periodic reports on exempt facilities. Mr. Krause explained that the facilities that are exempt have emissions less than about a pound a day, which is very low. For additional details, please refer to the [Webcast](#) at 4:57:33.

Mr. Nastri added that staff can return to the Stationary Source Committee to report back on implementation of Rules 1180 and 1180.1. Board Member Padilla-Campos requested that the information be made available to the public instead of the community having to request it. For additional details, please refer to the [Webcast](#) at 5:00:30.

In response to Mayor Solache's concerns regarding significant items being scheduled in January, Senator Delgado reminded everyone that the rulemaking schedule for PAR 1180 and PR 1180.1 was in response to a lawsuit filed against the South Coast AQMD that committed South Coast AQMD to hold a hearing on proposed amendments by January 5, 2024. For additional details, please refer to the [Webcast](#) at 5:05:04.

Mayor McCallon acknowledged that not everyone is happy with the rule but thanked staff for addressing issues that were brought forward and for their hard work to develop a rule that is effective and can be implemented by industry. For additional details, please refer to the [Webcast](#) at 5:05:12.

### **Written Comments Submitted**

Air Products

Marathon Los Angeles Refinery

### **Board Action (Item 14)**

MOVED BY MCCALLON, SECONDED BY MITCHELL TO APPROVE AGENDA ITEM NO. 14 AS RECOMMENDED TO ADOPT RESOLUTION NO. 24-1:

1. DETERMINING THAT PROPOSED AMENDED RULE 1180 – FENCELINE AND COMMUNITY AIR MONITORING FOR PETROLEUM REFINERIES AND RELATED FACILITIES, PROPOSED RULE 1180.1 – FENCELINE AND COMMUNITY AIR MONITORING FOR OTHER REFINERIES, AND PROPOSED AMENDED RULE 1180 AND RULE 1180.1 FENCELINE AIR MONITORING PLAN GUIDELINES, ARE EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND
2. AMENDING RULE 1180 – FENCELINE AND COMMUNITY AIR MONITORING FOR PETROLEUM REFINERIES AND RELATED FACILITIES AND ADOPTING RULE 1180.1 – FENCELINE AND COMMUNITY AIR MONITORING FOR OTHER REFINERIES; AND AMENDING THE RULE 1180 AND RULE 1180.1 FENCELINE AIR MONITORING PLAN GUIDELINES

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Kracov, McCallon, Mitchell,  
Padilla-Campos, Perez, Rodriguez, and  
Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, Hagman, and Raman



**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chair Delgado at 2:05 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on January 5, 2024.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

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

\_\_\_\_\_  
Vanessa Delgado, Chair

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**ACRONYMS**

AQMP = Air Quality Management Plan  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
FY = Fiscal Year  
ISR = Indirect Source Rule  
MOU = Memorandum of Understanding  
MSRC = Mobile Source Air Pollution Reduction Review Committee  
PAR = Proposed Amended Rule

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 2

**PROPOSAL:** Set Public Hearing March 1, 2024 to Consider Adoption of and/or Amendments to a Draft State Implementation Plan Revision:

Consider Draft Coachella Valley Contingency Measure SIP Revision for 2008 8-Hour Ozone Standard Exempt from CEQA and Adopt Coachella Valley Contingency Measure SIP Revision for 2008 8-Hour Ozone Standard

The Draft Coachella Valley Contingency Measure SIP Revision was developed to meet Clean Air Act requirements for contingency measures in case an area fails to meet any applicable milestones or fails to attain an air quality standard by the attainment date. A Contingency Measure Plan addressing the 2008 ozone standard in the Coachella Valley was previously submitted to U.S. EPA as part of the 2016 AQMP. Following U.S. EPA's recent proposal to revise its guidance on contingency measures in response to multiple lawsuits, South Coast AQMD withdrew its contingency measures elements in 2023. This proposed plan is designed to address this revised guidance and if adopted will be submitted to CARB for their consideration and transmittal to U.S. EPA. (Reviewed: Mobile Source Committee, February 16, 2024)

The complete text of the proposed SIP revision and other supporting documents will be available from the South Coast AQMD's Public Information Center at (909) 396-2001, or Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov) and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of January 31, 2024.

**RECOMMENDED ACTION:**

Set public hearing March 1, 2024 to consider the Draft Coachella Valley Contingency Measure SIP Revision for the 2008 8-Hour Ozone Standard exempt from CEQA and adopt the Coachella Valley Contingency Measure SIP Revision for the 2008 8-Hour Ozone Standard.

Wayne Nastri  
Executive Officer



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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 3

PROPOSAL: Local Government & Small Business Assistance Advisory Group  
Appointments of New Members

SYNOPSIS: This action is to recommend appointments of two new Local  
Government & Small Business Assistance Advisory Group  
members.

COMMITTEE: No Administrative Committee Review

**RECOMMENDED ACTION:**

Approval of two new members to the Local Government & Small Business Assistance  
Advisory Group.

Wayne Natri  
Executive Officer

DIA:EH

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**Background**

In 1997, the Board established several advisory groups and from time to time the charters have been modified to meet the needs of South Coast AQMD and the public. In 2002, the Board approved a Blue Ribbon Panel recommendation regarding operations of the advisory groups.

One such group is the Local Government and Small Business Assistance Advisory Group (LGSBA). The membership of this advisory group allows for greater participation from local government and business interests, as well as concerned public members established within South Coast AQMD jurisdiction. Board Member Carlos Rodriguez currently serves as Chair of the LGSBA Advisory Group.

The charter allows up to twenty-one members to the advisory group consisting of: seven local government representatives, four Board Members, five small business representatives and five members of the general public. Current membership stands at 16 individuals representing different sectors.

It is recommended that the following candidates be appointed as members of the LGSBA Advisory Group.

<b>NEW Candidate</b>	<b>Affiliation</b>	<b>Representing</b>
Blair Stewart	City of Brea Mayor Pro Tem	Local Government
Ted Bui	City of Fountain Valley Councilmember	Local Government

**Proposal**

Approval of two new members for the Local Government & Small Business Assistance Advisory Group.

**Fiscal Impacts**

None

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 4

**PROPOSAL:** Recognize Revenue, Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring Equipment

**SYNOPSIS:** South Coast AQMD is expected to receive grant funds up to \$800,000 from U.S. EPA for the FY 2024-25 (32nd Year) PAMS Program. This action is to recognize revenue and appropriate funds for the PAMS Program in the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets. These actions are also to recognize revenue upon receipt, and appropriate \$73,000 for the PM2.5 Program in the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets and to issue solicitations and execute purchase orders for air monitoring equipment.

**COMMITTEE:** Administrative, January 12, 2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize revenue and upon receipt of the U.S. EPA award, appropriate up to \$410,000 of the \$800,000 (\$390,000 was previously recognized into the FY 2023-24 Budget for Salaries & Employee Benefits) into the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets, Services and Supplies and Capital Outlays Major Object, as set forth in Attachment 1.
2. Appropriate from the General Fund Undesignated (Unassigned) Fund Balance to the Capital Outlays, and Services & Supplies Major Object in the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Budgets an amount up to \$230,000 to ensure continuity of operations for the PAMS program until the U.S. EPA award is received.
3. Recognize revenue, upon receipt, and appropriate from the General Fund Undesignated (Unassigned) Fund Balance PM2.5 FY2022-23 funds up to \$73,000 into the Monitoring and Analysis FY 2023-24 and/or FY 2024-25 Capital Outlays Major Object (Org 47) for equipment purchases as set forth in Attachment 2;
4. Authorize the Procurement Manager, in accordance with South Coast AQMD's Procurement Policy and Procedure to issue 'Prior Bid, Last Price' or solicitation(s) as needed, and based on results, issue purchase orders for the following equipment listed in Table 1.
  - a. Up to two gas dilution systems not to exceed \$54,000;
  - b. Up to five meteorological towers not to exceed \$30,000; and
  - c. Up to two NOy analyzers not to exceed \$70,000.

5. Authorize the Procurement Manager, in accordance with South Coast AQMD's Procurement Policy and Procedure to issue sole source purchase orders for the following items as listed in Table 2.

Wayne Natri  
Executive Officer

JCL:AP:RMB:ld:ir

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## **Background**

### PAMS Program

In February 1993, U.S. EPA promulgated the PAMS regulations for areas classified as serious, severe, or extreme nonattainment. These regulations require that South Coast AQMD conduct monitoring for ozone precursors with enhanced monitoring equipment at multiple sites. The PAMS Program also funds upper air and surface-based meteorological measurements at several locations. Since the onset of the PAMS Program, U.S. EPA has annually allocated Section 105 Grant funds in support of this requirement.

### PM2.5 Program

Since 1998, U.S. EPA has provided funds under Section 103 for a comprehensive PM2.5 Air Monitoring Program. To date, there are 19 ambient air monitoring stations in the South Coast Air Basin (Basin) operating 22 Federal Reference Method (FRM) PM2.5 monitors under U.S. EPA funding and 20 Federal Equivalent Method (FEM/Non-FEM) PM2.5 continuous monitors. South Coast AQMD previously received \$73,000 as part of U.S. EPA FY2022-23 funds for the purchase of air monitoring equipment.

## **Proposal**

### PAMS Program

The estimated U.S. EPA Section 105 Grant for the 32nd Year PAMS Program funding is \$800,000 based on the 31st Year PAMS Program funding levels. This action is to recognize revenue, upon receipt, and appropriate estimated funds up to the amount of \$410,000 (with the remainder of \$390,000 already included in Salaries and Employee Benefits within the FY 2023-24 Budget) into the Services and Supplies and Capital Outlays Major Object in Monitoring and Analysis' FY 2023-24 and/or FY 2024-25 Budgets. To ensure that South Coast AQMD can continue operations prior to receiving the award, staff recommends the appropriation of \$230,000 as shown in Attachment 1 from the General Fund Undesignated (Unassigned) Fund Balance to the Capital Outlays, and Services & Supplies Major Object in Monitoring and Analysis' FY 2023-24 and/or FY 2024-25 Budgets.

### PM2.5 Program (Remaining Federal FY22 Balance)

U.S. EPA provided \$73,000 in Section 103 Grant funding for air monitoring equipment, which had previously been recognized and received by the Board. Equipment purchases were not completed in FY2022-23 due to a cost increase and equipment that failed acceptance testing. Funds have been approved by U.S. EPA to mitigate the cost increase and recent manufacturer production changes have resulted in the equipment passing acceptance testing. This action is to recognize revenue, upon receipt, and appropriate from the General Fund Undesignated (Unassigned) Fund Balance PM2.5 FY2022-23 funds up to \$73,000 into Monitoring and Analysis' FY 2023-24 and/or FY 2024-25 Budgets to complete the purchases as set forth in Attachment 2.

### Proposed Purchases through an RFQ Process, "Prior Bid, Last Price" or Solicitation Process

#### *Gas Dilution Systems*

South Coast AQMD operates two dedicated PAMS sites and 27 ozone and nitrogen dioxide sites in support of the PAMS monitoring network. Periodic Quality Assurance (QA) audits of gas monitors is required to meet U.S. EPA quality assurance criteria. Gas dilution systems are necessary to provide a known concentration of gas standard required for the QA audit of air monitoring equipment. The current audit gas dilution systems no longer meet U.S. EPA Quality Control requirements. The replacement gas dilution systems meet U.S. EPA requirements as outlined in the current ozone Technical Assistance Document. The estimated cost for up to two gas dilution systems is \$54,000 and the purchase will be made by "Prior Bid, Last Price" or through a solicitation process, as needed, followed by issuance of a purchase order(s) as specified in Table 1.

#### *Meteorological Towers*

Meteorological towers are needed to support air monitoring sensors at new ambient monitoring locations which measure ozone. The estimated cost for up to five meteorological towers is \$30,000, and the purchase will be made through a solicitation process as needed, followed by issuance of a purchase order as specified in Table 1.

#### *Total Reactive Nitrogen (NOy) Analyzer*

The NOy analyzers used at South Coast AQMD's PAMS sites are more than 10 years old and are no longer supported by the manufacturer. PAMS requirements include hourly averaged NOy measurements. The estimated cost for two NOy analyzers is \$70,000, and the purchase will be made through a solicitation process as needed, followed by issuance of a purchase order as specified in Table 1.

### Proposed Purchases through Sole Source

#### *Agilaire 8872 Data Loggers*

The data loggers used at South Coast AQMD's PAMS sites and at other air monitoring stations supporting the PAMS network are greater than 15 years old and will no longer be supported by the manufacturer beyond the most recent Windows 10 upgrade. Data loggers are used for real time reporting of air quality data to U.S. EPA and CARB and reporting AQI values to the public. The technical specifications of the data loggers are

proprietary, consistent with the existing South Coast AQMD air monitoring network, and only available from one vendor. The estimated cost for up to two data loggers is \$25,000 and the equipment will be purchased through a sole source process as specified in Table 2.

#### *EBAC DD900 Dehumidifier*

The current EBAC DD700 dehumidification unit for the PM2.5 humidity and temperature-controlled room in the laboratory is not operating within U.S. EPA specifications during humid weather conditions. Replacing the DD700 with the higher capacity DD900 dehumidifier will maintain the humidity and temperature-controlled room within U.S. EPA specifications for the PM2.5 FRM program. The estimated cost of a dehumidifier is \$19,000 (see Table 2). The purchase will be made through a sole source purchase process followed by issuance of a purchase order.

#### *Met One PM2.5 FEM Monitors*

The U.S. EPA Section 103 FY2022-23 PM2.5 Grant award includes one-time funding for the purchase of up to three Met One PM2.5 FEM monitors. The Met One PM2.5 FEM monitor is the only commercially available FEM monitor that would allow South Coast AQMD to satisfy the U.S. EPA collocation requirement, which specifies that new FEM monitors added to the network must use the same monitor/method code as those that are already in operation within the network. The cost of the monitors will not exceed \$63,000 (see Table 2).

### **Sole Source Justification**

Section VIII.B.3 of the South Coast AQMD's Procurement Policy and Procedure identifies four major provisions under which a sole source award funded in whole or in part with federal funds, may be justified. Specifically, the request for sole source awards for the Agilaire 8872 Data Loggers, EBAC DD900, and Met One PM2.5 FEM Mass Monitors are made under provision VIII.B.3.a. The items are available only from a single source. Agilaire, LLC is the only manufacturer who produces data loggers which work with their AirVision® air quality data collection software with proprietary technology. South Coast AQMD uses the Agilaire, LLC AirVision® software as the primary telemetry system for continuous measurements at all fixed air monitoring network sites. The EBAC DD900 Dehumidifier is part of a larger environmental control system that has been specifically configured for this style dehumidifier, and EBAC is the sole manufacturer of this unit. Met One, Inc. is the only manufacturer of a real-time, continuous PM2.5 FEM Mass Monitor that employs a unique "in-situ" sampling technique that would allow South Coast AQMD to satisfy U.S. EPA collocation requirements.

### **Resource Impacts**

U.S. EPA Section 105 Grant funding will support the operation of the PAMS Program including funding for Capital Outlays, Services and Supplies, and Salaries and Employee Benefits to meet the necessary objectives of the Program.

U.S. EPA Section 103 Grant funding will support the PM2.5 Monitoring Program equipment necessary to meet the objectives of the PM2.5 Monitoring Program.

**Table 1  
Proposed Purchases through an RFQ Process,  
'Prior Bid, Last Price' or Solicitation Process**

<b>Description</b>	<b>Qty</b>	<b>Estimated Amount</b>	<b>Funding Source</b>	<b>Contracting Method</b>
Gas Dilution Systems	up to 2	\$54,000	32nd Year PAMS	'Prior Bid, Last Price' or Solicitation
Meteorological Towers	5	\$30,000	32nd Year PAMS	Solicitation
NOy Analyzers	2	\$70,000	32nd Year PAMS	Solicitation
<b>Total</b>		<b>\$154,000</b>		

**Table 2  
Proposed Purchases through Sole Source Purchase Orders**

<b>Description</b>	<b>Qty</b>	<b>Estimated Amount</b>	<b>Funding Source</b>	<b>Contracting Method</b>
Agilaire 8872 Data Loggers	up to 2	\$25,000	32nd Year PAMS	Sole Source
EBAC DD900 Dehumidifier	1	\$19,000 <sup>1</sup>	FY 2022-23 PM2.5	Sole Source
Met One PM2.5 FEM Monitors	Up to 3	\$63,000	FY 2022-23 PM2.5	Sole Source
<b>Total</b>		<b>\$107,000</b>		

<sup>1</sup> Appropriations for a portion of this purchase (\$9,000) were authorized in the June 2023 Board letter, Agenda Item No. 3. Recommended Action 2 authorizes an additional appropriation of \$10,000 from the FY22 PM2.5 program grant remaining balance for a total amount of \$19,000 for the purchase of one EBAC DD900 Dehumidifier.

**Attachments**

1. Proposed 32nd Year PAMS Expenditures for FY 2023-24 and/or FY 2024-25
2. Proposed PM2.5 Expenditures for FY 2023-24 (Remaining Federal FY22 Balance)

## Attachment 1

### Proposed 32nd Year PAMS Expenditures for FY 2023-24 and/or FY 2024-25

Account Description	Account Number	Program Code	Estimated Expenditure	Initial Appropriation <sup>1</sup>
<b>Services &amp; Supplies Major Object:</b>				
Professional and Special Services	67450	47530	\$60,000	\$40,000
Demurrage Expenses	67550	47530	\$15,000	0
Maintenance of Equipment	67600	47530	\$50,000	\$5,000
Travel	67800	47530	\$5,000	0
Communications	67900	47530	\$1,000	0
Laboratory Supplies	68050	47530	\$50,000	\$5,000
Office Expense	68100	47530	\$5,000	0
Small Tools, Instruments, Equipment	68300	47530	\$40,000	\$1,000
Training/Conf/Tuition/Board	69500	47530	\$5,000	0
<b>Total Services &amp; Supplies Major Object:</b>			<b>\$231,000</b>	<b>\$51,000</b>
<b>Capital Outlay Major Object:</b>				
Gas Dilution Systems (up to 2)	77000	47530	\$54,000	\$54,000
Meteorological Towers (up to 5)	77000	47530	\$30,000	\$30,000
NOy Analyzer (up to 2)	77000	47530	\$70,000	\$70,000
Agilaire 8872 Data Loggers (up to 2)	77000	47530	\$25,000	\$25,000
<b>Total Capital Outlay Major Object:</b>			<b>\$179,000</b>	<b>\$179,000</b>
<b>Total</b>			<b>\$410,000</b>	<b>\$230,000</b>

<sup>1</sup> Upon receipt of the award, the remaining balance of PAMS Program Funds will be appropriated to the Monitoring & Analysis FY 2023-24 and/or FY 2024-25 Budgets. \$390,000 was previously recognized in Salaries & Employee Benefits within the FY 2023-24 Budget.



## Attachment 2

### Proposed PM2.5 Expenditures for FY 2023-24 and/or FY 2024-25 (Remaining Federal FY22 Balance)

Account Description	Account Number	Program Code	Estimated Expenditure
<b>Capital Outlay Major Object:</b>			
EBAC DD900 Dehumidifier (1)	77000	47500	\$19,000 <sup>1</sup>
Met One PM2.5 FEM Monitors (up to 3)	77000	47500	\$63,000
<b>Total:</b>			<b>\$82,000</b>

<sup>1</sup> Appropriations for a portion of this purchase (\$9,000) were authorized in the June 2023 Board letter, Agenda Item No. 3. Recommended Action 2 authorizes an additional appropriation of \$10,000 from the FY22 PM2.5 program grant remaining balance for a total amount of \$19,000 for the purchase of one EBAC DD900 Dehumidifier.

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 5

PROPOSAL: Recognize Funds and Execute MOU with City of Irvine for Lawn and Garden Equipment Projects

SYNOPSIS: South Coast AQMD administers and implements both the Residential Electric Lawn Mower Rebate and the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program. The City of Irvine would like to partner with South Coast AQMD to fund zero-emission lawn and garden equipment replacement projects for residents and businesses operating within the City of Irvine. These actions are to: 1) authorize the Executive Officer to execute an MOU with the City of Irvine to contribute up to \$300,000 towards South Coast AQMD's programs that fund zero-emission lawn and garden equipment replacement projects for residents and businesses in the City of Irvine; and 2) recognize funds from the City of Irvine up to \$18,750 into the General Fund for administrative costs of implementing the MOU.

COMMITTEE: Technology, January 19, 2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the Executive Officer to execute an MOU with the City of Irvine to contribute up to \$300,000 towards South Coast AQMD's programs that fund zero-emission lawn and garden equipment replacement projects for residents and businesses residing and operating within the City of Irvine; and
2. Recognize funds, upon receipt, up to \$18,750 from the City of Irvine into the General Fund, to be used for administrative costs of implementing the MOU.

Wayne Natri  
Executive Officer

## **Background**

South Coast AQMD administers and implements the Residential Electric Lawn Mower Rebate Program and the Commercial Electric Lawn and Garden Equipment Incentive and Exchange (eL&G) Program. The City of Irvine has proposed to phase-out gasoline- and diesel-powered lawn and garden equipment within its city limits by January 1, 2025. To assist in the transition, the City of Irvine proposes to contribute up to \$300,000 towards South Coast AQMD's programs to incentivize equipment replacement for residents and businesses in the City of Irvine and pay administrative fees of up to \$18,750. South Coast AQMD will assist the City of Irvine to replace lawn and garden equipment with electric equipment through South Coast AQMD's Residential Electric Lawn Mower Rebate and the eL&G Programs. South Coast AQMD may also identify technology demonstration and pilot projects that facilitate the shift from gasoline- or diesel-powered lawn and garden equipment to zero-emission technologies. South Coast AQMD staff will review program applications and submit a list of eligible program participants or qualified projects to the City of Irvine for funding. The City of Irvine will issue payments directly to the program participants and retailers, up to the total amount of \$300,000. Eligible applicants that reside or operate in areas outside the City of Irvine will continue to be funded through existing South Coast AQMD Lawn and Garden programs while funding is available.

## **Proposal**

This action is to authorize the Executive Officer to execute an MOU with the City of Irvine to contribute up to \$300,000 towards South Coast AQMD's programs that fund zero-emission lawn and garden equipment replacement projects for residents and businesses residing and operating within the City of Irvine. This action is to also recognize funds, upon receipt, up to \$18,750 from the City of Irvine into the General Fund for administrative costs.

## **Benefits to South Coast AQMD**

The successful implementation of this program is estimated to result in annual emission reductions of 0.08 tons of NO<sub>x</sub>, 0.64 tons of ROG, and 0.007 tons of PM. The transition from high polluting gasoline- or diesel-powered lawn and garden equipment to zero-emission equipment will result in direct air quality benefits to the community.

## **Resource Impacts**

This action will involve the receipt of revenues from the City of Irvine up to \$18,750 in administrative costs, which will be recognized into the General Fund. The amount up to \$300,000 will be paid by the City of Irvine directly to eligible program participants.

## **Attachment**

MOU

## MEMORANDUM OF UNDERSTANDING

**THIS MEMORANDUM OF UNDERSTANDING** (this “MOU”), is dated for reference purposes as of \_\_\_\_\_ between the SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (“South Coast AQMD”) and the CITY OF IRVINE, CALIFORNIA, a municipal corporation. The aforementioned parties to this MOU shall be referred to individually herein as a “Party” and collectively herein as “Parties.”

### **RECITALS**

A. South Coast AQMD is the regulatory agency responsible for improving air quality for large areas of Los Angeles, Orange, Riverside and San Bernardino counties.

B. South Coast AQMD administers several programs that offer financial incentives for implementing clean air technologies, including a Residential Electric Lawn Mower Rebate Program using criteria set forth in established South Coast AQMD programmatic guidelines, and a Commercial Electric Lawn & Garden (eL&G) Equipment Exchange Program using criteria set forth in the California Air Resources Board’s (CARB) Carl Moyer Program Guidelines.

C. The City of Irvine, a city within Orange County, has proposed a transitional approach to phase-out gasoline- or diesel-powered lawn and garden equipment from both residential and commercial applications by January 1, 2025.

D. The City of Irvine and South Coast AQMD agree to collaborate and partner on projects and/or programs that assist with the transition to zero-emission lawn and garden equipment, and the City of Irvine agrees to commit funds to South Coast AQMD’s existing residential and commercial lawn and garden programs and other projects South Coast AQMD may identify that can assist in the transition from gasoline- or diesel-powered lawn and garden equipment to zero-emission technologies within the City of Irvine’s boundaries.

D. The Parties are entering into this MOU in order to clarify the obligations of the Parties, subject to the terms and conditions of the established South Coast AQMD programmatic guidelines and the Carl Moyer Program Guidelines.

In consideration of the foregoing, and the mutual undertakings contained herein, the Parties hereby agree as follows:

#### **1. DEFINED TERMS.**

As used herein, the following terms have the following meanings:

“**Award**” means either the rebate or voucher amount issued to a program participant under Residential Electric Lawn Mower Rebate Program, or the Commercial Lawn and Garden Equipment Exchange Program.

**“Commercial Battery-Powered Lawn and Garden Equipment”** means a commercial-grade, cordless and battery-powered lawn and garden equipment that may include, but is not limited to: lawn mowers (ride-on and stand/sit), leaf blowers, chainsaws, trimmers, edgers and brush cutters.

**“Electric Lawn and Garden Program”** means the lawn and garden programs administered by South Coast AQMD, consisting of both the Residential Electric Lawn Mower Rebate Program and the Commercial Lawn and Garden Equipment Exchange Program.

**“Program Participant”** means the end user of the battery-powered lawn and garden equipment that has been approved to receive either a rebate or incentive funding from the Electric Lawn and Garden Program.

**“Residential Battery-Powered Lawn and Garden Equipment”** means a residential-grade, cordless and battery-powered lawn and garden equipment that may include, but is not limited to lawn mowers, leaf blowers, chainsaws, trimmers, edgers and brush cutters.

## **2. PROGRAM FUNDS.**

- a. City of Irvine Funding. For the purpose of funding projects and/or programs that assist in the transition of gasoline- or diesel-powered lawn and garden equipment to zero-emission, the City of Irvine shall contribute a starting allocation of \$150,000 and not to exceed to \$300,000. The City of Irvine’s contribution under this MOU shall be applied to homeowners, commercial gardeners and landscapers, government agencies, school districts and colleges, non-profit organizations, and private entities with full time gardening/landscaping staff that reside or have a principal place of business within the City of Irvine. Additionally, funding from the City of Irvine may be applied towards technology demonstration and pilot projects of equipment that assist in the transition of gasoline- or diesel-powered lawn and garden equipment to zero emission technologies within the City of Irvine.
- b. Awards and Disbursement. For the Residential Electric Lawn Mower Rebate Program, rebates based on the most updated program rebate amounts shall be issued by the City of Irvine to program participants for residential-grade battery-powered lawn and garden equipment. For the Commercial Lawn and Garden Equipment Exchange Program, a voucher amount up to 85% or up to the funding caps identified in the Carl Moyer Program Guidelines (whichever is lesser) shall be reimbursed to South Coast AQMD-approved retailers from the City of Irvine. For the Commercial Lawn and Garden Equipment Exchange Program, approved retailers will serve only as passthrough entities, and the program participant will be the incentive funding beneficiary. Also, technology demonstration and pilot projects that provide lawn and garden care will be awarded based upon South Coast AQMD criteria, priorities and applicability with Carl Moyer Program and/or Clean Fuels Program Guidelines. With the exception of technology demonstration and pilot projects, South Coast AQMD will evaluate and administer projects under its Electric Lawn and Garden Program in coordination

with the City of Irvine pertaining to disbursement of awards to program participants and retailers. South Coast AQMD shall evaluate and determine eligibility of program participants and upon approval and completion of program transaction, will submit to the City of Irvine a list of program participants who will be qualified to receive awards. The City of Irvine will directly pay the program participants and retailers.

### **3. PROGRAM ADMINISTRATION.**

- a. Electric Lawn and Garden Program Applications. South Coast AQMD shall be responsible for receipt and processing of applications and for determining eligibility and award amounts for program participants.
- b. Reporting. After South Coast AQMD has identified and approved funding eligible projects, South Coast AQMD will submit to the City of Irvine a list of program participants who will be qualified to receive awards. The City of Irvine will issue payments to the participant or approved retailer as identified on the list submitted.
- c. Record Retention. South Coast AQMD agrees to maintain data, information, records and documents required to be maintained by applicable law for such time frames as may be required pursuant to the Carl Moyer Program Guidelines and South Coast AQMD's records retention policy.
- d. Administrative Fees/Costs. The City of Irvine shall be responsible for the payment or reimbursement of 6.25 percent of the total funding to South Coast AQMD for the cost of program/project administration.

### **4. PAYMENT OF CONTRIBUTIONS**

- a. The City of Irvine shall make payments directly to program participants and program approved retailers within 30 days of receipt of the eligible program participant list from South Coast AQMD.
- b. The City of Irvine shall make payment of the 6.25 percent administration costs on a quarterly basis to South Coast AQMD by check, wire transfer or other means agreed upon by the Parties prior to the start of any work until program funding have been depleted or the program has been terminated.
- c. The maximum total amount of the City of Irvine's contribution is \$300,000, with payments made directly to program participants and retailers under South Coast AQMD's Electric Lawn and Garden Program. For demonstration and pilot projects, payments will be made directly to the contract awardee. For administration costs, payments will be made directly to South Coast AQMD.
- d. If the Parties have any disagreement with respect to their respective obligations under this MOU, then each Party shall designate a duly-authorized representative to work in good faith with the other Party's designated representative(s) in an attempt to resolve such disagreement.

## 5. UNCOMMITTED FUNDS

Any uncommitted City of Irvine funds that remain after termination of this MOU shall be retained by the City of Irvine.

## 6. TERM AND TERMINATION.

- a. Term. This MOU shall become effective on the date that both Parties have signed it and all appropriate authorization has been completed by both Parties.
- b. Termination. Either Party may terminate this MOU by giving not less than thirty (30) days prior written notice to the other if any of the following occur: (i) there is a change in the law or any other event that would prohibit or restrict a Party's performance of its obligations under this MOU in any material way; (ii) in the event of a default of this MOU by either Party; or (iii) in the event there is an impasse under Section 4.d. of this MOU. In the event of a default, the non-defaulting Party shall give the defaulting Party written notice of the nature of the default and shall give the defaulting Party a 14-day period in which to cure the default specified in the notice. The Parties further agree that the expiration or termination of this MOU shall not affect the rights and obligations of the other Party with respect to transactions and commitments that take place during the Term and prior to termination.

## 7. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are part of this MOU:

- a. Amendments. No amendment, modification, consent or waiver to any provision of this MOU shall be effective unless the same shall be in writing signed by a duly authorized representative of each Party.
- b. Indemnification. Each Party agrees to indemnify, defend, and hold harmless the other Party with respect to any loss, cost, expense or liability incurred by such other Party with respect to the indemnifying Party's own obligations under this MOU; provided, however, that no Party shall be obligated to indemnify another Party for any loss, cost, expense, or liability that is caused by the gross negligence or willful misconduct of such other Party.
- c. Counterparts. This MOU may be signed in counterpart with the same effect as if the signatures thereto and hereto were on the same instrument. Further, the Parties agree that this MOU or any counterpart may be executed and delivered by DocuSign, or by transmitting a manual signature by fax or .pdf, which shall have the same force and effect as copies executed and delivered with original manual signatures.
- d. Entire Agreement. This MOU and any exhibits and other documents attached to or referenced herein shall constitute the entire agreement between the Parties relating to the subject matter hereof, and there are no representations, warranties or commitments except as set forth herein. This MOU supersedes

all prior understandings, negotiations and discussions, whether written or oral, between the Parties relating to the transactions contemplated hereby.

- e. Expenses and Costs. Unless specifically provided for elsewhere in this MOU, each Party will bear all costs and expenses incurred by it in connection with this MOU and transactions contemplated herein, including travel, entertainment, marketing promotions, legal fees, consulting fees, accounting fees and taxes which are or may be imposed upon that Party based upon its activities hereunder.
- f. No Third-Party Beneficiaries. Except as otherwise provided herein, nothing under this MOU is intended or shall be construed to create any rights in, or confer any benefits upon, any person or entity other than the Parties hereto.
- g. Notices. All notices required under this MOU shall be provided in the manner set forth herein, unless specified otherwise. Notice to party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by email, U.S Mail, express, certified, return receipt requested, or a nationally recognized overnight courier service. In the case of email communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. Email communications shall be deemed to have been received on the date of such transmission, provided such date was a business day (Tuesday-Friday) and delivered prior to 5:30pm Pacific Standard Time. Otherwise receipt of email communications shall be deemed to have occurred on the following business day. In the case of U.S. Mail notice, notice shall be deemed to be received when delivered or five (5) business days after deposit in the U.S. Mail. In the case of a nationally recognized overnight courier service, notice shall be deemed received when delivered (written receipt of delivery).

If to South Coast AQMD:

South Coast AQMD, Technology Advancement Office  
21865 Copley Drive  
Diamond Bar, CA 91765  
Attention: Deputy Executive Officer  
Tel: (909)396-2105  
Fax: (909) 396-3525

With a copy to:  
Walter Shen, South Coast AQMD  
Yuh Jiun Tan, South Coast AQMD

If to City of Irvine: City of Irvine  
Address

With a copy to:  
Contact Info



- h. Severability. The provisions of this MOU are severable, and if any clause or provision of this MOU shall be held invalid or unenforceable in whole or in part in any jurisdiction, then such invalidity or unenforceability shall affect only such clause provisions and shall not affect any other covenant, agreement, or condition.
- i. Force Majeure. Neither Party shall be liable for any failure to perform its obligations in connection with any action described in this MOU if such failure results from any act of God, riot, war, civil unrest, flood, earthquake, pandemics, or other cause beyond such Party's reasonable control (including any mechanical, electronic, or communications failure, but excluding failure caused by a Party's financial condition or negligence), for only so long as any such event shall be continuing.

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**IN WITNESS WHEREOF**, the parties hereto have caused this Memorandum of Understanding to be executed by their authorized representatives and delivered as of the date first above written.

**SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT**

**CITY OF IRVINE,  
CALIFORNIA**

By \_\_\_\_\_  
Name: Wayne Nastri  
Title: Executive Officer

By \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_, 2024

Date: \_\_\_\_\_, 2024

Attest

Attest

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Name:  
Title:

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Date: \_\_\_\_\_, 2024

Date: \_\_\_\_\_, 2024

By \_\_\_\_\_  
Name: Bayron Gilchrist  
Title: General Counsel

By \_\_\_\_\_

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 6

**PROPOSAL:** Execute Contracts, Adopt Resolutions to Recognize Funds and Reimburse General Fund to Implement Year 25 & 26 Carl Moyer, SOON, FARMER and Community Air Protection Programs, and Appropriate Funds for Development of Carl Moyer Program Grant Management System

**SYNOPSIS:** In May 2023, Program Announcements for the Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs closed. Over \$400M in grant applications were received. These actions are to: 1) adopt Resolutions and recognize FY 2023-24 funds from CARB of up to \$136,856,015 for the Carl Moyer, , Funding Agricultural Replacement Measures for Emission Reductions (FARMER) and Community Air Protection Program (CAPP) Programs; 2) execute contracts for Carl Moyer, SOON, FARMER and CAPP in the amount of \$196,687,460; 3) authorize the Executive Officer to redistribute the source of funds for the awarded projects between Carl Moyer, FARMER and CAPP to ensure liquidation targets are met; 4) reimburse General Fund for administrative costs up to \$8,553,501 from Carl Moyer, FARMER and CAPP Programs; and 5) transfer and appropriate up to \$100,000 each (for a total of \$200,000) from the administrative portions of the Community Air Protection AB 134 Fund (77) and the Carl Moyer Program Fund (32), into Information Management's FY 2023-24 and/or 2024-25 Budget, Services and Supplies and/or Capital Outlays Major Objects for the final phase of the grant management system development.

**COMMITTEE:** Technology, January 19,2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Adopt the attached Resolutions, accept terms and conditions, and recognize FY2023-24 funds from CARB upon receipt of up to \$47,229,407 in Carl Moyer Program funds (Year 26) and \$706,800 in Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program funds (Year 6) into the Carl Moyer Program SB 1107 Fund (32), and up to \$88,919,808 million in AB 617 Community Air Protection Program (CAPP) Incentives funds (Year 7) into the Community Air Protection AB 134 Fund (77);

2. Authorize the Chair to:
  - a) Execute contracts for the Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs as listed in Table 2 in an amount not to exceed \$83,758,275, comprised of \$66,176,592 from the Carl Moyer Program SB 1107 Fund (32), \$12,010,890 from the Carl Moyer AB 923 Match Fund (80), \$3,525,003 from interest accrued in the Carl Moyer Program SB 1107 Fund (32), and \$1,987,781 from the Carl Moyer Program Fund (32) (FARMER funds) and \$58,009 in returned FARMER funds;
  - b) Execute contracts for mobile source projects for CAPP Incentives as listed in Table 3, in an amount not to exceed \$112,929,185 from the Community Air Protection AB 134 Fund (77);
  - c) Execute contracts from the backup projects as listed in Table 4, 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, CAPP Incentives or FARMER programs;
3. 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, SB 129, 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;
4. Reimburse the General Fund from the Carl Moyer Program Fund (32) and Community Air Protection AB 134 Fund (77) for administrative costs related to the Carl Moyer, FARMER and CAPP Programs in an amount not to exceed \$2,951,838, \$44,175 and \$5,557,488, respectively; and
5. Transfer and appropriate up to \$200,000, comprised of \$100,000 each from the administrative portions of the Community Air Protection Program (Grant #G19-MCAP-03-1) Fund (77) and the Carl Moyer Program (Grant #G21-MO-27) Fund (32), into Information Management’s FY 2023-24 and/or 2024-25 Budget, Services and Supplies and/or Capital Outlays Major Objects for the final phase of the grant management system (GMS) development.

Wayne Natri  
Executive Officer

AK:MW:WS:AY

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## **Background**

### *Carl Moyer Program*

In December 2022, the Board adopted a resolution and recognized up to \$47 million in FY 2022-23 Carl Moyer Program (Year 25) funds and released Program Announcements (PA) #P2023-04 and #P2023-05 to solicit projects for the Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs. The PAs were oversubscribed, with funding requests of over \$424 million which far exceeded the amount of available funds. Since projects eligible under the Carl Moyer Program may be considered for funding through the State Reserve, the FARMER Program and CAPP Incentives, the projects submitted in response to the PAs were also evaluated for eligibility under these other incentive programs.

In November 2023, CARB allocated \$47,229,407 in FY 2023-24 (Year 26) Carl Moyer Program funds to South Coast AQMD, which includes 6.25 percent in administrative funds. Given the high number of eligible applications received from PAs #P2023-04 and #P2023-05, staff recommends implementing eligible projects using Carl Moyer Program Year 25 and up to 50 percent of Year 26 funds. The remaining Year 26 project funds will be directed towards eligible infrastructure projects submitted under PA #P2024-02, released in December 2023, to solicit infrastructure projects to support zero-emission heavy duty vehicles and equipment. The required match from South Coast AQMD to contribute to the Carl Moyer Program is \$5,989,141 for Year 25 and \$6,021,749 for Year 26, of which 15 percent of these funds will be provided as in-kind contribution as allowed by the Carl Moyer Program. In addition, other sources of funds are available to fund eligible projects under the Carl Moyer Program, including FARMER, CAPP Incentives, and associated interest funds.

### *FARMER Program*

In April 2023, the Board adopted a resolution recognizing up to \$1.5 million in FY 2022-23 FARMER Program (Year 5) funds into the Carl Moyer Program Fund (32). CARB subsequently allocated \$706,000 to South Coast AQMD in FY 2023-24 FARMER Program funds (Year 6), which includes 6.25 percent of administrative funds. Given the high number of eligible applications for projects in the agricultural sector, staff plans to combine FARMER funds from these two fiscal years (fiscal years 2022-23 and 2023-24) to fund eligible projects under the Carl Moyer Program for a total of \$2,045,790 including accrued interest.

### *CAPP Incentives*

In September 2022 and April 2023, the Board recognized up to \$99 million and \$92 million in FY 2021-22 CAPP Year 5 and FY 2022-23 CAPP Year 6 funds, respectively, for a total of up to \$191 million. The funds will support clean truck, zero emission projects, projects eligible for Proposition 1B-Goods Movement Program, projects identified in approved Community Emissions Reduction Plans, and programs identified in the Community Air Protection Incentives 2019 Guidelines and subsequent amendments. Staff recommends combining Year 5 and Year 6 CAPP funds to fund projects described above and some projects solicited from the Carl Moyer Program

Announcements #PA 2023-04 and #PA 2023-05 that qualify for the funds. In addition, in December 2023, South Coast AQMD received a grant agreement (G23-MCAP-23) from CARB for the FY 2023- 24 CAPP Year 7 funds in the amount of \$88,919,808, including 6.25 percent in administrative funds.

#### *Carl Moyer Program Grant Management System*

Lastly, in September 2021, the Board approved funds for the development of the Carl Moyer Program GMS to facilitate the online application submittal and streamline the application evaluation and approval process. The GMS has been successfully utilized by the applicants and staff since April 2022. To date, additional features are needed to further enhance the capabilities of the GMS by integrating contracting, invoicing, and annual reporting modules into the existing GMS. Funds are needed to support South Coast AQMD's Information Management for the costs associated with developing and maintaining the Carl Moyer Program GMS.

#### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising PA #P2023-04 and #P2023-05 to solicit projects for the Carl Moyer and SOON Programs 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 PAs 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 early 2023, staff held a series of in-person Carl Moyer Program workshops throughout South Coast AQMD's jurisdiction to further outreach and promote Carl Moyer Program funding opportunities to communities, fleet operators and other stakeholders. Also, staff conducted specific outreach to AB 617 communities and provided added outreach at AB 617 Community Steering Committee meetings. Other efforts to promote the Carl Moyer Program include, but are not limited to: 1) 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; 2) emails to over 16,000 subscribers to the Carl Moyer Program list serve; 3) coordinating social media outreach through partnerships with utilities including Southern California Edison and Southern California Gas Company; and 4) increasing social media presence through online announcements via South Coast AQMD's social media accounts.

## **Proposal**

This action is to adopt the attached Resolutions, accept terms and conditions, and recognize FY2023-24 funds from CARB upon receipt of up to \$47,229,407 in Carl Moyer Program funds (Year 26) and \$706,800 in FARMER Program funds (Year 6) into the Carl Moyer Program SB 1107 Fund (32), and up to \$88,919,808 million in AB 617 CAPP Incentives funds (Year 7) into the Community Air Protection AB 134 Fund (77).

This action is to also authorize the Chair to execute contracts for projects listed in Table 2, in an amount not to exceed \$83,758,275 comprised of \$66,176,592 from the Carl Moyer Program SB 1107 Fund (32), \$12,010,890 from the Carl Moyer AB 923 Match Fund (80), \$3,525,003 from interest accrued in the Carl Moyer Program SB 1107 Fund (32), and \$1,987,781 from the Carl Moyer Program Fund (32) – FARMER grant and \$58,009 in returned FARMER funds. The projects recommended in Table 2 are 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 NO<sub>x</sub> reductions in support of the 2022 AQMP emission reductions needed in the Basin. Projects that provide emission benefits to current standards were selected with a cost-effectiveness up to \$34,000 per weighted ton of NO<sub>x</sub>, particulate matter (PM) and Reactive Organic Gases (ROG) emissions reduced. Projects providing emissions reduced beyond those achieved by current standards, those provided by zero-emission technologies, were selected with a cost-effectiveness up to \$522,000 per weighted ton of NO<sub>x</sub>, PM and ROG. In addition to selecting projects based on cost-effectiveness, benefits to overburdened communities and AB 617 communities are also considered, whenever feasible. During the review process, all qualified applications were considered and approximately 75 percent of the proposed projects will benefit overburdened communities.

This action is to also authorize the Chair to execute contracts for mobile source projects for CAPP Incentives as listed in Table 3, in an amount not to exceed \$112,929,185 from the Community Air Protection AB 134 Fund (77). The recommends awards in Table 3 are for projects located in the following AB 617 communities: Wilmington/Carson/West Long Beach, East Los Angeles/Boyle Heights/West Commerce, San Bernardino/Muscoy, Eastern Coachella Valley, Southeast Los Angeles, and South Los Angeles. The recommended projects will result in 100 percent direct emissions reduction benefits to overburdened communities within the AB 617 communities and contribute to the emissions reduction goals and actions identified in the Board-approved Community Emission Reduction Plans and staff will continue to work closely with committees to identify targeted outreach and additional incentive funding opportunities through CAPP. This action is to execute contracts for mobile source projects for AB 617 CAPP as listed in Table 3 in and amount not to exceed \$112,929,185.

Through these funding awards all eligible zero-emission projects totaling \$119,197,817 were able to be funded. The remaining projects were placed on a back-up list in Table

4 for future consideration to address incentive program priorities, or in the event any returned or additional funds become available from Carl Moyer, FARMER and CAPP Programs, or to meet other air quality priorities and funding allocations established in the Community Emission Reduction Plans by the AB 617 Community Steering Committees. This action is to authorize the Chair to execute contracts from the backup projects as listed in Table 4.

Also, to successfully 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, SB 129, 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.

Lastly, staff is recommending the development of the final phase of the Carl Moyer Program GMS. The new GMS developments will include the following:

- Contracting & Invoicing module for staff to directly prepare draft contracts in OnBase, the online platform for managing documents and processes; and
- Annual Report module for end users to upload and staff to review annual usage reports required by Carl Moyer Program guidelines.

### **Overburdened Communities**

Based on the recommended awards, nearly 75 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 overburdened communities, greatly surpassing program requirements. These recommended awards are consistent with the requirements of AB 1390 and 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 overburdened 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 4.0 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.

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

The successful implementation of the projects selected for funding through the Carl Moyer Program (including SOON), 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 (tons/year)	
	NOx	PM
Carl Moyer/SOON Programs	324	7
FARMER	13	1
CAPP Incentives	121	6
<b>Total</b>	<b>458</b>	<b>14</b>

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.

The Carl Moyer GMS will further enhance the application submittal process for participants, the evaluation and approval processes for staff, and the project management for both participants and staff. In addition, further development of the Carl Moyer GMS will provide updated and seamless integration with the current OnBase systems; particularly with the OnBase invoicing and contract modules, thereby minimizing administrative burden.

**Resource Impacts**

Total funding for projects under the Year 25 & 26 Carl Moyer Program, SOON Program, FARMER and CAPP Incentives will not exceed \$196,687,460, comprised of the following funding sources:

Program	Total Funds Awarded
Carl Moyer SB 1107 (Fund 32)	\$66,176,592
Carl Moyer/State Reserve Interest Funds (Fund 32)	\$3,525,003
Carl Moyer AB 923 Match Funds (Fund 80)	\$12,010,890
FARMER (Fund 32)	\$2,045,790
CAPP Incentives (Fund 77)	\$112,929,185
<b>Total</b>	<b>\$196,687,460</b>

**Attachments**

- A. Resolution for FY 2023-24 Carl Moyer Program (Year 26) Funds
- B. Resolution for FY 2023-24 FARMER (Year 6) Funds
- C. Resolution for FY 2023-24 CAPP (Year 7) Funds
- D. Table 1: Total Amount of Available Funds; Table 2: Carl Moyer Program Awards; Table 3: CAPP Incentive Awards in AB 617 Communities; and Table 4: Recommended List of Backup Projects

**Attachment A**

**RESOLUTION NO. 24-**

**A Resolution of the South Coast Air Quality Management District  
Board Recognizing Funds and Accepting the Terms and Conditions  
of the FY 2023-24 Carl Moyer Grant Award**

**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 and 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, in regular session assembled on February 2, 2024, does hereby authorize the Executive Officer to accept the terms and conditions of the FY 2023-24 (Year 26) Carl Moyer Program grant award and recognizes up to \$47,229,407 million from CARB to administer and implement the Year 26 Carl Moyer Program.

**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 Boards

**Attachment B**

**RESOLUTION NO. 24-**

**A Resolution of the South Coast Air Quality Management District Governing Board Recognizing FY 2023-24 FARMER Funds**

**WHEREAS**, in July 2023, Governor Newsom signed into law Assembly Bill (AB) 102, which appropriates \$75 million from the State Budget for FY 2023-24 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 General Fund of AB 102;

**WHEREAS**, CARB has proposed an allocation of \$706,800 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 February 2, 2024 does hereby approve South Coast AQMD participation in the FY 2023-24 FARMER Program and recognize up to \$706,800 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 Boards

**Attachment C**

**RESOLUTION NO. 24-**

**A Resolution of the South Coast Air Quality Management District Governing Board Recognizing FY 2023-24 Community Air Protection Incentive Funds**

**WHEREAS**, under Health and 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;

**WHEREAS**, the South Coast AQMD is authorized by Health and §§40402, 40440, 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;

**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**, 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 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 FURTHER RESOLVED** that the Governing Board of the South Coast AQMD, State of California, in regular session assembled on February 2, 2024, does hereby recognize up to \$88,919,808 in FY 2023-24 (Year 7) Community Air Protection Program (CAPP) incentive funds from CARB to administer and implement the Year 7 CAPP.

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

\_\_\_\_\_  
Date

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

## Attachment D

<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	\$44,037,808 (Year 25)	G22-MO-27	FY 2022-23 total grant award: \$46,973,662***
	\$22,138,784 (Year 26)	G23-MO-28	FY 2023-24 total grant award: \$47,229,407***; Remaining project funds to be allocated towards eligible zero-emission infrastructure projects under Program Announcement PA2024-02
Carl Moyer/State Reserve Interest Funds*	\$3,525,003	N/A	Total unobligated interest funds in Fund 32 as of 6/1/2021 through 5/31/2023 including interest from both Carl Moyer and State Reserve Programs.
AB 923 Match Funds	\$5,989,141 (Year 25)	N/A	Required match for Carl Moyer Program Year 25, less 15% as South Coast AQMD's in-kind contribution allowed by the Carl Moyer Program.
	\$6,021,749 (Year 26)	N/A	Required match for Carl Moyer Program Year 26, less 15% as South Coast AQMD's in-kind contribution allowed by the Carl Moyer Program.
FARMER and FARMER Interest	\$1,325,156 (Year 5)	G22-AGIP-17	FY 2022-23 total grant award: \$1,413,500***
	\$662,625 (Year 6)	G23-AGIP-16	FY 2023-24 total grant award: \$706,800***
	\$58,009	N/A	Total unobligated interest funds in Fund 32 from FARMER Program
Community Air Protection Program Incentives	\$92,624,800	G21-MCAP-24	FY 2021-22 total grant award: \$98,799,786***
	\$20,304,385**	G22-MCAP-23	FY 2022-23 total grant award: \$91,199,803***
<b>Total</b>	<b>\$196,687,460</b>		

\*These interest funds are comprised of \$2,971,922 from SB 1107, \$382,614 in SB 129, and \$170,467 State Reserve interest funds.

\*\*This amount represents 22 percent of the FY 2022-23 CAPP incentives that are available for projects in this Board letter. Staff will be working with AB 617 community members on investment strategies and plans, as needed, for the remaining funds.

\*\*\*Including 6.25% administration fund



**Table 2: Carl Moyer Program Awards**

<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>
805 Discing and Grading Inc.	Off-Road - Agriculture	\$408,523
Acton-Agua Dulce Unified School District	Zero-Emission Infrastructure	\$379,250
Agriscap Inc.	Off-Road - Agriculture	\$294,650
Air Products and Chemicals, Inc (Cabazon)	Zero-Emission Infrastructure	\$5,847,302
Altman Specialty Plants, LLC	Off-Road - Agriculture	\$42,530
American Metal Recycling, Inc.	Off-Road	\$186,982
AmNav Maritime, LLC*	Marine	\$2,952,994
Anaheim Transportation Network	On-Road	\$274,133
Anaheim Union High School District	Zero-Emission Infrastructure	\$109,099
Anthony Vineyards, Inc.	Off-Road - Agriculture	\$179,196
Ardent Mills, LLC	Locomotive	\$515,609
Balboa Boat Yard of California, Inc.	Marine	\$113,813
Balboa Island Ferry*	Marine	\$1,776,546
Balmoral Farm, Inc.	Off-Road - Agriculture	\$127,920
Bautista Creek Ranches, Inc.	Off-Road - Agriculture	\$94,375
Baydelta Maritime LLC*	Marine	\$2,545,863
Belk Farms, LLC	Off-Road - Agriculture	\$424,085
Berg Performance Horses LLC	Off-Road - Agriculture	\$15,704
Betty-G Sportfishing, Inc.	Marine	\$75,589
Boersma Dairy, Inc.*	On-Road	\$85,503
Boersma Dairy, Inc.	Off-Road - Agriculture	\$1,665,196
Brodasi Organic Farms, Inc.	Off-Road - Agriculture	\$399,492
C & C Scrap Services, Inc. DBA D&M Metals	Off-Road	\$75,603
C & C Scrap Services Inc. DBA Pomona Scrap Metals	Off-Road	\$212,861
C. Smith Transport Inc., DBA CST Organic Recycling	Off-Road - Agriculture	\$1,522,920
Cabo Determined. LLC	Marine	\$297,600
California Steel Industries, Inc***ev	Off-Road	\$9,639
Calm Seas LLC	Marine	\$131,595
Caplinger Construction, Inc.	Off-Road	\$161,212
Catalina Gardens - Redlands LLC	Off-Road - Agriculture	\$64,223
Chino Valley Dairy Products, Inc.	Off-Road - Agriculture	\$745,621
City of Fountain Valley	On-Road	\$187,331

<b>Table 2: Carl Moyer Program Awards</b>		
<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>
Clark & Sons Inc	Off-Road	\$249,057
Coburn Equipment Rentals Inc.	Off-Road	\$3,815,749
Consolidated Disposal Service, LLC (Long Beach)	On-Road	\$319,248
Cordell Smith	Off-Road - Agriculture	\$784,188
Corona Cattle, Inc.	Off-Road - Agriculture	\$134,593
Crescenta Valley Water District	Off-Road	\$31,114
Del Mar Sportfishing	Marine	\$176,182
Demler Farms LLC	Off-Road - Agriculture	\$70,560
DeRoy Joseph Wiest	Off-Road - Agriculture	\$186,162
Desert Custom Farming, Inc.	Off-Road - Agriculture	\$89,330
Dolphin Safari Inc.	Marine	\$164,174
Domenigoni Brothers Ranch, LP	Off-Road - Agriculture	\$290,341
Dunham Enterprises DBA Gary Dunham Dozer Rental	Off-Road	\$488,291
Dutchboy Trucking, Inc.	Off-Road - Agriculture	\$60,316
DYT Dairy	Off-Road - Agriculture	\$259,973
Earthworks Soil Amendments, Inc.	Off-Road	\$73,922
El Dorado Dairy	Off-Road - Agriculture	\$665,443
Emerald Acres LLC	Off-Road - Agriculture	\$3,297,000
Falls Family Enterprises Inc. DBA JSH Trucking	On-Road	\$352,624
Fischer Inc.	Off-Road	\$53,191
Five Star Blade and Tractor Service LLC*	Off-Road	\$36,353
Foss Maritime Company, LLC*	Marine	\$1,735,658
G.I. Trucking Company DBA Estes Express Lines	On-Road	\$1,379,932
Gurpartap S. Gill	Off-Road - Agriculture	\$104,400
Hartfield Construction Corp.	Off-Road	\$80,927
Hondo Framing, Inc.	Off-Road	\$63,883
Hunter Logistics Los Angeles Inc.	On-Road	\$353,672
Inland Metal Recycling Co., Inc.	Off-Road	\$258,714
Irvine Valencia Growers	Off-Road - Agriculture	\$454,311
James Jay Tevelde	Off-Road - Agriculture	\$142,352
JBT, Inc.	Off-Road - Agriculture	\$739,716
Donald Joseph Arias	Off-Road - Agriculture	\$257,823
Jorge Manuel Maldonado Torres	Off-Road - Agriculture	\$163,056

**Table 2: Carl Moyer Program Awards**

<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>
Jose Abel Beltran***	Off-Road - Agriculture	\$113,062
Joseph Anthony Russo	Marine	\$304,800
Kareem Ahmed	Off-Road - Agriculture	\$59,152
Knight Transportation Inc	On-Road	\$122,929
Lineage Logistics, LLC*	Zero-Emission Infrastructure	\$2,251,200
Long Life Farms, Inc.	Off-Road - Agriculture	\$69,616
Lucky Farms, Inc.	On-Road	\$360,000
Lucky Farms, Inc.**	Off-Road - Agriculture	\$914,294
M. H. Uyekawa, Inc.	Off-Road	\$250,000
M.K.P. Construction, Incorporated	Off-Road	\$55,010
MBA Grading and Demolition, Inc.	Off-Road	\$1,056,321
McMinn Equipment Rental and Leasing, Inc.	Off-Road	\$866,905
NFI Interactive Logistics, LLC	Zero-Emission Infrastructure	\$5,000,000
NorthHills Recycling, Inc.	Off-Road	\$301,700
O & S Holsteins, LP	Off-Road - Agriculture	\$173,145
Oak Glen Winery LLC	Off-Road - Agriculture	\$117,536
Ocean Explorer, Inc.	Marine	\$152,468
Organic Depot, LLC	Off-Road - Agriculture	\$2,615,000
Overkill Ventures IV LLC	Marine	\$395,301
Pacific Mistress Sport Fishing	Marine	\$125,600
Peed Equipment Company	Off-Road	\$4,211,250
Philip Ambrose Viramontes	Off-Road - Agriculture	\$209,556
Postal Delivery Systems LLC*	On-Road	\$675,000
Prado Recreation Incorporated	Off-Road - Agriculture	\$938,746
Pro-Organic Farms, LLC	Off-Road - Agriculture	\$750,087
Quality Growers, Inc.	Off-Road - Agriculture	\$599,859
Rainbow Disposal Co., Inc.	On-Road	\$34,823
Rainbow Disposal Co., Inc.	Zero-Emission Infrastructure	\$222,704
Rentrac, Inc.	Off-Road	\$3,922,112
RPM Transportation, Inc.	On-Road	\$4,288,074
SA Recycling LLC	Off-Road	\$117,710
San Pedro Pride, Inc.	Marine	\$2,106,665
Scott Bros. Dairy Farms, L.P.	Off-Road - Agriculture	\$473,453
SoCal Fish Co, LLC	Marine	\$200,000

<b>Table 2: Carl Moyer Program Awards</b>		
<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>
Southwest Dairy Incorporated	Off-Road - Agriculture	\$197,309
Spruce Grove, Inc.	Off-Road - Agriculture	\$214,174
T.G.I. Equipment Corporation	Off-Road	\$4,169,613
Talley Meadows Layups and Retirement, Inc.	Off-Road - Agriculture	\$159,628
Thermiculture Management Inc.	Off-Road - Agriculture	\$212,076
Tina McMinn Equipment Rental, Inc.	Off-Road	\$115,969
Tudor Ranch, Inc.	Off-Road - Agriculture	\$199,569
Universal City Studios LLC	Off-Road	\$3,450,360
Washburn Grove Management, Inc.	Off-Road - Agriculture	\$384,545
WE Inc	Off-Road - Agriculture	\$730,712
West Coast Turf	Off-Road - Agriculture	\$150,754
Whittier Fertilizer Company	Off-Road	\$108,274
Zenix Transportation, Inc.	On-Road	\$356,000
<b>Total:</b>		<b>\$83,758,275</b>

\*This project is pending CARB case-by-case approval.

\*\*This project is partially awarded \$914,294. A majority of the project to replace 8 off-road equipment is recommended for funding, with \$109,490 of the remaining project to replace two off-road equipment placed on the backup list.

\*\*\*Pending Campaign Contribution Form

<b>Table 3: CAPP Incentive Awards in AB 617 Communities</b>				
<b>AB 617 Community</b>	<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>	<b>Total</b>
<b>East Los Angeles / Boyle Heights / West Commerce</b>	Penske Truck Leasing Co., L.P. (Montebello)	Zero-Emission Infrastructure	\$2,426,556	<b>\$61,723,814</b>
	Southern California Regional Rail Authority*	Locomotive	\$59,297,258	
<b>Eastern Coachella Valley</b>	AAA Farms, Inc.	Off-Road - Agriculture	\$826,733	<b>\$10,770,520</b>
	AgSer Contracting	Off-Road - Agriculture	\$260,235	
	Amazing Coachella, Inc.	Off-Road - Agriculture	\$991,440	
	Anthony Vineyards, Inc.	Off-Road - Agriculture	\$295,920	
	Antonio Ramirez dba Coachella Valley Land Preparation	Off-Road	\$304,319	
	Archuleta Excavating Inc.	Off-Road	\$22,256	

**Table 3: CAPP Incentive Awards in AB 617 Communities**

<b>AB 617 Community</b>	<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>	<b>Total</b>
	Belk Farms, LLC	Off-Road - Agriculture	\$945,568	
	Desert Custom Farming, Inc.	Off-Road - Agriculture	\$253,150	
	Desert Mist Farms, LLC	Off-Road - Agriculture	\$230,945	
	Francisco Mendoza	Off-Road - Agriculture	\$82,854	
	Gabriel Valenzuela	Off-Road - Agriculture	\$114,646	
	Hacienda de Trampas, Inc.	Off-Road - Agriculture	\$151,441	
	Hadley Date Gardens, Inc.	Off-Road - Agriculture	\$335,644	
	Ignacio Partida	Off-Road - Agriculture	\$145,457	
	Jaime Franco Serratos	Off-Road - Agriculture	\$131,182	
	Jesus Campos	Off-Road - Agriculture	\$94,820	
	Jose Aceves Aquino	Off-Road - Agriculture	\$47,410	
	Jose Luis Montoya Lopez	Off-Road - Agriculture	\$38,791	
	Juan Manuel Magaña***	Off-Road - Agriculture	\$182,705	
	Junior Enterprises, LLC	Off-Road - Agriculture	\$482,550	
	Larsen Land & Cattle Co., LLC	Off-Road - Agriculture	\$178,350	
	LB Harvesting, Inc.	Off-Road - Agriculture	\$21,062	
	Long Life Farms, Inc.	Off-Road - Agriculture	\$1,218,458	
	SA Recycling LLC	Off-Road	\$61,605	
	Santiago Figueroa Felix	Off-Road - Agriculture	\$68,468	
	Siri and Son Farms, Inc.	Off-Road - Agriculture	\$402,329	
	Sun and Sands Enterprises, LLC	Off-Road - Agriculture	\$571,098	
	Sunland Cactus Nursery	Off-Road - Agriculture	\$240,179	

**Table 3: CAPP Incentive Awards in AB 617 Communities**

<b>AB 617 Community</b>	<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>	<b>Total</b>
	Sunwest Farms LLC	Off-Road - Agriculture	\$422,072	
	Thermiculture Management Inc.	Off-Road - Agriculture	\$495,714	
	Tudor Ranch, Inc.	Off-Road - Agriculture	\$656,631	
	Van Drunen Farms - Golden State Herbs, Inc.	Off-Road - Agriculture	\$96,996	
	West Coast Turf	Off-Road - Agriculture	\$399,492	
<b>South Gate / Huntington Park / Cudahy / Bell Gardens</b>	Air Products and Chemicals, Inc (Santa Fe Springs)	Zero-Emission Infrastructure	\$3,646,956	<b>\$3,720,778</b>
	SA Recycling LLC	Off-Road	\$73,822	
<b>South Los Angeles</b>	Consolidated Disposal Service, LLC (Gardena)	On-Road	\$135,459	<b>\$3,863,181</b>
	Consolidated Disposal Service, LLC (Gardena)	Zero-Emission Infrastructure	\$384,833	
	Gateway EV Fleets, LLC (Gardena)	Zero-Emission Infrastructure	\$1,013,777	
	Harbor Team Logistics, Inc.	On-Road	\$1,230,000	
	King Fio Trucking, LLC	On-Road	\$472,676	
	King Fio Trucking, LLC	Zero-Emission Infrastructure	\$293,728	
	M.K.P. Construction, Incorporated	Off-Road	\$26,451	
	SA Recycling LLC	Off-Road	\$58,855	
	U.S. Gold Cargo Inc	On-Road	\$247,402	
<b>Wilmington / West Long Beach / Carson</b>	Air Products and Chemicals, Inc (San Pedro)	Zero-Emission Infrastructure	\$5,847,302	<b>\$32,850,892</b>
	Alright Already LLC***	Marine	\$294,400	
	American Marine Corporation	Marine	\$262,310	
	Augello Enterprises, LLC	Marine	\$636,000	
	Barbara H Fishing, LP	Marine	\$522,400	
	Baydelta Maritime LLC*	Marine	\$336,050	
	Blue Dragon Seafood	Marine	\$183,157	
	BNSF Railway Company	Zero-Emission Infrastructure	\$925,000	
	Catalina Classic Cruises, Inc.	Marine	\$724,800	

**Table 3: CAPP Incentive Awards in AB 617 Communities**

<b>AB 617 Community</b>	<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>	<b>Total</b>
	Consolidated Disposal Service, LLC (Long Beach)	Zero-Emission Infrastructure	\$579,031	
	Crowley Marine Services, Inc.	Zero-Emission Infrastructure	\$6,000,000	
	Curtin Maritime Corp.	Marine	\$992,801	
	Foss Maritime Company, LLC*	Marine	\$5,261,686	
	Gregory Kuglis	Marine	\$158,400	
	Jason Chrupcala	Marine	\$297,600	
	LBCT LLC	Zero-Emission Infrastructure	\$293,075	
	LBCT LLC*	Off-Road	\$684,000	
	MLI Leasing, LLC	On-Road	\$756,844	
	Penske Truck Leasing Co., L.P. (Carson)	Zero-Emission Infrastructure	\$633,451	
	RoadEx CY, Inc.	Zero-Emission Infrastructure	\$2,340,448	
	Rove Operating, LLC (Long Beach)	Zero-Emission Infrastructure	\$500,000	
	San Pedro Bait Co.	Marine	\$554,402	
	Total Terminals International, LLC	Off-Road	\$574,857	
	United Logistic Services Group Inc.	On-Road	\$1,174,690	
	Voltera Power, LLC	Zero-Emission Infrastructure	\$2,318,188	
<b>Total:</b>				<b>\$112,929,185</b>

\*This project is pending CARB case-by-case approval.

\*\*\*Pending Campaign Contribution Form

**Table 4: Recommended List of Backup Projects**

<b>Applicant</b>	<b>Project Category</b>	<b>Recommended Award</b>
Alto Xpress, Inc.	Zero-Emission Infrastructure	\$100,735
ARK Leasing, Inc.	On-Road	\$1,793,689
City of Lomita	On-Road	\$5,529
Commercial Rock Co.	On-Road	\$709,236
Drake Family Farms, Inc	Off-Road - Agriculture	\$25,749
Earthworks Soil Amendments, Inc.	Off-Road	\$29,722
Ecology Auto Parts, Inc.	On-Road	\$6,423,159
EV Charging Solutions, Inc.***	Zero-Emission Infrastructure	\$142,300
G.I. Trucking Company DBA Estes Express Lines	On-Road	\$2,223,895
Gateway EV Fleets, LLC	Zero-Emission Infrastructure	\$1,701,241
Hua Sheng Fresh Produce Farm Inc	Off-Road - Agriculture	\$31,162
JMJ Sportfishing, Inc.	Marine	\$13,482
Lucky Farms, Inc.**	Off-Road - Agriculture	\$109,490
Marina del Rey Bait Company, Inc.	Marine	\$54,341
Mission Springs Water District	Off-Road	\$54,600
RLN Equipment Leasing, LLC	Off-Road - Agriculture	\$28,058
Pena Nursery	Off-Road - Agriculture	\$49,479
Penske Truck Leasing Co., L.P.	Off-Road - Agriculture	\$3,332,726
Postal Delivery Systems LLC*	On-Road	\$2,585,675
Prado Recreation Incorporated	Off-Road - Agriculture	\$129,849
Rove Operating, LLC	Zero-Emission Infrastructure	\$1,000,000
SA Recycling LLC	Off-Road	\$144,126
San Clemente Sportfishing, Inc. DBA Dana Wharf Sportfishing	Marine	\$66,227
Shinkle and Sons' Greenhouses, Inc.	Off-Road	\$345,827
Southern California Regional Rail Authority	Locomotive	\$87,447,233
Spruce Grove, Inc.	Off-Road - Agriculture	\$49,163
Unifirst Corporation	Zero-Emission Infrastructure	\$154,223
<b>Total:</b>		<b>\$108,750,916</b>

\*This project is pending CARB case-by-case approval.

\*\*A majority of this project award of \$914,294 to replace 8 off-road equipment was included in Table 2.

\*\*\*Pending Campaign Contribution Form



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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 7

**PROPOSAL:** Execute Contract to Demonstrate Off-Grid Electrical Fast Charging Solution to Support UCLA's Electric Fleet

**SYNOPSIS** The University of California, Los Angeles (UCLA) is committed to a sustainability goal and has a comprehensive transportation plan to reduce its environmental impact, including electrifying its fleet. However, upgrading the electrical infrastructure will take some time. To address the infrastructure challenge, UCLA plans to demonstrate an interim off-grid charging solution in partnership with GenCell, Inc. This action is to execute a contract with GenCell, Inc. to develop and demonstrate an off-grid fast charging solution to support UCLA's electric fleet in an amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

**COMMITTEE:** Technology, January 19, 2024; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chair, or on the Chair's behalf, the Executive Officer, to execute a contract with GenCell, Inc. to develop and demonstrate an off-grid fast charging solution to support the University of California, Los Angeles' (UCLA) electric fleet in an amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

Wayne Natri  
Executive Officer

AK:MW:VP:MH

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**Background**

UCLA is committed to achieving an aggressive sustainability goal and has devised a comprehensive transportation plan to minimize its environmental impact on the community. A critical element of this plan is the electrification of its fleet which consists of a range of vehicles, from heavy-duty buses to golf carts. With over 1,000 vehicles on campus, UCLA has set a near term target of operating 60 percent of its fleet

on alternative energy sources. While UCLA is working on upgrading its electrical infrastructure, this process will take several years. The challenges with infrastructure upgrades has implications for UCLA to transition to an electric fleet and meet its decarbonization goals, which also impacts the regional air quality. In partnership with UCLA, GenCell, Inc. (GenCell) intends to pilot the GenCell EVOX charging solution to assess its full capability and verify performance. GenCell envisions a long-term partnership to promote sustainable transportation and infrastructure development.

### **Proposal**

GenCell proposes to install and evaluate the novel off-grid direct current (DC) fast charging solution, GenCell EVOX. GenCell will provide and install the electrical infrastructure necessary to provide the fast-charging capability at a UCLA vehicle maintenance facility for the expansion of electric vehicles in place of a grid upgrade. Vehicles include campus police, maintenance, hospital transport buses, and other administrative cars. The unit is intended to transform the existing single-phase power to three-phase power and increase the available grid power using hydrogen to power a fuel cell. In addition, this unit is capable of supplying off-grid power during grid power outages.

South Coast AQMD funding will be used to develop, build, test, validate and demonstrate this charging solution. This action is to execute a contract with GenCell that does not exceed \$200,000 from the Clean Fuels Program Fund (31).

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for sole source award is made under the following justifications: B.2.c.(2) The project involves the use of proprietary technology; B.2.C.(3) The contractor has ownership of key assets required for project performance; and B.2.d.(1) Project involving cost-sharing by multiple sponsors. The proposed project will demonstrate GenCell's proprietary technology and include in-kind contributions and cost-share by UCLA and GenCell.

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

Projects to support the development and demonstration of zero-emission vehicle technologies and supporting infrastructure are included in the Technology Advancement Office Clean Fuels Program 2023 Plan Update under the "Zero Emission Infrastructure." This project is to develop and demonstrate an off-grid DC fast-charging solution for goods movement electrification. Implementation of this project is consistent with the 2022 AQMP, which relies on zero-emission technologies to achieve National Ambient Air Quality Standards for ozone and PM2.5. Additionally, this project assists in reducing diesel particulate matter, which is a carcinogen, by advancing zero-emission vehicle technologies and infrastructure. The successful demonstration of the fast-charging solution system, which transforms alternative energy sources including solar,

grid, wind, and fuel cell and provides off-grid power during grid loss, will serve as a model to build confidence among end-users and provide rapid deployment and mobility around their facilities, and offer temporary solutions to electrification projects.

**Resource Impacts**

The total cost for the proposed project is \$1,187,092, of which South Coast AQMD’s proposed contribution will not exceed \$200,000 from the Clean Fuels Program Fund (31), as summarized below.

**Proposed Zero Emission Port Demonstration Project Costs**

<b>Source</b>	<b>Funding Amount</b>	<b>% of Total Cost</b>
GenCell, Inc.	\$805,500	68
UCLA	\$181,592	15
South Coast AQMD (proposed)	\$200,000	17
<b>Total</b>	<b>\$1,187,092</b>	<b>100</b>

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

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 8

**PROPOSAL:** Execute Contract to Replace and Expand Existing Hydrogen Refueling Station at South Coast AQMD Headquarters

**SYNOPSIS** For over a decade, South Coast AQMD hosted a hydrogen refueling station at its headquarters that is part of a CEC award to Air Products and Chemicals, Inc. The current station's capacity to provide hydrogen refueling is limited. Recently, FirstElement Fuel, Inc. received a CEC grant in the amount of \$42.6 million to develop publicly accessible advanced hydrogen refueling stations. Additional funding is sought to clean up the site and expedite the replacement of the existing station. This action is to execute a contract with FirstElement Fuel, Inc. to replace and expand the existing hydrogen refueling station at South Coast AQMD headquarters in an amount not to exceed \$750,000 from the Clean Fuels Program Fund (31).

**COMMITTEE:** Technology, January 19, 2024; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chair, or on the Chair's behalf, the Executive Officer, to execute a contract with FirstElement Fuel, Inc. to replace and expand the existing hydrogen refueling station at South Coast AQMD headquarters and clean up the site in an amount not to exceed \$750,000 from the Clean Fuels Program Fund (31).

Wayne Natri  
Executive Officer

AK:MW:VP:MH

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**Background**

South Coast AQMD has been operating hydrogen refueling stations at its headquarters for close to two decades. The current station is one of eight stations in California that was established with an award from the CEC to Air Products and Chemicals, Inc. over a

decade ago. However, the hydrogen refueling station has limited hydrogen dispensing capacity based on demand and is experiencing increased downtime largely due to aging equipment.

FirstElement was recently awarded a \$42.6 million grant from the CEC to design, construct, and expand a network of 46 high-performance hydrogen fueling stations across California. The objective of this initiative is to elevate customer experience and optimize operational efficiency of hydrogen refueling stations which is crucial for the adoption of fuel cell electric vehicles (FCEVs). The new station will be integrated with a telematics software management tool to keep track of the volume of vehicles being fueled on-site to help with managing fuel availability and customer demand. In addition, expanding hydrogen refueling capabilities will help with the adoption of FCEVs and reduce hydrogen dispensing costs, making these vehicles more accessible and economically viable.

### **Proposal**

FirstElement proposes to replace the existing hydrogen refueling station at South Coast AQMD headquarters with four fueling stations. The new upgraded station will be capable of dispensing up to 1,600 kg/day of hydrogen through the use of liquid hydrogen storage capable of supporting the refueling of up to 600 FCEVs daily compared to the existing station with a capacity of 250 kg/day of hydrogen capable of supporting 100 FCEVs. Once the existing equipment is removed from the current location, FirstElement will perform site clean-up prior to the installation of the refueling station equipment.

South Coast AQMD funding will be used to expedite the construction and installation of the new station and cleanup the site after the existing hydrogen refueling station equipment is removed. This action is to execute a contract with FirstElement to replace and expand the existing hydrogen refueling station at South Coast AQMD headquarters, in an amount not to exceed \$750,000 from the Clean Fuels Program Fund (31). The clean-up funds and support funds can be used interchangeably.

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for a sole source award is made under provision B.2.d.: Other circumstances exist which in the determination of the Executive Officer require such a waiver in the best interest of South Coast AQMD. Specifically, these circumstances are B.2.d.(1): Project involving cost-sharing by multiple sponsors. The proposed projects will include in-kind contributions and cost-share by the CEC and FirstElement.

### Benefits to South Coast AQMD

Projects to support the development and demonstration of zero-emission vehicle technologies and supporting infrastructure are included in the Technology Advancement Office Clean Fuels Program 2023 Plan Update under the category “Hydrogen and Fuel Cell Technologies and Infrastructure.” This project is to develop a higher performing hydrogen refueling station with greater capacity and capability, allowing the simultaneous fueling of four FCEVs. The liquid hydrogen fueling system is the most novel technology in the hydrogen stations operation. The replaced refueling station will support existing customers, create a more robust hydrogen supply chain with high capacity and lower station downtime that will encourage South Coast Air Basin residents to purchase and drive FCEVs. Implementation of this project is consistent with the 2022 AQMP, which relies on zero-emission technologies to achieve National Ambient Air Quality Standards for ozone and PM2.5. This new higher capacity refueling station will better serve the residents of the South Coast Air Basin and will assist in achieving California’s goal in creating a more expansive and reliable hydrogen refueling network throughout the state.

### Resource Impacts

The total cost for the proposed project is \$3,830,000, of which South Coast AQMD’s proposed contribution will not exceed \$750,000 from the Clean Fuels Program Fund (31), as summarized below.

#### Proposed Zero Emission Demonstration Project Costs

Source	Funding Amount	% of Total Project Cost
CEC	\$1,580,000	41
FirstElement	\$1,500,000	39
South Coast AQMD (proposed)	\$750,000	20
<b>Total</b>	<b>\$3,830,000</b>	<b>100</b>

\* Contingent on CEC approval

\*\* South Coast AQMD proposed contribution will be used for site cleanup and expediting station installation

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

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 9

**PROPOSAL:** Issue RFP and Execute Contracts for Green Space Program Within AB 617 Community of Southeast Los Angeles

**SYNOPSIS:** Through participatory budgeting workshops held in early 2021, the Assembly Bill 617 (AB 617) Southeast Los Angeles (SELA) Community Steering Committee prioritized \$2.5 million in Community Air Protection Program incentive funding for green space projects within the SELA community. These actions are to: 1) issue an RFP in an amount up to \$2.5 million from the Community Air Protection AB 134 Fund (77) to solicit green space project bids from contractor(s) and to Execute Contracts to implement green space projects in the SELA community through the SELA Green Space Program; 2) reimburse the General Fund for administrative costs of up to \$141,667 from the Community Air Protection AB 134 Fund (77); and 3) transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity, and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the SELA Green Space Program.

**COMMITTEE:** Stationary Source, January 19, 2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to issue RFP in an amount up to \$2.5 million from the Community Air Protection AB 134 Fund (77) to solicit green space project bids from contractors interested in implementing green space projects within the Southeast Los Angeles (SELA) community, and based on the results of the RFP, authorize the Chair (or by the Chair's designation, the Executive Officer) to execute subsequent contracts with the selected contractor(s) to implement the green space projects within the SELA community;
2. Reimburse the General Fund up to \$141,667 from the Community Air Protection AB 134 Fund (77) for administrative costs to implement the Green Space Program; and

3. Transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity, and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the Green Space Program.

Wayne Natri  
Executive Officer

AHJ:KH:UTV:RD:NK

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### **Background**

Assembly Bill 617 (AB 617) was signed into state law in July 2017 and focuses on improving air quality and reducing exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. Assembly Bill 617 recognizes the disproportionate impacts environmental justice (EJ) communities experience from sources of air pollution near residences and seeks to address these impacts through community-driven actions focused on developing and implementing Community Emission Reductions Plans (CERPs) and Community Air Monitoring Plans (CAMPs).

In early 2021, through participatory budgeting, the SELA Community Steering Committee (CSC) prioritized \$2.5 million in Community Air Protection Program (CAPP) Incentive funding for implementing green space projects within the SELA community. The SELA CSC is comprised of stakeholders (e.g., residents, businesses, community-based organizations, public agencies, elected officials) with community knowledge that provide input, guidance, and recommendations for development and implementation of the SELA CERP<sup>1</sup> and CAMP<sup>2</sup>. One of the air quality priorities in the SELA CERP is Green Spaces. Objectives to address this air quality priority, with the goal of increasing green space and providing or improving recreational opportunities in the SELA community, include working with other agencies and the CSC to: 1) develop a list of drought-tolerant, low-VOC trees; 2) evaluate opportunities to use settlement funds; 3) provide letters of support and air quality information for grant opportunities; and 4) identify and prioritize locations to install vegetative buffers alongside freeways. The SELA CSC recommended increasing green spaces and recreational opportunities through tree planting at new or existing parks and other community spaces and/or by installing bike trails, river paths, and transit corridors which promote active forms of transportation.

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<sup>1</sup> <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf?sfvrsn=9>

<sup>2</sup> [http://www.aqmd.gov/docs/default-source/ab-617-ab-134/camps/sela/sela-camp\\_10-28-2020\\_draft.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/ab-617-ab-134/camps/sela/sela-camp_10-28-2020_draft.pdf?sfvrsn=4)



CARB approved the SELA Green Space Project Plan on Thursday, January 4, 2024.<sup>3</sup> The SELA Green Space Project Plan allows South Coast AQMD to distribute the CAPP Incentive funds through this RFP to implement selected green space projects within the SELA community.

### **Proposal**

Staff proposes issuing an RFP to solicit green space project bids from contractors for green space installation(s) within the SELA emissions study area boundary through the Green Space Program. The RFP will solicit green space applications from contractors which will include: the proposed locations, an estimate of the number and species of trees proposed to be planted, increase in tree canopy coverage and/or active transportation infrastructure to be installed, maintenance plan, and annual watering requirements. The scoring criteria in the RFP includes preference for green space projects which increase recreational opportunities.

Contractor(s) selected through the RFP process will be responsible for implementing the green space projects and maintaining the project area(s) throughout the Project Life, which is five (5) years after completion of green space project installation(s).

Green space project bids will be due May 3, 2024 at 2:00 pm. Following the results of the RFP, staff anticipate the selection of green space project contractors and execution of contracts to occur by July 2024. To expedite implementation of the Green Space Program, staff are requesting that the Chair (or by the Chair's designation, the Executive Officer) execute contracts with qualified contractor(s) of the RFP, based upon recommendations of the evaluation panel. Staff recommends using \$25,000 from the administrative portions of the Community Air Protection AB 134 Fund (77) for outreach support for implementation of the Green Space Program.

### **Bid Evaluation**

Contractor(s) will be selected based on the criteria in the SELA Green Space Project Plan and RFP, including the thoroughness of the plan, readiness and timeliness of project implementation, proposed area of the green space project(s), and cost-effectiveness. Multiple contractors may be selected, although a single contractor can potentially be awarded the full grant amount. Green space project bids will be reviewed, scored, and ranked by an evaluation panel and the CSC based on the scoring criteria identified in the RFP and SELA Green Space Project Plan. The evaluation panel will consist of two to five South Coast AQMD staff and potentially one subject matter expert. The evaluation panel will make recommendations for final selection of contractor(s).

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<sup>3</sup> [https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-sela-gspp-\(approved-by-carb-on-january-4-2024\).pdf](https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-sela-gspp-(approved-by-carb-on-january-4-2024).pdf)

## **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, the Sacramento Bee, the Riverside Press Enterprise, and La Opinión newspapers to leverage the most cost-effective method of outreach to the SELA community. South Coast AQMD will work with the CSC to identify the most effective approach to conduct outreach and distribute the RFP throughout the SELA community and local governments within SELA and notify the CSC of the outreach efforts.

Additionally, potential contractors may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black, Latino, and Asian & Pacific Islander Legislative Caucuses and various minority chambers of commerce and business associations and placed on the "Grants & Bids" page on South Coast AQMD's website (<http://www.aqmd.gov//nav/grants-bids>).

## **Benefits to South Coast AQMD**

Green spaces can help reduce exposure to air pollution to overburdened communities. Further, green spaces can shade buildings and sidewalks, thereby decreasing the use of air conditioning, promoting more active forms of transportation (e.g., walking, biking), and reducing passenger vehicle use, thus indirectly reducing emissions.

## **Resource Impacts**

Up to \$2.5 million from the Community Air Protection AB 134 Fund (77) Year 3 CAPP Incentive funds will be used for implementing green space projects through the Green Space Program within the SELA community, a reimbursement of administrative costs of up to \$141,667, and a transfer of up to \$25,000 for administrative costs into Diversity, Equity and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account. Sufficient funds are available in Community Air Protection AB 134 Fund (77).

## **Attachment**

Request for Proposals for Implementation of Green Space Projects in the Assembly Bill 617 Community of Southeast Los Angeles

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
REQUEST FOR PROPOSALS**

**Implementation of Green Space Projects in  
the Assembly Bill 617 Community of  
Southeast Los Angeles**

**P2024-08**

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

**PURPOSE**

South Coast AQMD is seeking bids from qualified public and private entities to implement green space projects in the Assembly Bill 617 (AB 617) Southeast Los Angeles (SELA) community by planting trees, green spaces, and/or installing infrastructure for active forms of transportation (e.g., bike paths, walking paths, river paths, sidewalks) to reduce exposure to air pollution and increase recreational opportunities, as described in the AB 617 SELA Community Emission Reductions Plan (CERP). Qualified entities may include cities, counties, public agencies, non-profits, tribal governments, special districts, community organizations, small businesses, corporations, or individuals. The primary purpose of this Green Space Program (Program) is to execute a CERP objective which is to increase green space and provide or improve recreational opportunities in the AB 617 SELA community. Co-benefits of the Program include the sequestration of greenhouse gases, shade, and the potential to reduce exposure to air pollution. This RFP will implement the AB 617 SELA Green Space Project Plan (Green Space Project Plan) to fulfill objectives in the AB 617 SELA CERP<sup>1</sup>.

**INDEX - The following are contained in this RFP:**

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

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

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<sup>1</sup> South Coast AQMD, Southeast Los Angeles Community Emission Reductions Plan, Green Space Air Quality Priority. Available at: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf?sfvrsn=9#page=112>.

## SECTION I: BACKGROUND/INFORMATION

Signed into law on July 26, 2017, AB 617 (California Health and Safety Code § 44391.2) is a California law that addresses the disproportionate impacts of air pollution in environmental justice (EJ) communities. Since 2018, California Air Resources Board (CARB) has designated six (6) AB 617 communities within South Coast AQMD's jurisdiction. As directed by the bill, South Coast AQMD worked with each community to develop a CERP under the guidance of their respective Community Steering Committee (CSC). Each CSC is comprised of residents, community-based organizations, schools, public agencies, businesses, and other relevant community stakeholders. Each CSC identifies their top air quality concerns and objectives to address them in their respective CERP.

The AB 617 SELA community was designated as a South Coast AQMD AB 617 community in 2019. The AB 617 SELA community established an approximately 40-member CSC who collaborated with South Coast AQMD to develop the SELA CERP.<sup>1</sup> As of November 15, 2023, there are 13 members of the SELA CSC.<sup>2</sup> During CERP development, one of the concerns expressed by CSC members was the lack of green spaces in the community. Green spaces increase canopy cover, trap pollutants, provide recreational opportunities, and encourage active forms of transportation by shading bikeways, river paths, and other transit corridors.

The AB 617 SELA CERP addresses the green spaces air quality priority with the goal of increasing green space in SELA, through the following objectives (AB 617 SELA CERP, Chapter 5d):

- *Objective A: Collaborate with land-use, state and local agencies (e.g., Public Works, Parks and Recreation), non-profit organizations, and the CSC to develop a list of low-volatile organic compound (low-VOC) and drought tolerant trees.*
- *Objective B: Evaluate opportunities to use future settlement funds to support community green space projects (e.g., bikeways, river paths, transit corridors).*
- *Objective C: Collaborate with nonprofits, local, and regional agencies to provide letters of support and air quality information for urban greening funding opportunities, including maintenance. Collaborate with nonprofits, local, and regional agencies to identify potential metrics to measure progress in increasing tree canopy in SELA.*
- *Objective D: Work with CSC, state, and local agencies to identify and prioritize locations for installing vegetative buffers near freeways, particularly near the I-710.*

As part of CERP implementation and to allocate Year 3 Community Air Protection Program (CAPP) Incentive funds, South Coast AQMD conducted participatory budgeting workshops. The AB 617 SELA community was allocated \$10 million, of which the CSC prioritized \$2.5 million to implement green space projects. The Green Space Project Plan was developed by South Coast AQMD and guided by input from the CSC, which serves as the mechanism to

<sup>1</sup> South Coast AQMD Southeast Los Angeles Community Emissions Reduction Plan. Available at: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf?sfvrsn=9>.

<sup>2</sup> South Coast AQMD Southeast Los Angeles Community Webpage, Community Steering Committee Roster link. Available at: <http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134/southeast-los-angeles>.

distribute these CAPP Incentive funds for green space projects in the AB 617 SELA community. The Green Space Project Plan was approved by CARB on Thursday, January 4, 2024.<sup>3</sup>

This RFP seeks green space project bids that propose implementing green space projects in the SELA community. Green space projects should increase tree canopy cover and/or provide enhanced recreational opportunities by improving parks, bikeways, river paths, and transit corridors, or by establishing new green spaces.

All green space project bids will be evaluated based on the criteria set forth in Section IX – Proposal Evaluation/Contractor Selection Criteria of this RFP. South Coast AQMD will evaluate and verify information submitted by the applicant. A single award for the full grant amount may be awarded to a single contractor, although multiple awards may be granted under this RFP, subject to approval of the South Coast AQMD Governing Board Chair (or by the Chair’s designation, the Executive Officer).

**SECTION II: CONTACT PERSON:**

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

**Robert Dalbeck**  
 Diversity, Equity, and Inclusion with Community Air Programs  
 South Coast AQMD  
 21865 Copley Drive  
 Diamond Bar, CA 91765-4178  
[rdalbeck@aqmd.gov](mailto:rdalbeck@aqmd.gov)  
 (909) 396-2139

**SECTION III: SCHEDULE OF EVENTS**

Date	Event
February 2, 2024	RFP Released
March 13, 2024	Bidder’s Conference*
May 3, 2024	Proposals Due to South Coast AQMD - <b>No Later Than 2:00 pm</b>
May 7 – May 14, 2024	Proposal Evaluations
May 15 – 17, 2024	Interviews, if required
June 7, 2024	Governing Board Approval (if needed)
July 16, 2024	Anticipated Contract Execution

\*Participation in the Bidder’s Conference is optional. Such participation would assist in notifying potential bidders of any updates or amendments. The Bidder’s Conference will be virtual on zoom at 10:00 am on Wednesday, March 13, 2024. Please contact **Robert Dalbeck** at (909) 396-2139 by close of business on Friday, March 8, 2024 if you plan to attend.

<sup>3</sup> South Coast AQMD Southeast Los Angeles Green Space Project Plan. Available at: [https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-sela-gspp-\(approved-by-carb-on-january-4-2024\).pdf](https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-sela-gspp-(approved-by-carb-on-january-4-2024).pdf).

## **SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS**

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

## **SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES**

### **WORK STATEMENT**

Implementation of green space projects will be conducted in two phases. The selected contractor(s) shall perform the work detailed in Phase 1 and Phase 2 and comply with each of the Schedules of Deliverables. Should the selected contractor(s) need a timeline extension for any of the listed deliverables, a written request for extension of the deliverables, including justification for the extension, must be received at least fifteen (15) days prior to the Submission Deadline. Failure to complete deliverables may result in non-payment. The selected contractor(s) will be compensated in accordance with the payment terms outlined in the contractor's payment schedule, which must be based on the scheduled deliverables in this RFP. For each green space project proposal, a detailed description of major tasks in Phase 1 and Phase 2 and a Schedule of Deliverables for both are outlined below.

### **PHASE 1 – GATHERING OF DOCUMENTATION**

Phase 1 of the green space project will consist of the selected contractor(s) gathering required documentation for each of the proposed green space project area(s). Upon contract execution, the selected contractor(s) will have three (3) months to gather the required documentation for each project area prior to the commencement of any green space installation activities. Should any project area be deemed ineligible due to failure to provide any of the required documentation, that project area will no longer be eligible for funding under this RFP.

#### ***Task 1 — Gathering Required Documentation for Each Green Space Project Area***

The selected contractor(s) will gather the following required documentation for each project area: 1) status of property taxes and compliance with federal, state, and local requirements, 2) obtention of permits to conduct green space installation activities and status of existing permit(s), if any, 3) compliance with California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), 4) compliance with California's Plant Quarantine Manual when obtaining plant species or material originating from outside of Los Angeles County and other relevant federal, state, and local transport restrictions accordingly, and 5) authority to install green space(s).

**PHASE 1 SCHEDULE OF DELIVERABLES:**

<b>Itemized Deliverables</b>	<b>Submission Deadline</b>
<ul style="list-style-type: none"> <li>• For each green space project area:                             <ul style="list-style-type: none"> <li>• Provide documentation demonstrating that property taxes for the project area are current and that the project area is in compliance with all federal, state, and local requirements (Task 1)</li> <li>• Obtain all permits required to complete the green space project and provide copies of existing permits for the project site or proof of exemption from permitting requirements (Task 1)</li> <li>• Provide documentation demonstrating compliance with the California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), or proof of exemption (Task 1)</li> <li>• Provide documentation of compliance with California’s Plant Quarantine Manual when obtaining plant species or material originating from outside of Los Angeles County and other relevant federal, state, and local transport restrictions accordingly (Task 1)</li> <li>• Provide any other documentation that authorizes contractor to install green space at the project area (Task 1)</li> </ul> </li> </ul>	<p>Within 12 weeks of contract execution</p>

**PHASE 2 – PROJECT IMPLEMENTATION**

Phase 2 is contingent upon completion of Phase 1 and may be initiated by the selected contractor(s) after all Phase 1 deliverables (i.e., project area(s) documentation) have been approved by South Coast AQMD. Phase 2 of the green space project will consist of installing and maintaining green space(s) for each of the project areas identified and approved in the executed contract. Phase 2 includes requirements to meet with South Coast AQMD on a biannual basis (i.e., twice a year), provide cumulative biannual status reports, and submit and adhere to a Maintenance Plan throughout the Project Life.

***Task 2 — Initial Meeting with South Coast AQMD and Project Implementation Plan***

The selected contractor(s) shall meet with South Coast AQMD at the beginning of Phase 2 to discuss and outline project details. Selected contractor(s) are required to submit in writing a Project Implementation Plan, organized by project area, which includes: 1) a step-by-step project implementation schedule and project management contacts, 2) an itemized budget of materials and costs, 3) photos of each project area prior to green space installation, and 4) other logistics, as needed.

**Task 3 — Biannual Meetings and Biannual Status Report**

Throughout the Project Implementation period,<sup>4</sup> the selected contractor(s) shall hold biannual meetings with South Coast AQMD to discuss progress of Project Implementation. Selected contractor(s) are required to submit in writing a cumulative Biannual Status Report, organized by each green space project area, which includes: 1) photographs from the reporting period, including date of photograph, 2) a discussion on implementation status and any matters impacting project implementation (e.g., challenges, logistical issues), and 3) records of all quotes and invoices for materials and subcontractors, if applicable.

**Task 4 — Maintenance Plan and Project Life**

At the end of Project Implementation, the selected contractor(s) shall provide pictures of completed green space installation for each project area and submit in writing a finalized Maintenance Plan to be approved by South Coast AQMD, which includes: 1) schedule of regular maintenance (e.g., watering, trimming) and 2) protocol for as-needed maintenance (e.g., removing dead or damaged vegetation). Throughout the Project Life period<sup>5</sup>, the selected contractor(s) shall provide pictures and a description of each project area to demonstrate adherence to the Maintenance Plan.

**PHASE 2 SCHEDULE OF DELIVERABLES:**

Itemized Deliverables	Submission Deadline
<ul style="list-style-type: none"> <li>• Hold initial meeting with South Coast AQMD (Task 2)</li> <li>• Submit Project Implementation Plan to South Coast AQMD (Task 2)</li> </ul>	Within 4 weeks of Phase 1 completion
<ul style="list-style-type: none"> <li>• Hold biannual meetings with South Coast AQMD (Task 3)</li> <li>• Submit Biannual Status Reports to South Coast AQMD (Task 3)</li> </ul>	Biannually throughout the Project Implementation period beginning within 26 weeks upon completion of Task 2
<ul style="list-style-type: none"> <li>• Submit pictures of each completed green space project installation to South Coast AQMD (Task 4)</li> <li>• Submit finalized Maintenance Plan to South Coast AQMD (Task 4)</li> </ul>	Within 4 weeks of completion of Project implementation
<ul style="list-style-type: none"> <li>• Submit pictures and a description demonstrating adherence to the Maintenance Plan to South Coast AQMD (Task 4)</li> </ul>	Annually throughout the Project Life

<sup>4</sup> As defined in the Green Space Project Plan, Project Implementation is the period between contract execution and South Coast AQMD receipt of photo documentation of completed grant-funded green space installation(s). Project Implementation must follow the schedule included in the executed contract.

<sup>5</sup> As defined in the Green Space Project Plan, Project Life is five (5) years from the date of South Coast AQMD receipt of photo documentation of the completed green space project installation(s). The contractor is required to conduct regular maintenance of the grant-funded green space installation(s) throughout the Project Life. Contractor(s) must provide annual photo documentation of the maintained grant-funded green space installation(s). Contractor(s) must conduct maintenance as required by South Coast AQMD and/or CARB resulting from inspections.



## SECTION VI: REQUIRED QUALIFICATIONS

Public and private entities, except private schools,<sup>6</sup> are eligible to apply for and receive up to \$2.5 million in CAPP Incentive funding for green space projects within the AB 617 SELA community. Qualified entities may include cities, counties, public agencies, non-profits, tribal governments, special districts, community organizations, small businesses, corporations, or individuals who must meet the following criteria to be eligible to apply:

- Be the owner of, have the authority, or have received (or demonstrated the ability to receive) the necessary permissions and permits to install green space(s) at the identified project area(s) and can provide documentation, if requested; and
- Have prior experience installing green space projects and/or other related infrastructure projects, such as bike paths, walking paths, and sidewalks, and provide documentation (both photographic and otherwise).

Groups consisting of the entities specializing in components of the green space project such as project management, site identification, tree selection, tree planting, construction and infrastructure development, outreach, and maintenance are encouraged to submit a proposal together. Such applications may improve the cost effectiveness and efficiency of project implementation which would maximize the number of green space projects and area of green space(s) installed. The maintenance requirements over the Project Life extend beyond the liquidation deadline of these funds. Therefore, entities entrusted by the public (e.g., municipalities, public agencies) are encouraged to apply to help manage these funds and ensure the maintenance obligations are met. Contractor(s) may be required to agree to terms to maintain their green space project(s) over its Project Life.

The contractor(s) shall be able to demonstrate knowledge and prior experience with green space projects and be knowledgeable about applicable federal, state, and local rules and regulations, including the California Department of Forestry and Fire Protection (CAL FIRE) Urban and Community Forestry Grant Guidelines<sup>7</sup> and California Department of Food and Agriculture's Plant Quarantine Manual<sup>8</sup>, California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) requirements, and permit requirements relating to implementation of green space projects. The contractor(s) should also be familiar with CARB's Air Quality and Land Use Handbook: A Community Health Perspective as well and be informed

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<sup>6</sup> Private schools are not eligible for funding. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State (California Constitution Article 9 § 8). Further, neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to Section 3 of Article XVI (California Constitution Article 16 § 5).

<sup>7</sup> Appendix F, CAL FIRE Urban and Community Forestry Grant Guidelines. Available at: <https://34c031f8-c9fd-4018-8c5a-4159cdf6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/what-we-do/grants/urban-and-community-forestry/urban-forestry-grants-project-applications-forms-and-information/grant-guidelinesgreen-schoolyards322.pdf?rev=02f2214bf26c4ef397b2e70b5ac9e8ad&hash=F5A38AA2A98E7D699AC33EF0D50E3143#page=42>.

<sup>8</sup> California Department of Food and Agriculture Plant Quarantine Manual. Available at: [http://pi.cdffa.ca.gov/pgm/manual/html/pgm\\_index.htm#exterior](http://pi.cdffa.ca.gov/pgm/manual/html/pgm_index.htm#exterior).

about issues involving the siting of sensitive uses.<sup>9</sup> The eligible contractor(s) can be the primary contractor or can be hired by public or private entities to implement green space projects; the primary contractor may decide to hire multiple subcontractors to implement green space projects. Requirements for contractor(s) are outlined below and in Section VII – Proposal Submittal Requirements.

A. Proposer must submit the following:

1. Narrative discussing how the proposed green space installation(s) will increase tree canopy coverage and/or recreational opportunities;
2. If applicable, a list of which tree species and an estimate of the number of trees that will be planted (trees must be low-VOC, drought-tolerant, non-poisonous), an estimate of the increased tree canopy coverage, and the total area (i.e., square footage) of the green space project area(s).
- a. Table A1 in Attachment A of the Green Space Project Plan provides a pre-approved tree list which includes trees identified in TreePeople’s City of Los Angeles Approved Street Tree List for having low emissions of VOCs and low watering requirements. If applicants are proposing to plant tree species listed in Table A1, no further South Coast AQMD approval is required.
- b. If applicants are proposing to plant tree species not listed in Table A1 of the Green Space Project Plan, applicants must submit evidence deemed acceptable by South Coast AQMD that the proposed tree species have low potential for VOC emissions and are drought tolerant.<sup>10</sup>
- c. Documentation indicating whether or not the relevant municipality has requirements on eligible tree species.<sup>11</sup>
3. If applicable, information on the proposed installation of infrastructure promoting more active forms of transportation such as bike or pedestrian paths, and the total area (i.e., square footage) of the green space project area(s);
4. If applicable, information regarding plans to leverage other sources of funding for the installation of infrastructure with an air quality benefit, such as agreements to allow the installation of solar panels or vehicle charging stations to help fund the purchase of land for green space projects or for shade infrastructure at bus stops in green space project area(s)

<sup>9</sup> CARB. Air Quality and Land Use Handbook: A Community Health Perspective. Available at: <https://files.ceqanet.opr.ca.gov/221458-6/attachment/UNr-g159CW-r0G4DR8q6daNdAKT3RJTD8gGQCfz4wqFfl-eNdZNQEjif8tfls1x6Gsae7YqpXwtFIZBd0>.

<sup>10</sup> Applicants may use an article referenced in Attachment A of the Green Space Project Plan which lists tree species with low potential for VOC emissions, but they must identify which of those species are drought-tolerant. Acceptable evidence demonstrating a tree species’ drought-tolerance or low potential for VOC emissions can include scientific journal articles; published reports or documents by public agencies; or other documents published by other entities which have been vetted or approved by a public agency or scientific body.

<sup>11</sup> If the proposed green space installation is within the jurisdiction of a municipality that has its own requirements about eligible tree species, those requirements supersede those of this RFP and the Green Space Project Plan. It is the responsibility of the applicant to ensure all relevant municipal requirements are met. Acceptable documentation of such requirements or lack thereof can include published reports or documents by a given municipality and/or copies of correspondence with municipal staff, including their contact information.

5. If applicable, information regarding plans for cost sharing agreements or leveraging of CAPP Incentive funds to help fund the maintenance of the green space installation(s)<sup>12</sup>
6. A commitment to provide documentation of compliance with CEQA and/or NEPA, and other federal, state, and local rules, regulations, and statutes, if applicable;
7. A commitment to provide documentation demonstrating that all property taxes of proposed project area(s) are current at the time of proposal, if applicable;
8. Narrative discussing adherence to the CAL FIRE Urban and Community Forestry Grant Guidelines, Appendix F – CAL FIRE Standards and Specifications for Purchasing, Planting, and Maintaining Trees;
9. A commitment to provide documentation of compliance with California’s Plant Quarantine Manual when obtaining plant species or material originating from outside of Los Angeles County and other relevant federal, state, and local transport restrictions accordingly;
10. A commitment to provide documentation of plans to comply with the most current versions of any applicable South Coast AQMD rules, including but not limited to, Rule 402 – Public Nuisance<sup>13</sup> and Rule 403 – Fugitive Dust<sup>14</sup>;
11. Narrative discussing adherence to the land use recommendations for siting new sensitive receptors such as parks near sources of air pollution found in CARB’s Air Quality and Land Use Handbook: A Community Health Perspective;
12. A commitment to provide documentation of plans to perform maintenance, or to establish agreements with partnering entities to perform maintenance of the green space project area(s) for the Project Life;
13. A commitment to making the project available for inspection, if requested by South Coast AQMD and/or CARB, during the Project Implementation and/or Project Life;
14. A commitment to providing photo documentation of Project Implementation, and on an annual basis to demonstrate that project maintenance is occurring throughout the Project Life.
15. A payment schedule outlining the payment terms in accordance with the Schedules of Deliverables in Section V – Statement of Work/Schedule of Deliverables;
16. Narrative describing contractor’s green space installation experience, including a minimum of two examples for each contractor and/or subcontractor(s) demonstrating

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<sup>12</sup> An example includes establishing maintenance agreements with collaborators (e.g., municipalities) who share a mutual interest in the success of the green space project(s) and are able to maintain them for their Project Life using separate financial resources. Other examples include leveraging CAPP Incentive funds towards projects with an air quality benefit, such as granting access to electrical infrastructure to utilities or other companies to install vehicle charging stations or solar panels in the project area (or elsewhere in the SELA community) in exchange for funding the maintenance for green space installations. Another example includes committing to the use of zero-emission lawn and garden equipment to maintain the installed green space(s) throughout the duration of the Project Life. Additional details may be found in the Green Space Project Plan.

<sup>13</sup> South Coast AQMD, Rule 402 – Public Nuisance. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf?sfvrsn=4>.

<sup>14</sup> South Coast AQMD, Rule 403 – Fugitive Dust. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4>.

successfully implemented green space projects (e.g., photos and past completion reports);

17. Information on the proposed project area(s) including: a description of the location, current use, and existing conditions, including existing infrastructure promoting active forms of transportation such as bike or pedestrian paths; pictures(s) in its current condition;
18. Estimates for annual water usage requirements for total green space project area(s) as described in the Green Space Project Plan<sup>Error! Bookmark not defined.</sup>;
19. Any qualitative benefits from the green space project(s);
20. Identification of sensitive receptors such as residences, schools, day care centers, libraries, and hospitals located within 1,000 feet of a green space project area;
21. Detailed plans on outreach to the CSC via meetings, workshops, reports, and other avenues to solicit community feedback and provide project updates;
22. Other supporting documents, as needed; and
23. Documentation demonstrating conflicts of interest, if any.

It is the responsibility of the contractor(s) to ensure that all information submitted is accurate and complete. If the contractor(s) hire(s) a subcontractor(s) to implement the green space project, it is the responsibility of the contractor(s) to submit all required information on behalf of the subcontractor(s) and ensure that all information submitted is accurate and complete. Contractor(s) will submit green space project bids based on the requirements laid out in this section and Section VII – Proposal Submittal Requirements. Selected contractor(s) may not claim emission reductions credits from the project during the entire contract period.<sup>15</sup>

## **SECTION VII: PROPOSAL SUBMITTAL REQUIREMENTS**

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

Each proposal must be submitted in three separate volumes:

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

A separate cover letter including the name, address, and telephone number of the contractor, and signed by the person or persons authorized to represent the Firm should accompany the

<sup>15</sup> CARB. Community Air Protection Incentives 2019 Guidelines. Available at: [https://ww2.arb.ca.gov/sites/default/files/2020-10/cap\\_incentives\\_2019\\_guidelines\\_final\\_rev\\_10\\_14\\_2020\\_0.pdf#page=93](https://ww2.arb.ca.gov/sites/default/files/2020-10/cap_incentives_2019_guidelines_final_rev_10_14_2020_0.pdf#page=93).

proposal submission. Firm contact information as follows should also be included in the cover letter:

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

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

## **VOLUME I - TECHNICAL PROPOSAL**

### **DO NOT INCLUDE ANY COST INFORMATION IN THE TECHNICAL VOLUME**

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

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

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

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

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

1. List all key personnel assigned to the project by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of South Coast AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not the work will be performed within the AB 617 SELA boundary.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

Subcontractors (Section F) - This project may require expertise in multiple technical areas. List any subcontractors that will be used, identifying functions to be performed by them, their related

qualifications and experience and the total number of hours or percentage of time they will spend on the project.

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

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

## **VOLUME II - COST PROPOSAL**

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

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

1. Detail must be provided by the following categories:
  - A. Labor – The Cost Proposal must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP. Costs should be estimated for each of the components of the work plan.
  - B. Subcontractor Costs - List subcontractor costs and identify subcontractors by name. Itemize subcontractor charges per hour or per day.
  - C. Travel Costs - Indicate amount of travel cost and basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
  - D. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of the South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the South Coast AQMD. To receive preference points, Proposer shall certify that South Coast AQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.

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

### **SECTION VIII: PROPOSAL SUBMISSION**

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

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

Due Date - **All proposals are due no later than 2:00 p.m., May 3, 2024, and should be directed to:**

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

Submittal - Submit four (4) complete copies of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Proposer and the words "Request for Proposals P2024-08." In addition, submit one (1) electronic copy of the proposal on a flash drive inside an envelope.

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

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

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

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

## **SECTION IX: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA**

- A. Green space project bids received during this RFP solicitation period will be evaluated by an evaluation panel based on the scoring criteria identified in the Green Space Project Plan and below in this RFP. The evaluation panel will be established consisting of two (2) to five (5) South Coast AQMD staff. The panel shall be appointed by the Executive Officer or their designee. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. The applications will also be presented to the CSC whose collective feedback will be factored into final score for each application, as shown in Table 1 – Scoring Criteria for Bid Evaluation.
- B. For all criteria except for CSC review and support, points will be scored on a relative basis. For example, for the criteria of Projected area of increased green space, the application that proposes the largest increase of green space area will receive the highest points available (i.e., 10 points) and all other bids will receive a point value to scale (i.e., less than 10 points). The score for CSC review and support will be determined by averaging the points received from CSC members.
- C. After all bids have been reviewed, scored, and ranked, the evaluation panel will provide their recommendation to the South Coast AQMD Governing Board Chair (or by the Chair's designation, the Executive Officer) for final selection of the green space project bid(s) and execution of contract(s). Upon final selection, the resulting list of selected contractor(s) and their proposals will be provided to the CSC.
- D. Each evaluation panel member shall be accorded equal weight in their rating of bids. The evaluation panel members shall evaluate the bids according to the specified criteria and numerical weightings set forth below.

## 1. Table 1 – Scoring Criteria for Bid Evaluation

Scoring Criteria	Points Available
<b>Plan Comprehensiveness (0 – 50 points)</b>	
• <i>Thoroughness of plans for:</i>	
○ <i>outreach</i>	<b>3</b>
○ <i>site identification</i>	<b>3</b>
○ <i>tree planting<sup>16</sup> and/or active transportation infrastructure</i>	<b>3</b>
○ <i>acquisition of permits and/or other necessary permissions</i>	<b>3</b>
○ <i>incorporating CSC feedback<sup>17</sup></i>	<b>3</b>
• <i>Applicant's experience completing green space projects</i>	<b>10</b>
• <i>Potential for increased or improved recreational opportunities (e.g., planting trees along existing sidewalks or bike paths, installing new bike paths with trees planted alongside, etc.)</i>	<b>10</b>
• <i>Projected area (i.e., square footage) of increased green space</i>	<b>10</b>
• <i>Maintenance Plan outline</i>	<b>5</b>
<b>Environmental and Other Benefits (0 – 10 points)</b>	
• <i>Detailing of additional benefits from green space project(s) (e.g., proximity to sensitive receptors, shade provided to nearby buildings, etc.)</i>	<b>5</b>
• <i>Funding leveraged to include an air quality benefit with green space installation<sup>18</sup></i>	<b>5</b>
<b>Cost and Resource Effectiveness (0 – 20 points)</b>	
• <i>Project cost per area (i.e., dollars per square foot of total green space area)</i>	<b>10</b>
• <i>Efficient use of water for annual watering requirements for green space projects<sup>19</sup></i>	<b>5</b>
• <i>Cost-sharing and/or leveraging CAPP Incentive funds to support maintenance activities<sup>20</sup></i>	<b>5</b>
<b>Project Readiness (0 – 10 points)</b>	
• <i>Readiness<sup>21</sup> of project implementation</i>	<b>5</b>
• <i>Timeliness<sup>22</sup> of project implementation</i>	<b>5</b>
<b>CSC Support (0 – 10 points)</b>	
• <i>CSC review and support*</i>	<b>10</b>
<b>Total Points Available: 100</b>	

<sup>16</sup> As noted in Required Qualifications, any proposed tree species must be drought-tolerant and nonpoisonous, and have low potential for VOC emissions; also, relevant municipal requirements for tree species supersede those of this RFP and the Green Space Project Plan.

<sup>17</sup> A summary of the feedback received from CSC members can be found in Appendix B of the Green Space Project Plan.

<sup>18</sup> Examples include applicants using other sources of funding to: install electric vehicle charging stations or solar panels; add bike or pedestrian paths, or include a strategy to reduce vehicle miles traveled in the SELA community.

<sup>19</sup> Applicants can refer to Appendix A of the Green Space Project Plan to find instructions on how to calculate annual watering requirements.

<sup>20</sup> Examples include establishing maintenance agreements with collaborators (e.g., municipalities) using separate funds for maintenance activities; granting access to electrical infrastructure to utilities or other companies to install vehicle charging stations or solar panels in the project area (or elsewhere in the AB 617 SELA community) in exchange for funding the maintenance for green space installation(s); or committing to the use of zero-emission lawn and garden equipment to maintain the green space installation(s) throughout the duration of the Project Life.

<sup>21</sup> Readiness of the proposal refers to the extent to which the plan is developed and ready for implementation. Applications that are complete and include all necessary permissions, documentation (e.g. permits), details of tree planting activities (e.g., costs, timelines, contracting entity), and gardening equipment and materials (e.g., shovels, trees, tree seedlings, fertilizer), will likely receive full points.

<sup>22</sup> Timeliness of the proposal refers to the duration of time in which project implementation will be completed.



\* All criteria will be scored on a relative basis except for *CSC review and support*. The score for CSC review and support will be determined by averaging the points received from CSC members.

#### Additional Points

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

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

#### Self-Certification for Additional Points

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

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

3. For procurement of Research and Development (R & D) projects or projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, technical factors including past experience shall be weighted at 80 points and cost shall be weighted at 20 points. A proposal must receive at least 64 out of 80 points on R & D projects and projects requiring technical or scientific expertise or special projects requiring unique knowledge and abilities, in order to be deemed qualified for award.
4. The lowest cost proposal will be awarded the maximum cost points available and all other cost proposals will receive points on a prorated basis. For example, if the lowest cost proposal is \$1,000 and the maximum points available are 20 points, this proposal would receive the full 20 points. If the next lowest cost proposal is \$1,100 it would receive 18 points reflecting the fact that it is 10% higher than the lowest cost (90% of 20 points = 18 points).
- E. During the selection process the evaluation panel may wish to interview some proposers for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Proposer of information presented in his/her proposal, upon request by South Coast AQMD.
- F. The Executive Officer or Governing Board may award the contract to a Proposer other than the Proposer receiving the highest rating in the event the Governing Board determines that another Proposer from among those technically qualified would provide the best value to South Coast AQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposal (RFP), on evidence provided in the proposal and on any other evidence provided during the bid review process.
- G. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Proposers may be notified of the results by letter.
- H. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to South Coast AQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to South Coast AQMD Procurement Department.
- I. The Executive Officer or Governing Board may award contracts to more than one proposer if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple proposers.
- J. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional proposers for a grant or contract if additional funds become available.
- K. Disposition of Proposals – Pursuant to South Coast AQMD's Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all proposals. All proposals become the property of South Coast AQMD, and are subject to the California Public Records Act. One copy of the proposal shall be retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the proposer's expense.

- L. If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Proposer is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Proposer is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771, 1725, 1777, 1813 and 1815.**

**M. PERFORMANCE AND PAYMENT BONDS**

Before execution of the Contract, the Contractor shall file surety bonds in the amounts and for the purpose specified in the Request for Proposal (RFP). Bonds shall be issued by a surety who is listed in the latest version of U.S. Department of Treasury Circular 570, who is authorized to issue bonds in California, and whose bonding limitation shown in said circular is sufficient to provide bonds in the amount required by the Contract shall be approved by South Coast AQMD. Bonds from all other sureties shall be accompanied by all of the documents enumerated in the Code of Civil Procedure, Section 995.660a).

Each bond shall incorporated, by reference, the Contract and be signed by both the Bidder and Surety. The signature of the authorized agent of the Surety shall be notarized. The Contractor shall provide 2 good and sufficient surety bonds.

**PERFORMANCE BOND**

The Performance Bond shall be for 100 percent of the Contract Price to guaranty faithful performance of all work, within the time prescribed, in a manner satisfactory to South Coast AQMD, and that all materials and workmanship will be free from original or developed defects. The bond must remain in effect until the end of all warranty periods as set forth in the Contract Documents

The selected Contractor shall be required to furnish and pay all bond premiums, costs and incidentals listed below.

Should any bond become insufficient, the Contractor shall renew the bond within 10 Days after receiving notice from South Coast AQMD.

Should any surety at any time be unsatisfactory to South Coast AQMD, notice to the effect will be given to the Contractor. No further payments shall be deemed due or will be made under the Contract until a new surety qualifies and is accepted by South Coast AQMD.

Changes in the Project or extension of time, made pursuant to the Contract, shall in no way release the Contractor of Surety from the obligation. Notice of such changes or extensions shall be waived by the Surety.

**PAYMENT BOND**

Within fourteen days after execution of the Contract by South Coast AQMD and prior to performing any work under the Contract, the CONTRACTOR shall file with South Coast AQMD, a Payment Bond (material and labor bond) in an amount equal to one hundred (100) percent of the contract price, to satisfy claims of material suppliers and of mechanics and laborers employed by the Contractor to perform the work.

The Payment Bond shall be not for less than 100 percent of the Contract price, to satisfy claims of material suppliers and mechanics and laborers employed on the Project. The Bond shall be maintained by the Contractor in full force and effect until the performance of the Contract is accepted by South Coast AQMD and until all claims for materials and labor

are paid, and otherwise comply with the Civil Code. Contractor shall provide South Coast AQMD with Conditional Lien Releases with each payment request and Unconditional Lien Releases for the final payment for all material suppliers, mechanics and laborers employed on the Project.

#### UNSATISFACTORY SURETIES

Should any Surety, at any time, be deemed unsatisfactory by South Coast AQMD, notice will be given to the Contractor to that effect. No further payments shall be deemed due, or will be made under the Contract until a new Surety shall qualify and be accepted by South Coast AQMD.

#### EFFECT OF CHANGES IN THE WORK/EXTENSIONS OF TIME ON THE SURETY

Changes in the work, or extensions of time, made pursuant to the Contract, shall in no way release the Contractor or the Surety from their obligations under the bond. Notice of such changes or extensions shall be waived by the Surety.

#### **SECTION X: FUNDING**

The funding amount available for the implementation of green space project(s) in the AB 617 SELA community is \$2.5 million. Multiple green space project proposals may be awarded, depending on the green space project proposal(s) received, estimated green space project(s) cost, and various factors in the selection process.

**Table 2 – Maximum Funding Percentage of Project Costs**

Project Costs	Funding Amount
Gardening Equipment and Materials <sup>Error!</sup> Bookmark not defined. (including water for maintenance)	100%
Software Applications (e.g., Geographic Information System (GIS) software)	100%
Outreach Materials	100%
Labor and Construction (e.g., outreach, planting activities)	100%

Potential Applicants already in possession of necessary equipment and materials such as software and gardening equipment are encouraged to apply. Project readiness will be considered during the proposal review process and applicants already in possession of necessary equipment and materials will be given preference.

Additionally, up to ten (10) percent of the awarded grant may be budgeted for non-construction costs, including equipment mobilization, design, and direct project management and administration. Another five (5) percent may be budgeted for contingency costs (i.e., unforeseen costs such as permitting delays, material acquisition, inflation).

**The following costs are eligible for funding:**

- Equipment and materials (e.g., software applications, shovels, trees, tree seedlings, fertilizer, construction materials for bike, pedestrian pathways, etc.)
- Labor and construction (including contracted services)
- Outreach materials
- Fees for obtaining necessary permits and/or permissions solely related to installation of green spaces (although preference will be given to applicants with existing permits or the ability to obtain permits at the applicant's own expense)
- Maintenance for green space projects including watering (although preference will be given to applicants who are able to use other funding sources as indicated in Table 1)
- Signs and interpretive aids communicating information about the project
- Up to 10% of the grant request may be budgeted for non-construction costs, including equipment and material mobilization, design, and direct project management and administration
- Up to 5% of the grant request may be budgeted for contingency costs (i.e., unforeseen costs)

**The following costs are ineligible to receive funding:**

- Overhead (e.g., office rent, utilities, office equipment and supplies, etc.)

No purchase orders may be placed, or work performed under this RFP until after the date of award approval by the South Coast AQMD Governing Board Chair (or by the Chair's designation, the Executive Officer). Any orders placed or payments made in advance of an executed contract with the South Coast AQMD are done at the risk of the contractor. The South Coast AQMD has no obligation to fund the project until a contract is fully executed by both parties. All project costs shall be clearly indicated in the proposal. In addition, the contractor(s) shall include any sources of co-funding and the amount of each co-funding source in the green space project proposal.

**SECTION XI: SAMPLE CONTRACT**

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

## **ATTACHMENT A**

### **PARTICIPATION IN THE PROCUREMENT PROCESS**

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

B. Definitions:

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

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

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



natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90% or lower of the existing standard.

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

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

3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
  4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contracts are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of South Coast AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of South Coast AQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.



# South Coast Air Quality Management District

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

## **Business Information Request**

Dear South Coast AQMD Contractor/Supplier:

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

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

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

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

Sincerely,

Sujata Jain  
Chief Financial Officer

DH;jn

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



# South Coast Air Quality Management District

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

## BUSINESS INFORMATION REQUEST

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

## REMITTING ADDRESS INFORMATION

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

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

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

**BUSINESS STATUS CERTIFICATIONS**

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

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

Statements of certification:

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

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

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

Check all that apply:

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

Percent of ownership: \_\_\_\_\_ %

Name of Qualifying Owner(s): \_\_\_\_\_

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

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

\_\_\_\_\_

*NAME*

\_\_\_\_\_

*TITLE*

\_\_\_\_\_

*TELEPHONE NUMBER*

\_\_\_\_\_

*DATE*

## Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Form **W-9**  
 (Rev. October 2018)  
 Department of the Treasury  
 Internal Revenue Service

## Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

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

### Part I Taxpayer Identification Number (TIN)

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

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

<b>Social security number</b>																								
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### Part II Certification

Under penalties of perjury, I certify that:

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

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

<b>Sign Here</b>	Signature of U.S. person ▶ _____	Date ▶ _____
------------------	----------------------------------	--------------

### General Instructions

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

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

### Purpose of Form

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

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

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

By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

## Backup Withholding

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

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

**Payments you receive will be subject to backup withholding if:**

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

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

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

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

## Updating Your Information

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

## Penalties

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

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



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

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

## Specific Instructions

### Line 1

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

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

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

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

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

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

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

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

### Line 2

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

### Line 3

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

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

### Line 4, Exemptions

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

#### Exempt payee code.

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

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

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

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

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

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

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

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

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

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

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

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

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

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

G—A real estate investment trust

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

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

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

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

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

**Line 5**

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

**Line 6**

Enter your city, state, and ZIP code.

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

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

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

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

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

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

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

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

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

**Part II. Certification**

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

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

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



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

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

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

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

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

### What Name and Number To Give the Requester

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

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

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

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

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

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

### Secure Your Tax Records From Identity Theft

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

To reduce your risk:

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

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

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

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

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

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

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

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

Visit [www.irs.gov/IdentityTheft](http://www.irs.gov/IdentityTheft) to learn more about identity theft and how to reduce your risk.

## Privacy Act Notice

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

TAXABLE YEAR

CALIFORNIA FORM

# 2021 Withholding Exemption Certificate

590

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

## Withholding Agent Information

Name

## Payee Information

Name

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

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

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

State ZIP code

## Exemption Reason

Check only one box.

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

**Individuals — Certification of Residency:**

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

**Corporations:**

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

**Partnerships or Limited Liability Companies (LLCs):**

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

**Tax-Exempt Entities:**

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

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

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

**California Trusts:**

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

**Estates — Certification of Residency of Deceased Person:**

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

**Nonmilitary Spouse of a Military Servicemember:**

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

**CERTIFICATE OF PAYEE:** Payee must complete and sign below.

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

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

Type or print payee's name and title

Telephone

Payee's signature

Date



# 2021 Instructions for Form 590

## Withholding Exemption Certificate

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

### General Information

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

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

### A Purpose

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

Form 590 does not apply to payments of backup withholding. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to [edd.ca.gov](http://edd.ca.gov) or call 888.745.3886.

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

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

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

### B Income Subject to Withholding

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

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

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

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

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

### C Who Certifies this Form

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

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

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

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

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

### D Definitions

For California nonwage withholding purposes:

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

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

#### Permanent Place of Business:

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

### E Military Spouse Residency Relief Act (MSRRA)

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

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

**Domicile** is defined as the one place:

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



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

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

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

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

## Specific Instructions

### Payee Instructions

Enter the withholding agent's name.

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

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

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

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

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

### Withholding Agent Instructions

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

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

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

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

## Additional Information

**Website:** For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for nonwage.

**MyFTB** offers secure online tax account information and services. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and login or register for **MyFTB**.

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

**Fax:** 916.845.9512

**Mail:** WITHHOLDING SERVICES AND COMPLIANCE MS F 182  
FRANCHISE TAX BOARD  
PO BOX 942867  
SACRAMENTO CA 94267-0651

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

### Internet and Telephone Assistance

**Website:** [ftb.ca.gov](http://ftb.ca.gov)

**Telephone:** 800.852.5711 from within the United States  
916.845.6500 from outside the United States

**TTY/TDD:** 800.822.6268 for persons with hearing or speech disability  
711 or 800.735.2929 California relay service

### Asistencia Por Internet y Teléfono

**Sitio web:** [ftb.ca.gov](http://ftb.ca.gov)

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

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

## **Certification Regarding Debarment, Suspension, and Other Responsibility Matters**

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

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

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

---

Typed Name & Title of Authorized Representative

---

Signature of Authorized Representative Date

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

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## CAMPAIGN CONTRIBUTIONS DISCLOSURE

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b). Where a proposed rule or proposed amended rule impacts three or fewer facilities, those facilities will be treated in much the same manner as contracting parties and so must also complete this form, disclosing information relating to any campaign contributions made to any SCAQMD Board Members. See Quadri Advice Letter (2002) A-02.096.1 In the event that a qualifying campaign contribution is made, the Board Member to whom it was made may be disqualified from participating in the actions involving that donor.

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

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

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

### **SECTION I.**

**Contractor (Legal Name):** \_\_\_\_\_

DBA, Name \_\_\_\_\_, County Filed in \_\_\_\_\_

Corporation, ID No. \_\_\_\_\_

LLC/LLP, ID No. \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

### **SECTION II.**

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

<sup>1</sup> The information provided on this form does not, and is not intended to, constitute legal advice. To the extent that you may have questions regarding any case law, citations, or legal interpretations provided above please seek the guidance of your own independent counsel.

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

**Campaign Contributions Disclosure, *continued*:**

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

Name of Contributor \_\_\_\_\_

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

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

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**DEFINITIONS**

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

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



# South Coast Air Quality Management District

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

## Direct Deposit Authorization

### STEP 1: Please check all the appropriate boxes

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

### STEP 2: Payee Information

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

### Authorization

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

### STEP 3:

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

### To be Completed by your Bank

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

For South Coast AQMD Use Only

Input By \_\_\_\_\_

Date \_\_\_\_\_

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 10

**PROPOSAL:** Establish List of Prequalified Vendors to Provide Computer, Network, Printer, Hardware, and Software

**SYNOPSIS:** On November 3, 2023, the Board approved the release of a Request for Qualifications and Quotations (RFQQ) to prequalify vendors for computer, network, printer, hardware, and software. As a result of successful responses to this RFQQ, seven vendors were identified as capable of providing these products. This action is to approve these seven vendors to provide these products for a two-year period. Funds (\$300,000) for these purchases are included in the FY 2023-24 Budget.

**COMMITTEE:** Administrative, January 12, 2024; Recommended for Approval

**RECOMMENDED ACTION:**

Approve list of prequalified vendors in the Attachment for a two-year period to provide computer, network, printer, hardware, and software.

Wayne Natri  
Executive Officer

RMM:HL:HJ:mf

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**Background**

On November 3, 2023, South Coast AQMD released a Request for Qualifications and Quotations (RFQQ) #2024-01 for computer, network, printer, hardware, and software. The purpose of this RFQQ is to invite eligible vendors to submit quotations for seven categories, consisting of: 1) network server equipment/system (desktop and file server); 2) computer hardware parts (desktop and file server); 3) computer software (desktop and network); 4) printers; 5) voice and data network equipment; 6) desktop/laptop computer; and 7) audio visual equipment. Vendors may bid on any one, or all, of the categories. The selected vendors resulting from this RFQQ will be used to compile a prequalified vendor list. Purchase orders may be placed with any or all of the vendors on the prequalified vendor list. This prequalified vendor list will be in effect for a period of two years and will expire in March 2026. Orders for equipment purchased under this RFQQ will be placed with the vendors who are determined to be the most advantageous

to South Coast AQMD at the time of placing the order. It is expected that product orders will be placed throughout the duration of the qualification period. Consideration will be given to cost advantage, technical superiority, length of warranty, and services provided.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQQ 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 RFQQ has been emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

### **Bid Evaluation**

Twenty-four copies of the RFQQ were mailed out, thirty-five copies of the RFQQ were emailed and seven vendors responded when final bidding closed at 1:00 p.m. on December 5, 2023. Of the seven complete responses, one is near-zero compliant; two are women-owned business enterprises; two are minority-owned business enterprises; two are local business enterprises; and three are small business enterprises. All seven bids met the minimum requirements specified in the RFQQ and are recommended for prequalification in the appropriate categories.

The Attachment lists the seven vendors prequalified to provide computer, network, printer, hardware, software, and computer hardware upgrades.

### **Panel Composition**

The panel consisted of four staff members from Information Management: a Systems and Programming Supervisor, two IT Supervisors and a Senior Information Technology Specialist. Of the four panelists, one is Asian-Pacific Islanders, and two are Hispanic and one is White; Three are male and one is female.

### **Resource Impacts**

Funds for the purchase of computer hardware upgrade systems are included as part of the annual budget process.

### **Attachment**

List of Prequalified Vendors for Computer, Network, Printer, Hardware, Software, and Computer Hardware Upgrades

## ATTACHMENT

### List of Prequalified Vendors for Computer, Network, Printer, Hardware, Software, and Computer Hardware Upgrades

	Vendor	Cat 1	Cat 2	Cat 3	Cat 4	Cat 5	Cat 6	Cat 7
1	California Integrated Solutions, INC.	Yes	Yes	Yes	Yes	Yes	Yes	No
2	Golden Star Technology	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3	Hypertec Direct	Yes	Yes	Yes	Yes	Yes	Yes	No
4	Nth Generation Computing, INC.	Yes	No	Yes	No	Yes	No	No
5	Zones, LLC	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6	Insight Public Sector, INC.	Yes	Yes	Yes	Yes	Yes	No	No
7	GovConnection, INC.	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Categories of Supplies and Services:

1. Network Server Equipment/System
2. Computer Hardware Parts
3. Computer Software
4. Printers
5. Voice and Data Network Equipment
6. Desktop/Laptop Computer
7. Audio Visual Equipment



BOARD MEETING DATE: February 2, 2024

AGENDA NO. 11

**PROPOSAL:** Approve Funding Allocations and Cooperative Agreement as Approved by MSRC

**SYNOPSIS:** The MSRC approved funding allocations to partner with Southern California Gas Company, Penske Truck Leasing Co., L.P., and Pilot Travel Center, LLC in applications seeking funding under the Carl Moyer Program. The MSRC also approved a proposed cooperative agreement with Los Angeles County Metropolitan Transportation Authority. The MSRC is seeking Board approval of the funding allocations as part of the FYs 2021-24 Work Program.

**COMMITTEE:** Mobile Source Air Pollution Reduction Review Committee, January 18, 2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Approve MSRC allocations in a total amount not to exceed \$26,980,000 for partnership in applications seeking funding under the South Coast AQMD Carl Moyer Program solicitation, as part of approval of the FYs 2021-24 Work Program, as described in this letter and as follows:
  - a. A partnership with Southern California Gas Company in an amount not to exceed \$6,000,000 in an application to install a public-access hydrogen station in Pico Rivera;
  - b. A partnership with Penske Truck Leasing Co., L.P. in an amount not to exceed \$17,980,000 in an application to install Level III charging stations at 20 facilities dispersed throughout the region; and
  - c. A partnership with Pilot Travel Center, LLC in an amount not to exceed \$3,000,000 in an application to install a public-access hydrogen fueling station in Rialto;
2. Approve cooperative agreement with Los Angeles County Metropolitan Transportation Authority (Metro) to facilitate the pursuit of shared objectives regarding electrified and alternative fuel transportation systems for heavy duty commercial vehicles in Los Angeles County; and

3. Authorize the Chair of the Board (or by the Board Chair's designation, the Executive Officer) to execute the cooperative agreement, as described above and in this letter.

Larry McCallon  
Chair, MSRC

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 subvented 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 January 18, 2024 meeting, the MSRC considered recommendations from its MSRC Technical Advisory Committee (MSRC-TAC) and approved the following:

#### **Carl Moyer Zero-Emission Infrastructure Program**

MSRC RFI 2023-01 was released on September 2, 2022, requesting submittal of Information Packages seeking partnerships to facilitate investment in zero-emission infrastructure to support the transition of goods movement trucks to zero-emissions within the South Coast AQMD region. A total of \$50M was allocated by the MSRC for this Work Program category. The RFI closing date was November 30, 2022. To date, multiple projects have been reviewed and approved by the MSRC under this RFI.

On December 1, 2023, South Coast AQMD issued Program Announcement PA2024-02 under the Carl Moyer Memorial Air Quality Standards Attainment Program. This funding opportunity seeks applications for the implementation of zero-emission fueling infrastructure, including electric charging infrastructure and hydrogen refueling, to support medium and heavy-duty zero emission trucks. A total of up to \$200 million is potentially available under the Carl Moyer Zero-Emission Infrastructure Program. The application period opened on December 5, 2023, and will close at 1:00 pm on February 6, 2024.

Three respondents to MSRC RFI 2023-01 that, to date, have not received MSRC funding, seek to partner with the MSRC and pursue funding under the Carl Moyer Program Announcement. The MSRC considered this opportunity and approved allocations in a total amount not to exceed \$26,980,000 to augment the partners' contributions as an element of the FYs 2021-24 Work Program, as follows:

- a. A partnership with Southern California Gas Company in an amount not to exceed \$6,000,000 in an application to install a public-access hydrogen station in Pico Rivera;
- b. A partnership with Penske Truck Leasing Co., L.P. in an amount not to exceed \$17,980,000 in an application to install Level III charging stations at 20 facilities dispersed throughout the region; and
- c. A partnership with Pilot Travel Center, LLC in an amount not to exceed \$3,000,000 in an application to install a public-access hydrogen fueling station in Rialto.

If South Coast AQMD does not select one or more of these applications for funding, the relevant portion of the MSRC allocation would revert to the unallocated AB 2766 Discretionary Fund balance.

#### Cooperative Agreement with Metro

Both MSRC and Metro are interested in the deployment of zero emission trucks in the Interstate 710 (I-710) corridor as soon as possible. As part of its FYs 2021-24 Work Program, MSRC is seeking partners to help facilitate investment in publicly accessible infrastructure to support an equitable transition of goods movement trucks to zero emissions. Metro is interested in funding projects identified in responses to MSRC's RFI 2023-01 for Publicly Accessible Goods Movement Zero-Emission Infrastructure. A proposed cooperative agreement with Metro has been prepared to facilitate the pursuit of shared objectives. The cooperative agreement specifies that the parties would jointly pursue funding opportunities and proposals regarding electrified and alternative fuel transportation system for heavy duty commercial vehicles in Los Angeles County. The MSRC considered and approved the proposed cooperative agreement. This agreement does not commit any MSRC funding; any follow-on funding commitments would require future MSRC and South Coast AQMD Board consideration and approval.

The MSRC is requesting that the Board approve the funding allocations as part of approval of the FYs 2021-24 AB 2766 Discretionary Fund Work Program, as well as approving the proposed cooperative agreement as outlined above.

#### Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, public notices advertising the Publicly Accessible Goods Movement Zero-Emission Infrastructure RFI was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise to leverage

the most cost-effective method of outreach to the South Coast Basin. In addition, the RFI was advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley. Additionally, potential respondents may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFI was emailed to the diverse spectrum of Legislative Caucuses and chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.agmd.gov>), where it could be viewed by making the selection "Grants and Bids." Further, the RFI was posted on the MSRC's website at <http://www.cleantransportationfunding.org> and electronic notifications were sent to those subscribing to this website's notification service.

**Resource Impacts**

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

 [Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 12

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the December 2023 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, Small 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:LTO:PFC:EJH:sp:mc

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## **BACKGROUND**

This report summarizes the activities of the Legislative, Public Affairs and Media Office for December. The report includes Major Events, Community Events/Public Meetings, Environmental Justice (EJ) Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Small Business Assistance, Media Relations, and Outreach to Community Groups and Governments.

## **MAJOR EVENTS (HOSTED AND SPONSORED)**

Each year, staff engage in hosting 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 while minimizing economic impacts.

There were no major events hosted nor sponsored in December.

## **COMMUNITY EVENTS/PUBLIC MEETINGS**

Staff engaged with residents and stakeholders to provide information about the agency, incentive programs, and ways individuals can help reduce air pollution through events and meetings sponsored by South Coast AQMD or in partnership with others. Attendees typically receive information regarding the following:

- Tips on reducing their exposure to smog and its negative health effects;
- How to file a complaint;
- Clean air technologies and their deployment;
- Invitations to or notices of conferences, seminars, workshops, and other public events;
- South Coast AQMD incentive programs;
- Funding/grant opportunities by South Coast AQMD and partner agencies;
- 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 December events and meetings:

### San Gabriel Valley Council of Governments

On December 1, staff attended the San Gabriel Valley Council of Governments Legislative event to provide information on an upcoming Climate Pollution Reduction Grant workshop and Clean Air Awards nominations.

### Healthy Jurupa Valley

On December 5, staff participated in the Healthy Jurupa Valley collaborative meeting to share updates on the Check Before You Burn program and Clean Air Awards nominations.

### South Bay Association of Chambers of Commerce

On December 5, staff attended the South Bay Association of Chambers of Commerce meeting to provide updates on the California Energy Commission's Communities in Charge funding program and Clean Air Awards nominations.

### Supervisor Curt Hagman Open House

On December 7, staff participated in Supervisor Curt Hagman's Open House at Chino Hills City Hall. Staff provided attendees with information on how to file air quality complaints, South Coast AQMD's mobile App, Check Before You Burn and residential incentive programs.

#### Orange County Business Council

On December 12, staff participated in the Orange County Business Council's Infrastructure Committee meeting to promote nominations for Clean Air Awards and shared the latest South Coast AQMD Advisor newsletter.

#### South Bay Cities Council of Governments

On December 12, staff attended the South Bay Cities Council of Governments' Steering Committee meeting to provide information on the upcoming South Coast AQMD Climate Change Committee meeting.

#### South Pasadena Chamber of Commerce

On December 13, staff participated in the South Pasadena Chamber of Commerce's Legislative Affairs Committee meeting to provide updates on CEC's Communities in Charge funding program and Clean Air Awards nominations.

#### Sun Valley Area Neighborhood Council

On December 13, staff attended the Sun Valley Area Neighborhood Council Environmental Ad Hoc Committee meeting to present on how to file air quality complaints via South Coast AQMD mobile app, 1-800-CUT-SMOG® hotline and online complaint system.

#### Harbor Association of Industry and Commerce

On December 21, staff participated in the Harbor Association of Industry and Commerce's Government Affairs Committee meeting to encourage nominations for Clean Air Awards.

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

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

#### California Climate Action Team

On December 5, staff participated in the California Climate Action Team working group meeting co-hosted by the California Department of Public Health and CARB. The meeting focused on LGBTQ+ and climate justice issues, including inequitable environmental impacts on housing and quality of life.

#### Pacoima Community Initiative

On December 8, staff participated in Pacoima Community Initiative's monthly meeting. Staff shared information on Clean Air Awards nominations, Clean Air Program for Elementary Students and Why Healthy Air Matters educational programs, and how to report air quality issues.

Coalition for Clean Air (CCA)

On December 14, staff attended the Coalition for Clean Air’s webinar on Abramowitz vs. U.S. EPA. Dr. Joseph Lyou, CCA President and CEO, and Mark Abramowitz discussed the lawsuit and its impact on air quality in California.

**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 speaking engagements nor visitors in December.

**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 December are summarized below:

Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG®	1,894
Calls to South Coast AQMD’s Spanish Line	11
Clean Air Connections	13
Total Calls	1,918

**PUBLIC INFORMATION CENTER STATISTICS**

The Public Information Center (PIC) handles phone calls and assists individuals who walk in for general information. Email advisories provide information on upcoming meetings and events, program announcements and alerts on time-sensitive issues. Information for the month of December is summarized below:

Calls Received by PIC	47
Calls to Automated System	129
Total Calls	176
Visitor Transactions	112
Email Advisories Sent	7,646



## 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 provided personalized assistance to small businesses over the telephone, at South Coast AQMD headquarters and via virtual on-site consultation, as summarized below for December.

- Provided permit application assistance to 136 companies, and
- Processed 69 Air Quality Permit Checklists.

Types of businesses assisted:

Architecture Firms	Gas Stations	Retail Facilities
Auto Body Shops	Manufacturing Facilities	Schools
Construction Firms	Offices	Warehouses
Engineering Firms	Restaurants	

## 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 December report is listed below:

Major Media Interactions	141
Press Releases	18
News Carousel	2

### Major Media Topics:

- **Chiquita and Sunshine Canyon Landfills:** Staff participated in an interview with LAist to discuss current challenges at Chiquita and Sunshine Canyon landfills.
- **Chiquita Canyon Landfill Violations:** Staff participated in an interview with Spectrum News 1 to discuss issues related to the Chiquita Canyon landfill.
- **Odor in South Los Angeles:** ABC7 inquired about an odor in the South LA area and if we had received any complaints about it. Response was provided.
- **Chiquita Canyon Landfill (CCL) Meeting:** The Signal requested information on the upcoming CCL Hearing Board proceeding. Response was provided.
- **Boyle Heights Air Quality:** Cal State Los Angeles UT Community News requested information on air quality in Boyle Heights. Response was provided.
- **Exide:** Public Broadcasting Service requested information on past efforts at Exide. Response was provided.

- **Ports and Railroad Indirect Source Rule (ISR):** Journal of Commerce sent questions concerning both Ports and Railroad ISR. Response was provided.
- **Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program:** Press Enterprise inquired whether the WAIRE program would be added to the federal State Implementation Plan. Response was provided.
- **Complaint Investigations:** A freelance journalist inquired about the number of complaints it takes for South Coast AQMD to send an investigator to a site. Response was provided.
- **Baker Commodities:** LAist requested comments from us regarding the upcoming Baker Commodities hearing. Response was provided.
- **Lawn & Garden:** SCPR/LAist inquired about the Commercial Electric Lawn & Garden Equipment program. Response was provided.
- **Oil Drilling:** Southern California Public Radio and LAist requested information on oil drilling and compliance and enforcement related to rules. Response was provided.
- **Fontana Warehouses:** Fontana Harold News asked how many warehouses in Fontana committed violations, and how that number compares to other cities. A list of warehouses that received a Notice of Violations (NOV) to date was provided.
- **Warehouse NOVs:** KCVR News requested an interview or written responses on Warehouse NOVs. Response was provided.
- **Lawn & Garden Rebate Program in Irvine:** Orange County Register inquired about a proposed MOU between the city of Irvine and South Coast AQMD to create a lawn and garden rebate program for Irvine residents and businesses. Response was provided.
- **Tustin Hanger Fire:** The Los Angeles Times inquired about the Tustin hangar fire incident and whether we are still receiving air quality complaints, if the fire has left a toxic footprint, and if the threat of asbestos is still a concern. Referred reporter to the Joint Information Center.
- **No-Burn Alert:** The Los Angeles Times, NBC News & KTLA inquired about the no-burn alert. Responses were provided.
- **Warehouse ISR:** The Journal of Commerce inquired about the December 19 South Coast AQMD press release on violations issued to warehouses for failing to comply with the ISR. Response was provided.
- **Port of Los Angeles:** Freelance writer expressed interest in the Port of Los Angeles and asked for an estimate of commercial trucks operating in the South Coast Air Basin. Response was provided.
- **Governing Board Press Release (12/1):** Pitched release to media outlets resulting in media coverage.
- **Windblown Dust Advisory (12/9):** Pitched advisory to media outlets resulting in media coverage.

- **NOV's-ISR Release (12/19):** Pitched press release to media outlets resulting in media coverage.
- **Check Before You Burn (12/24-25, 12/26-28):** Pitched advisory to media outlets resulting in media coverage.

#### News Releases:

- **South Coast AQMD Amends Rule to Further Reduce Ethylene Oxide Emissions from Sterilization Operations - December 1, 2023 (English and Spanish):** Informed public of amendment to Rule 1405.
- **South Coast AQMD Governing Board Re-Elects Senator (Ret.) Vanessa Delgado as Chair and Councilmember Michael A. Cacciotti as Vice Chair - December 6, 2023 (English and Spanish):** Informed the public of Governing Board Chair and Vice Chair reelection.
- **South Coast AQMD Issues Windblown Dust Advisory for the Inland Empire, Orange County and Long Beach - December 9, 2023 (English and Spanish):** Informed the public of a Dust Advisory issued due to particulate matter (PM10).
- **South Coast AQMD Issues Over 100 Violations Issued to Warehouses for Failing to Comply with Indirect Source - December 19, 2023 (English and Spanish):** Informed the public of various violations issued to warehouses across the region.
- **South Coast AQMD Issues No-Burn Alert: Mandatory Wood-Burning Ban in Effect for South Coast Air Basin - December 24, 2023 (English and Spanish):** Informed the public of the No-Burn Alert.
- **South Coast AQMD Extends No-Burn Alert: Mandatory Wood-Burning Ban in Effect for South Coast Air Basin - December 25, 2023 (English and Spanish):** Informed the public of the No-Burn Alert.
- **South Coast AQMD Issues No-Burn Alert: Mandatory Wood-Burning Ban in Effect for South Coast Air Basin - December 26, 2023 (English and Spanish):** Informed the public of the No-Burn Alert.
- **South Coast AQMD Extends No-Burn Alert: Mandatory Wood-Burning Ban in Effect for South Coast Air Basin - December 27, 2023 (English and Spanish):** Informed the public of the No-Burn Alert.
- **South Coast AQMD Issues No-Burn Alert: Mandatory Wood-Burning Ban in Effect for South Coast Air Basin - December 28, 2023 (English and Spanish):** Informed the public of the No-Burn Alert.

#### Social Media Posts:

- [AQ Forecast \(12/2\)](#): 5,207 Twitter Impressions
- --RT by @NWSSanDiego, @805weather
- [AQ Forecast \(12/13\)](#): 1,136 Twitter Impressions
- --RT by @LAFDtalk, @805weather

- [AQ Forecast \(12/19\)](#): 975 Twitter Impressions
- --RT by @LAFDtalk, @805weather
- [AQ Forecast \(12/26\)](#): 13,808 Twitter Impressions
- --RT by @AIRnow, @NWSSanDiego, @NWSLosAngeles, @longdrivesouth, @CodeRed001Blue

**News Carousel:**

- **“Be Green for the Holidays - Simple tips to help save energy and reduce air pollution”** -- Linked to flyer.
- **“Make a New Year’s Resolution to Reduce Air Pollution!”** -- Linked to flyer.

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

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

- U.S. Senator Alex Padilla
- U.S Representative Pete Aguilar
- U.S. Representative Mark Takano
- Senator Caroline Menjivar
- Senator Rosilicie Ochoa Bogh
- Assemblymember Eloise Gómez Reyes

Outreach was conducted personally and virtually in December to communicate with elected officials or staff from the following cities:

Agoura Hills	Calabasas	Diamond Bar
Alhambra	Calimesa	Downey
Anaheim	Canyon Lake	Duarte
Arcadia	Carson	Eastvale
Artesia	Cerritos	El Monte
Azusa	Chino	El Segundo
Baldwin Park	Chino Hills	Fontana
Banning	Claremont	Fullerton
Beaumont	Coachella	Gardena
Bell Gardens	Colton	Glendale
Bellflower	Commerce	Glendora
Beverly Hills	Compton	Grand Terrace
Big Bear Lake	Corona	Hawaiian Gardens
Bradbury	Covina	Hawthorne
Brea	Cudahy	Hemet
Buena Park	Culver City	Hidden Hills
Burbank	Desert Hot Springs	Highland

Huntington Park	Montclair	San Fernando
Indio	Montebello	San Gabriel
Inglewood	Monterey Park	San Jacinto
Irvine	Moreno Valley	San Marino
Irwindale	Murrieta	Santa Ana
Jurupa Valley	Newport Beach	Santa Clarita
La Cañada Flintridge	Norco	Santa Fe Springs
La Habra	Norwalk	Santa Monica
La Habra Heights	Ontario	Seal Beach
La Mirada	Orange	Sierra Madre
La Palma	Palm Desert	Signal Hill
La Puente	Palm Springs	South El Monte
La Quinta	Paramount	South Gate
La Verne	Pasadena	South Pasadena
Lake Elsinore	Perris	Temecula
Lake Forest	Pico Rivera	Temple City
Lakewood	Placentia	Torrance
Lawndale	Pomona	Upland
Loma Linda	Rancho Cucamonga	Vernon
Lomita	Rancho Palos Verdes	Walnut
Long Beach	Redlands	West Covina
Los Angeles	Redondo Beach	West Hollywood
Lynwood	Rialto	Westlake Village
Malibu	Riverside	Whittier
Manhattan Beach	Rolling Hills	Wildomar
Maywood	Rolling Hills Estates	Yorba Linda
Menifee	Rosemead	Yucaipa
Mission Viejo	San Bernardino	
Monrovia	San Dimas	

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

- Carson Chamber of Commerce
- Citrus Valley Realtors
- Clean Power Alliance
- Coachella Valley Association of Governments
- El Monte/South El Monte Chamber of Commerce
- Foothill Transit
- Gateway Cities Council of Governments
- Harbor Association of Industry and Commerce
- Industry Business Council

Inland Empire Health Plan  
L.A. Care Health Plan  
Los Angeles Area Chamber of Commerce  
Los Angeles County Department of Sustainability  
Metrolink  
Metropolitan Water District of Southern California  
Mojave Desert Air Quality Management District  
Omnitrans  
Orange County Business Council  
Orange County Transportation Authority  
Port of Long Beach  
Port of Los Angeles  
San Bernardino County Transportation Authority  
San Fernando Valley Council of Governments  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
South Bay Association of Chambers of Commerce  
South Bay Cities Council of Governments  
South Pasadena Chamber of Commerce  
Southern California Association of Governments  
Sun Valley Area Neighborhood Council  
Western Riverside Council of Governments

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

Center for Sustainable Energy  
Cool OC  
Foundation for Early Childhood Education  
Harvey Mudd College  
League of Women Voters  
Los Angeles Community Garden Council  
Pasadena City College  
Plaza de la Raza, Los Angeles  
San Gabriel Valley Conservation Corps  
Santa Ana Unified School District  
Standford Avalon Community Garden  
Sustainable Claremont  
Wilmington Resource Center  
YWCA Pasadena-Foothill Valley

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 13

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of December 1 through December 31, 2023.

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The report of actions taken by the Hearing Board during the period of December 1 through December 31, 2023 was not prepared in time for inclusion; therefore, this item was pulled from consideration and will be provided at the next Board meeting

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 14

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from December 1 through December 31, 2023. An Index of South Coast AQMD Rules is attached with the penalty report,

COMMITTEE: Stationary Source, January 19, 2024, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:cr

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There are no Civil Filings for December 2023

**Attachments**

December 2023 Penalty Report

Index of South Coast AQMD Rules and Regulations



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

**Settlement Penalty Report (12/01/2023 - 12/31/2023)**

**Total Penalties**

Civil Settlement: \$208,302.00

MSPAP Settlement: \$122,488.00

**Total Cash Settlements: \$330,790.00**

**Fiscal Year through 12/31/2023 Cash Total: \$2,447,526.28**

**Fiscal Year through 12/31/2023 SEP Value Only Total: \$628,125.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Civil</b>						
800088	3M COMPANY	1155, 2004, 3002	12/20/2023	DH	P66079, P66091	\$18,326.00
193536	BRETT MURDOCK	1403	12/19/2023	EC	P73612, P73613, P73619	\$175.00
185600	BRIDGE ENERGY, LLC	463, 2004	12/06/2023	JL	P73321	\$4,700.00
195742	CLASSIC REFRIGERATION SOCAL	1415.1	12/13/2023	JL	P70478	\$600.00
19194	EPPINK OF CALIFORNIA	3003	12/01/2023	RM	P65292	\$550.00
22196	GENERAL MILLS, INC.	201, 203	12/20/2023	JL	P65289	\$4,700.00
175942	JONES COVEY GROUP, INC.	1166	12/01/2023	SH	P70178, P70200, P76168	\$2,000.00
194804	KB HOME	403	12/06/2023	JL	P73709	\$3,500.00
160130	PACIFIC COAST BUILDERS	1403	12/06/2023	JL	P74232, P74233, P74234	\$5,300.00
82657	QUEST DIAGNOSTICS, INC.	3002	12/07/2023	NS	P63997, P68778, P77807	\$10,539.00
20061	RAINBOW ENVIRONMENTAL SERVICES	203	12/06/2023	KCM	P74704	\$1,072.00
117227	SHCI SM BCH HOTEL, LLC	2004, 2012	12/20/2023	RM	P68328, P74267	\$8,200.00
49111	SUNSHINE CYN LANDFILL REPUBLIC SERV, INC.	402, H&S 41700	12/20/2023	JL	P76212, P76236, P76238, P76246	\$46,840.00
125780	TOLL BROTHERS, INC.	403	12/01/2023	SH	P63474, P63476, P63479, P64599	\$4,000.00
138103	TRANSCONTINENTAL ONTARIO, INC.	203, 3002	12/14/2023	JL	P74182, P74676, P75427	\$11,100.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
197702	TRIPOINTE HOMES	403	12/13/2023	JL	P73930, P74117, P74118, P75208, P75212, P75215, P75223, P75235, P75243, P75245, P75248, P75249, P76464, P79301, P79312	\$73,200.00
169515	UCLA HEALTH SYSTEM	203	12/15/2023	RL	P75357	\$10,000.00
42775	WEST NEWPORT OIL ,CO.	2004	12/06/2023	JL	P74605	\$3,500.00

**Total Civil Settlements: \$208,302.00**

<b>MSPAP</b>						
145994	6753 HOLLYWOOD ASSOCIATES, LLC.	203	12/22/2023	VA	P76533	\$937.00
150408	ABZ, INC. (DBA ARCO AM/PM)	461	12/22/2023	CL	P74842	\$1,237.00
130091	AKM OIL CO., INC.	461	12/08/2023	VA	P66046	\$2,781.00
152948	AMERICAN DOCK BOX	3002	12/22/2023	CL	P75236	\$3,210.00
181299	ANGELS BASEBALL LP	203, 461	12/22/2023	VA	P75614	\$1,927.00
192464	ARROWHEAD OPERATING, INC.	203	12/22/2023	CL	P74390	\$971.00
200589	AUTLAN AUTO REPAIR & BODY SHOP	109, 203	12/22/2023	CL	P76270	\$1,456.00
180430	BIRCH HILLS GOLF MANAGEMENT, LLC	461	12/22/2023	CL	P75618	\$1,071.00
3185	CEMEX CONSTRUCTION MATERIALS PACIFIC	203, 403	12/22/2023	CL	P73244	\$3,884.00
154034	CENTINELA HOSPITAL MEDICAL CENTER	1146	12/01/2023	CL	P78409	\$4,594.00
157471	CITRUS PETROLEUM, INC.	203	12/08/2023	VA	P76186	\$937.00
187445	CMJ BROTHERS	203	12/22/2023	VA	P75312	\$937.00
1464	COACHELLA VALLEY WATER DIST (WRP 10)	13 CCR 2453	12/22/2023	CL	P63274	\$1,456.00
155156	COASTLINE COLLISION CENTER	203	12/08/2023	VA	P77812	\$937.00
191651	DAD MILLER GOLF COURSE	203, 461	12/01/2023	CL	P77615	\$921.00
178067	DUARTE FUEL, INC. (DBA TUSTIN MOBIL)	461	12/01/2023	CL	P69899	\$1,234.00
147770	EAGLE PETRO LA, INC.	461	12/08/2023	VA	P78665	\$4,210.00
74060	ENGINEERED POLYMER SOLUTIONS INC.	3002	12/08/2023	CL	P67126	\$1,021.00
134713	ENVIRONMENTAL CONSTRUCTION GROUP, INC.	1403, 40 CFR 61.145	12/22/2023	CL	P79153	\$6,123.00
178341	GRAND PETROLEUM, INC.	203, 461, H&S 41960.2	12/22/2023	VA	P70497	\$6,440.00
138938	HAMID KIANIPUR (DBA CORONA DEL MAR 76)	461	12/22/2023	CL	P78771	\$1,162.00
172125	IMPERIAL DEVELOPMENT	203	12/08/2023	CL	P74475	\$971.00
12264	J.F. SHEA CO., INC.	1403, 40 CFR 61.145	12/22/2023	CL	P79155	\$1,456.00
178895	JOHAL OIL CORPORATION, INC.	203, 461	12/22/2023	CL	P78671	\$3,495.00
171250	JOHN BEAN TECHNOLOGIES CORPORATION	1146	12/08/2023	CL	P75437	\$2,427.00
11811	LA CO, DPW ROAD MAINTENANCE DIVISION	461	12/22/2023	CL	P74472	\$3,048.00
200476	LAUNDRY BY JULIA INC.	203	12/08/2023	VA	P76307	\$937.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
174260	LOS AMIGOS GOLF COURSE	461	12/01/2023	CL	P75315	\$510.00
168436	MEDLIN & SON ENGINEERING SERVICE, INC.	203	12/08/2023	CL	P80101	\$1,942.00
186046	MELROSE OIL, INC.	203, 461, H&S 41960	12/08/2023	CL	P74849, P75707	\$9,682.00
800207	METRO ST HOSP (EIS USE)	2004	12/01/2023	CL	P76089	\$510.00
800207	METRO ST HOSP (EIS USE)	1146	12/22/2023	CL	P76063	\$6,891.00
151786	MMK ENTERPRISES, INC.	461	12/22/2023	CL	P77734	\$1,990.00
177384	MOLLER RETAIL, INC. (DBA CONSERV FUEL, #61)	461	12/01/2023	CL	P77746	\$1,301.00
117441	ORI'S SERVICE CTR (DBA J. MASSACHI)	203, 461	12/22/2023	VA	P77715	\$2,108.00
139879	PASADENA MEDICAL BUILDING	1415	12/15/2023	CL	P78028	\$971.00
194573	PULTE HOMES	403	12/22/2023	VA	P75426, P75428	\$7,026.00
177052	RUBENS BODY SHOP	203	12/01/2023	CL	P79404	\$1,071.00
7371	SAN BER CNTY SOLID WASTE MGMT	3002	12/01/2023	CL	P76117	\$2,552.00
182888	SECURITY PAVING	403	12/22/2023	CL	P73886	\$1,707.00
51132	SOUTH COAST WATER DISTRICT	461	12/08/2023	CL	P78569	\$2,140.00
195680	SUKUT CONSTRUCTION, LLC	403	12/15/2023	CL	P76460	\$5,605.00
175016	SUNSET OIL CORP, BAHMAN NATANZI	461, H&S 41960	12/01/2023	CL	P74839	\$1,301.00
135965	SUNSTATE EQUIPMENT CO., LLC	203	12/08/2023	VA	P75309	\$2,108.00
136341	TAN INVESTMENTS INC. (HACIENDA HGTS CHEVRON)	203, 461	12/08/2023	CL	P78655	\$2,603.00
82063	TOYOTA OF RIVERSIDE	461	12/08/2023	CL	P75417	\$1,456.00
192525	UNITED PACIFIC #0677	461, H&S 41960.2	12/01/2023	CL	P78761	\$1,456.00
124523	WALMART NO. 2609	203	12/01/2023	CL	P74844	\$971.00
154248	WASTE RESOURCE RECOVERY, INC.	403	12/08/2023	VA	P79104	\$1,686.00
121048	WESTERN GAS	461	12/01/2023	CL	P76160	\$1,237.00
197780	WOODSIDE HOMES	403	12/01/2023	CL	P75210	\$3,884.00
<b>Total MSPAP Settlements: \$122,488.00</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR DECEMBER 2023 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

**REGULATION IV - PROHIBITIONS**

Rule 402 Nuisance

Rule 403 Fugitive Dust

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1155 Particulate Matter Control Devices

Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil

**REGULATION XIV - TOXICS**

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems

Rule 1415.1 Reduction of Refrigerant Emissions from Stationary Refrigeration Systems

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

Rule 2004 Requirements

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

**REGULATION XXX - TITLE V PERMITS**

Rule 3002 Requirements

Rule 3003 Applications

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145 Standard for Demolition and Renovation

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR DECEMBER 2023 PENALTY REPORT**

**CALIFORNIA HEALTH AND SAFETY CODE**

41700 Prohibited Discharges  
41960 Certification of Gasoline Vapor Recovery System  
41960.2 Gasoline Vapor Recovery

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2453 Portable Equipment Application Process

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 15

REPORT: Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

SYNOPSIS: This report provides a listing of environmental documents prepared by other public agencies seeking review by South Coast AQMD between December 1, 2023 and December 31, 2023, and proposed projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, January 19, 2024, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SR:MK:MM:BR:SW:ET

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## **Background**

The California Environmental Quality Act (CEQA) Statute and Guidelines require public agencies, when acting in their lead agency role, to provide an opportunity for other public agencies and members of the public to review and comment on the analysis in environmental documents prepared for proposed projects. A lead agency is when a public agency has the greatest responsibility for supervising or approving a proposed project and is responsible for the preparation of the appropriate CEQA document.

Each month, South Coast AQMD receives environmental documents, which include CEQA documents, for proposed projects that could adversely affect air quality. South Coast AQMD fulfills its intergovernmental review responsibilities, in a manner that is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4, by reviewing and commenting on the adequacy of the air quality analysis in the environmental documents prepared by other lead agencies.

The status of these intergovernmental review activities is provided in this report in two sections: 1) Attachment A lists all of the environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received during the reporting period; and 2) Attachment B lists the active projects for which South Coast AQMD has reviewed or is continuing to conduct a review of the environmental documents prepared by other public agencies. Further, as required by the Board's October 2002 Environmental Justice Program Enhancements for fiscal year (FY) 2002-03, each attachment includes notes for proposed projects which indicate when South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The attachments also identify for each proposed project, as applicable: 1) the dates of the public comment period and the public hearing date; 2) whether staff provided written comments to a lead agency and the location where the comment letter may be accessed on South Coast AQMD's website; and 3) whether staff testified at a hearing.

In addition, the South Coast AQMD will act as lead agency for a proposed project and prepare a CEQA document when: 1) air permits are needed; 2) potentially significant adverse impacts have been identified; and 3) the South Coast AQMD has primary discretionary authority over the approvals. Attachment C lists the proposed air permit projects for which South Coast AQMD is lead agency under CEQA.

**Attachment A – Log of Environmental Documents Prepared by Other Public Agencies and Status of Review, and Attachment B – Log of Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies**

Attachment A contains a list of all environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received pursuant to CEQA or other regulatory requirements. Attachment B provides a list of active projects, which were identified in previous months' reports, and which South Coast AQMD staff is continuing to evaluate or prepare comments relative to the environmental documents prepared by other public agencies. The following table provides statistics on the status of review<sup>1</sup> of environmental documents for the current reporting period for Attachments A and B combined<sup>2</sup>:

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<sup>1</sup> The status of review reflects the date when this Board Letter was prepared. Therefore, Attachments A and B may not reflect the most recent updates.

<sup>2</sup> Copies of all comment letters sent to the lead agencies are available on South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

<b>Statistics for Reporting Period from December 1, 2023 to December 31, 2023</b>	
<b>Attachment A:</b> Environmental Documents Prepared by Other Public Agencies and Status of Review	80
<b>Attachment B:</b> Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies (which were previously identified in the October 2023, and November 2023 reports)	11
<b>Total Environmental Documents Listed in Attachments A &amp; B</b>	<b>91</b>
<i>Comment letters sent</i>	<i>20</i>
<i>Environmental documents reviewed, but no comments were made</i>	<i>59</i>
<i>Environmental documents currently undergoing review</i>	<i>12</i>

Staff focuses on reviewing and preparing comments on environmental documents prepared by other public agencies for proposed projects: 1) where South Coast AQMD is a responsible agency under CEQA (e.g., when air permits are required but another public agency is lead agency); 2) that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement); 3) that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); 4) where environmental justice concerns have been raised; and 5) which a lead or responsible agency has specifically requested South Coast AQMD review.

If staff provided written comments to a lead agency, a hyperlink to the “South Coast AQMD Letter” is included in the “Project Description” column which corresponds to a notation in the “Comment Status” column. In addition, if staff testified at a hearing for a proposed project, a notation is also included in the “Comment Status” column. Copies of all comment letters sent to lead agencies are available on South Coast AQMD’s website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>. Interested parties seeking information regarding the comment periods and scheduled public hearings for projects listed in Attachments A and B should contact the lead agencies for further details as these dates are occasionally modified.

In January 2006, the Board approved the Clean Port Initiative Workplan (Workplan). One action item of the Workplan 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 accordance with this action item, Attachments A and B organize the environmental documents received according to the following categories: 1) goods movement projects; 2) schools; 3) landfills and wastewater projects; 4) airports; and 5) general land use projects. In response to the action item relative to mitigation, staff maintains a compilation of mitigation measures presented as a series of tables relative to off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust;



and greenhouse gases which are available on 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 such as ground support equipment.

### **Attachment C – Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency**

The CEQA lead agency is responsible for determining the type of environmental document to be prepared if a proposal requiring discretionary action is considered to be a “project” as defined by CEQA. South Coast AQMD periodically acts as lead agency for its air permit projects and the type of environmental document prepared may vary depending on the potential impacts. For example, an Environmental Impact Report (EIR) is prepared when there is 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 a proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are types of CEQA documents which analyze the potential environmental impacts and describe the reasons why a significant adverse effect on the environment will not occur such that the preparation of an EIR is not required.

Attachment C of this report summarizes the proposed air permit projects for which South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation pursuant to CEQA. As noted in Attachment C, South Coast AQMD is lead agency for three air permit projects during December 2023.

### **Attachments**

- A. Environmental Documents Prepared by Other Public Agencies and Status of Review
- B. Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies
- C. Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency

**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**December 1, 2023 to December 31, 2023**

<u>SOUTH COAST AQMD LOG-IN NUMBER</u>	<u>PROJECT DESCRIPTION</u>	<u>TYPE OF DOC.</u>	<u>LEAD AGENCY</u>	<u>COMMENT STATUS</u>
PROJECT TITLE				
<b><i>Goods Movement</i></b>				
<b>LAC231201-23</b> Pier Wind Terminal Development Project#	The project consists of constructing a 400-acre terminal and 30-acre transportation corridor. The project is located in the Southwest Harbor Planning District of the Port of Long Beach just north of the federal breakwater, east of Port of Los Angeles Pier 400, south of the Navy Mole, and west of the Main Channel in San Pedro. The project is also within the designated AB 617 Wilmington, Carson, and West Long Beach community.  Comment Period: 11/30/2023 - 2/6/2024 Public Hearing: 12/13/2023	Notice of Preparation	Port of Long Beach	Under review, may submit comments
<b><i>Goods Movement</i></b>				
<b>LAC231212-04</b> Terminal Island Maritime Support Facility Project#	The project consists of constructing a chassis support and container storage facility on 80 acres. The project is located at 740 Terminal Way in San Pedro within the designated AB 617 Wilmington, Carson, and West Long Beach community.  Comment Period: 12/7/2023 - 1/22/2024 Public Hearing: 1/9/2024	Notice of Preparation	The Port of Los Angeles	Under review, may submit comments
<b><i>Warehouse &amp; Distribution Centers</i></b>				
<b>LAC231201-16</b> Whittier Boulevard Business Center	The project consists of redeveloping a 295,499 square foot warehouse on 13.49 acres. The project is located near the southwest corner of Whittier Boulevard and Penn Street. Reference: LAC230802-02 and LAC221220-04  Staff previously provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230802-02.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230802-02.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Whittier	Document reviewed - No comments sent
<b><i>Warehouse &amp; Distribution Centers</i></b>				
<b>LAC231213-09</b> Prologis Stewart and Gray Road Warehouse Project	The project consists of demolishing 433,000 square feet of existing structures and constructing a 535,685 square foot warehouse on 29.16 acres. The project is located on the northwest corner of Stewart and Gray Road and Woodruff Avenue. Reference LAC220405-03  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/LAC220405-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/LAC220405-03.pdf</a> .  Comment Period: 12/12/2023 - 1/25/2024 Public Hearing: N/A	Draft Environmental Impact Report	City of Downey	Document reviewed - No comments sent

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SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse &amp; Distribution Centers</i> <b>ORC231201-07</b> Collins Logistics Center Project	The project consists of redeveloping a 6.0-acre site with a 128,953 square foot warehouse. The project is located at 500 West Collins Avenue.  Comment Period: 11/20/2023- 12/11/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231201-02</b> Rubidoux Commerce Park	The project consists of constructing five industrial buildings totaling 1,184,102 square feet on 80.8 acres. The project is located on the southeast corner of Montana Avenue and 25th Street. Reference RVC230901-01, RVC211021-01, RVC201201-05, and RVC190903-14  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231201-02.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231201-02.pdf</a>  Staff previously provided comments on the Recirculated Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/RVC230901-01.pdf</a> .  Comment Period: N/A Public Hearing: 12/7/2023	Final Environmental Impact Report	City of Jurupa Valley	Comment letter sent on 12/21/2023
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231205-02</b> AA Fence Warehouse	The project consists of constructing an 18,750 square foot warehouse on 1.20 acres. The project is located on the southwest corner of 4th Street and Risco Circle.  Comment Period: 12/4/2023 - 12/21/2023 Public Hearing: 12/21/2023	Site Plan	City of Beaumont	Document reviewed - No comments sent

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<b>Warehouse &amp; Distribution Centers</b> <b>RVC231206-02</b> Motte Business Center; Tentative Parcel Map (TPM) No. 38432 (PLN22-0114), and Plot Plan No. PLN22-0115	The project consists of constructing a 1,138,638 square foot warehouse and combining eight parcels into one parcel for a total of 46.33 gross acres. The project is located near the southeast corner of Ethanac Road and Dawson Road. Reference RVC231003-01  Staff previously provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/RVC231003-01.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/RVC231003-01.pdf</a> .  Comment Period: 12/6/2023- 12/13/2023 Public Hearing: 12/13/2023	Notice of Availability of a Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231206-04</b> The Cubes at Placentia Industrial Project	The project consists of constructing a 578,265 square foot warehouse. The project is located on the northeast corner of Placentia Avenue and Wilson Avenue.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/RVC231206-04.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/RVC231206-04.pdf</a>  Comment Period: 12/1/2023- 1/2/2024 Public Hearing: 12/20/2023	Notice of Preparation	City of Perris	Comment letter sent on 1/2/2024
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231212-01</b> Harvill at Water Industrial	The project consists of constructing a 434,823 square foot warehouse on 20.57 acres. The project is located on the southwest corner of Harvill Avenue and Water Street in the community of Mead Valley. Reference RVC220526-02 and RVC220217-03  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/june/RVC220526-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/june/RVC220526-02.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	County of Riverside	Document reviewed - No comments sent
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231221-01</b> Sunset Crossroads Project	The project consists of constructing a 268,400 square foot building consisting of a medical office, professional office, education, recreation, commercial, a travel center with refueling uses, and a hotel on 47.9 acres; and up to 5,545,000 square feet of industrial uses on 392 acres. The project is located on the northwest corner of Sunset Avenue and Bobcat Road.  Comment Period: 12/15/2023- 1/30/2024 Public Hearing: N/A	Draft Environmental Impact Report	City of Banning	Under review, may submit comments

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<i>Warehouse &amp; Distribution Centers</i> <b>RVC231221-04</b> Newland Simpson Road Project	The project consists of constructing an 883,080 square foot warehouse on 45.28 acres and a 309,338 warehouse on 18.73 acres. The project is located on the southwest corner of Warren Road and Simpson Road.  Comment Period: 12/18/2023 - 1/19/2024 Public Hearing: 1/3/2024	Notice of Preparation	City of Hemet	Under review, may submit comments
<i>Warehouse &amp; Distribution Centers</i> <b>SBC231206-09</b> Cherry Commerce Center	The project consists of constructing a 477,480 square foot warehouse and a 221,953 square foot warehouse on 29.4 acres. The project is located near the northeast corner of Cherry Avenue and Jurupa Avenue. Reference SBC230712-08  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230712-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230712-08.pdf</a> .  Comment Period: 12/7/2023 - 1/22/2024 Public Hearing: 1/16/2024	Draft Subsequent Environmental Impact Report	City of Fontana	Under review, may submit comments
<i>Warehouse &amp; Distribution Centers</i> <b>SBC231213-03</b> West Foothill Development Project	The project consists of constructing a 3,570 square foot drive-through restaurant, a 42,476 square foot warehouse with two condominiums, and a 51,959 square foot warehouse with two condominiums. The project is located at 1780 West Foothill Boulevard.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/SBC231213-03.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/SBC231213-03.pdf</a>  Comment Period: 12/8/2023 - 1/2/2024 Public Hearing: 1/24/2024	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Upland	Comment letter sent on 1/2/2024
<i>Industrial and Commercial</i> <b>LAC231201-15</b> Development Review Permit No. DRP21-0065 and Conditional Use Permit No. CUP22-0007	The project consists of constructing a 295,959 square foot manufacturing building and modifying the parking layout. The project is located at 12352 Whittier Boulevard.  Comment Period: 11/29/2023 - 12/4/2023 Public Hearing: 12/4/2023	Notice of Availability of a Final Environmental Impact Report	City of Whittier	Document reviewed - No comments sent

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<i>Industrial and Commercial</i> <b>LAC231227-04</b> Azusa Greens Redevelopment Project	The project consists of constructing six industrial buildings and a residential community site and reconfiguring an existing golf course. The project is generally bordered by North Sunset Avenue to the east, West 10th Street to the south, and North Todd Avenue to the west.  Comment Period: 12/22/2023 - 1/22/2024 Public Hearing: 1/11/2024	Notice of Preparation	City of Azusa	Under review, may submit comments
<i>Industrial and Commercial</i> <b>RVC231201-11</b> Lowe's Parking Lot Project	The project consists of developing a 12-acre parcel into a surface parking lot for truck trailer storage. The project is located at the northeast corner of Brennan Avenue and Morgan Street at 3984 Indian Avenue.  Comment Period: 11/24/2023 - 12/23/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	Document reviewed - No comments sent
<i>Industrial and Commercial</i> <b>RVC231206-08</b> West Campus Upper Plateau Project	The project consists of demolishing 14 military bunkers, and constructing 65.32 acres of business park uses, 143.31 acres of industrial uses, 42.22 acres of commercial and retail uses, 37.91 acres of public streets, 60.28 acres of recreational uses, 17.72 acres of open space, 2.84 acres of public facilities, and 445.43 acres of conservation uses on 817.90 acres. The project is located on the southwest corner of Meridian Parkway and Alessandro Boulevard in Riverside. Reference RVC230111-04 and RVC211123-02  Staff previously provided comments on the Notice of Availability of a Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf</a> .  Comment Period: 12/2/2023 - 2/26/2024 Public Hearing: N/A	Recirculated Draft Environmental Impact Report	March Joint Powers Authority	Document reviewed - No comments sent
<i>Industrial and Commercial</i> <b>RVC231213-08</b> Low Drag Inc.	The project consists of a Conditional Use Permit for a spray booth and handling of firearms. The project is located southeast of East 3rd Street and Maple Avenue at 242 Maple Avenue Suite H.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/RVC231213-08.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/RVC231213-08.pdf</a>  Comment Period: 12/13/2023 - 1/4/2024 Public Hearing: 1/4/2024	Site Plan	City of Beaumont	Comment letter sent on 1/4/2024

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b><i>Waste and Water-related</i></b> <b>ALL231212-06</b> Addition to the List of Covered Electronic Devices in Chapter 11, Appendix X, Subsection C	The project consists of readopting emergency regulations for an additional two years to amend the list of Covered Electronic Devices (CED). The project is located throughout California.   <p style="text-align: center;">Comment Period: N/A            Public Hearing: N/A</p>	Other	Department of Toxic Substances Control	Document reviewed - No comments sent
<b><i>Waste and Water-related</i></b> <b>LAC231201-08</b> Valencia Water Reclamation Plant Middle Section Retaining Wall Ground Improvement Project	The project consists of constructing a new ground retaining wall structure to fortify the middle section of the wall and updating two existing outfall structures. The project is located at 28185 The Old Road in Valencia.   <p style="text-align: center;">Comment Period: 11/28/2023 - 1/5/2024            Public Hearing: 12/12/2023</p>	Notice of Preparation	Santa Clarita Valley Sanitation District	Document reviewed - No comments sent
<b><i>Waste and Water-related</i></b> <b>LAC231201-12</b> Arroyo Seco Water Reuse Project	The project consists of developing two regional stormwater capture and treatment facilities within 3.7 acres. The project is located at two sites: southwest of the San Rafael Avenue overpass of the Arroyo Seco Channel in Pasadena and southeast of San Pascual Avenue overpass of the Arroyo Seco Channel in South Pasadena and Los Angeles.   <p style="text-align: center;">Comment Period: 11/22/2023- 1/15/2024            Public Hearing: 12/14/2023</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Pasadena	Document reviewed - No comments sent

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<b><i>Waste and Water-related</i></b> <b>LAC231201-19</b> Taylor Yard Parcel G1 & G2	The project consists of four cleanup alternatives for evaluation in the Removal Action Workplan: 1) no action done, which leaves the Site's conditions unchanged and cleanup is needed before construction can begin; 2) the contaminated soil would be used to plant crops chosen to remove contaminants from shallow soil; 3) excavation and relocation of contaminated soil, which requires storage and maintenance for a prolonged period of time; and 4) excavation and off-site disposal of contaminated soil. The project is located near the northeast corner of State Route 2 and the Los Angeles River in Los Angeles. Reference LAC231024-01 and LAC230405-12  Staff previously provided comments on the Draft Removal Action Workplan for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/may-2023/LAC230405-12.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/may-2023/LAC230405-12.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Other	The Department of Toxic Substances Control	Document reviewed - No comments sent
<b><i>Waste and Water-related</i></b> <b>LAC231212-03</b> Marina del Rey Harbor Federal Maintenance Dredging Program	The project consists of maintenance dredging within the Marina del Rey Harbor to evaluate potential environmental impacts of dredging and nearshore dredged material placement activities. The project is located near the northwest corner of Pacific Avenue and Culver Boulevard in Marina del Rey. Reference LAC230601-06  Comment Period: N/A Public Hearing: N/A	Final Environmental Assessment with a Finding of No Significant Impact	United States Army Corp of Engineers	Document reviewed - No comments sent
<b><i>Waste and Water-related</i></b> <b>ORC231201-22</b> Environmental Remediation Former Pacific Quartz Site	The project consists of installing a heat-enhanced dual-phase extraction system to address volatile organic compounds in the soil, soil gas, and groundwater. The project is located at 1410-1424 East Saint Gertrude Place and 2040-2052 Grand Avenue in Santa Ana.  Comment Period: N/A Public Hearing: N/A	Interim Remedial Action Plan	California Water Boards	Document reviewed - No comments sent

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<i>Waste and Water-related</i> <b>ORC231213-01</b> Smith Reservoir Replacement Project	The project consists of replacing the 6-million-gallon Smith Reservoir and Pump Station with two below grade cast-in-place concrete tanks of the same size and a pump station with increased maximum pumping capacity. The project is located at the intersection of Taft Avenue and Cannon Street.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/ORC231213-01.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/ORC231213-01.pdf</a>  Comment Period: 12/12/2023- 1/10/2024 Public Hearing: 1/23/2024	Notice of Intent to Adopt a Mitigated Negative Declaration	Serrano Water District	Comment letter sent on 1/9/2024
<i>Waste and Water-related</i> <b>RVC231213-07</b> Washington Street Transmission Main Project	The project consists of installing a 6,400 linear feet of 18-inch diameter potable water main. The project is located along Washington Street from Fields Drive to the north and Abelia Street to the south in Winchester.  Comment Period: 12/7/2023- 1/5/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Eastern Municipal Water District	Document reviewed - No comments sent
<i>Waste and Water-related</i> <b>RVC231219-01</b> EM-11 Transmission Pipeline and Pump Station Project	The project consists of constructing a turnout treatment facility, a water pump station, and water pipelines. The project is located near the northwest corner of Auld Road and Washington Street in unincorporated areas of Riverside County between the cities of Murrieta and Hemet. Reference RVC220726-11  Comment Period: 12/12/2023- 1/25/2024 Public Hearing: N/A	Re-Issued Notice of Preparation	Eastern Municipal Water District	Document reviewed - No comments sent
<i>Waste and Water-related</i> <b>SBC231206-03</b> Inland Valley Infrastructure Corridor	The project consists of improving the following infrastructure systems: water; wastewater/sewer; dry utilities, including communications; drainage; roads; and other future utility integration. The project is bounded by San Bernardino International Airport to the north, State Route 210 to the east, and Tippecanoe Avenue to the west.  Comment Period: 11/30/2023- 1/16/2024 Public Hearing: N/A	Notice of Preparation	Inland Valley Development Agency	Document reviewed - No comments sent

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<b>PROJECT TITLE</b>				
<i>Waste and Water-related</i> <b>SBC231221-07</b> The Replenish Big Bear Program	The project consists of constructing 6.59 miles of drinking water pipelines, RO brine minimization, three pump stations, a groundwater recharge system, and four monitoring wells with a capacity of up to 2,210 acre feet per year on 138 square miles by 2040. The project is bounded by unincorporated areas of San Bernardino County in the north, east, south, and west in Big Bear. Reference SBC221206-04  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/january-2023/SBC221206-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/january-2023/SBC221206-04.pdf</a> .  Comment Period: 12/21/2023 - 2/5/2024 Public Hearing: N/A	Draft Program Environmental Impact Report	Big Bear Area Regional Wastewater Agency	Under review, may submit comments
<i>Waste and Water-related</i> <b>SBC231227-02</b> IEUA Facilities Master Plans Program	The project consists of upsizing existing pumps, constructing a pump station, installing dual force mains, and modifying an existing lift station. The project is within the 242-square-mile IEUA service area, which includes the cities of Upland, Montclair, Ontario, Fontana, Chino, Chino Hills, Rancho Cucamonga, and the unincorporated areas of San Bernardino County. Reference SBC160701-04  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/july/NOPieumasterplan.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/july/NOPieumasterplan.pdf</a> .  Comment Period: 12/22/2023 - 1/5/2024 Public Hearing: N/A	Addendum to the Program Environmental Impact Report	Inland Empire Utilities Agency	Document reviewed - No comments sent
<i>Utilities</i> <b>LAC231227-03</b> Robertson Boulevard Sidewalk Improvement Project	The project consists of replacing 64,000 square feet of damaged sidewalk. The project is located along Robertson Boulevard and is bordered by Burton Way to the north and Whitworth Drive to the south.  Comment Period: 12/20/2023- 1/19/2024 Public Hearing: N/A	Notice of Preparation	City of Beverly Hills	Document reviewed - No comments sent

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<b>Utilities</b> <b>RVC231219-05</b> Sapphire Project CA-CDD-23-34	The project consists of constructing solar panel arrays, battery energy storage, and related facilities on 1,082 acres. The project is located in eastern Riverside County.  Comment Period: 12/19/2023- 1/25/2024 Public Hearing:	Other	Bureau of Land Management	Under review, may submit comments
<b>Transportation</b> <b>LAC231207-01</b> Los Angeles Aerial Rapid Transit Project	The project consists of constructing an electric-powered aerial gondola system with a capacity to transport 5,500 people per hour in each direction from Los Angeles Union Station to Dodger Stadium. The project is located above-ground and along North Alameda Street and North Spring Street between East Cesar E. Chavez Avenue and Solano Avenue in Los Angeles. Reference LAC221018-05 and LAC201001-17  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/November/LAC201001-17.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/November/LAC201001-17.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	Los Angeles County Metropolitan Transportation Authority	Document reviewed - No comments sent
<b>Transportation</b> <b>LAC231219-04</b> SR-110 Bridge Replacement & Railing Upgrade Project	The project consists of improving the State Route 110 by replacing the North 110-North 5 Connector Sidehill Viaduct and upgrading the bridge railing of Avenue 43 Ramp Bridge and Arroyo Seco Channel Bridge. The project is located along State Route 110 and is generally bounded by Hough Street to the North and Los Angeles River to the South in the City of Los Angeles and South Pasadena.  Comment Period: 11/28/2023- 1/16/2024 Public Hearing: N/A	Notice of Preparation	Department of Transportation	Document reviewed - No comments sent
<b>Transportation</b> <b>ORC231213-06</b> Bake Parkway/Jeronimo Road Intersection Improvements Project	The project consists of improving intersection performance by adding one northbound left turn land on Bake Parkway, one westbound left turn lane on Jeronimo Road, and extending Class II bike lanes. The project is located at Bake Parkway and Jeronimo Road.  Comment Period: 12/14/2023- 1/23/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Irvine	Document reviewed - No comments sent

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SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> <b>ODP231221-09</b> Hawaii-California Training and Testing	The project consists of at-sea military readiness activities including training and research, development, testing, and evaluation activities. The project is located along the Southern California coastline from approximately Dana Point to Port Hueneme.  Comment Period: 12/15/2023- 1/29/2024 Public Hearing: N/A	Notice of Preparation	Department of the Navy	Under review, may submit comments
<i>Institutional (schools, government, etc.)</i> <b>RVC231221-02</b> Roadrunner Motors Transportation Training Center	The project consists of constructing a 26,020 square foot training facility. The project is located west of Perez Access Road and south of Margot Murphy Way in Cathedral City.  Comment Period: 12/20/2023- 1/10/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	College of the Desert	Document reviewed - No comments sent
<i>Medical Facility</i> <b>SBC231213-02</b> Planned Development No. 6 Amendment No. 7 to Concept Plan 1	The project consists of constructing a hospital on 29.5 acres and amending Concept Plan No. 1 to add an application processing procedure governing campus development projects. The project is located at the northwest corner of California Street and West Lugonia Avenue at 1301 California Street.  Comment Period: 12/13/2023- 1/29/2024 Public Hearing: N/A	Site Plan	City of Redlands	Under review, may submit comments
<i>Retail</i> <b>LAC231201-03</b> 20401 Ventura Boulevard Project	The project consists of demolishing an existing building and constructing a 158,317 square foot building that includes a 156,917 square foot climate-controlled storage for household goods, a 1,015 square foot office space, 1,400 square foot commercial and retail spaces, and a parking lot. The project is located at 20401 Ventura Boulevard in Woodland Hills.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-03.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-03.pdf</a>  Comment Period: 11/22/2023- 12/22/2023 Public Hearing: 12/12/2023	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Comment letter sent on 12/22/2023

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<i>Retail</i> <b>LAC231206-10</b> 1811 Sacramento Project	The project consists of demolishing 40,479 square feet of warehouses, and constructing 277,700 square feet of office space, 8,000 square feet of restaurant space, 5,200 square feet of retail space, and 41,500 square feet of outdoor areas on 1.71 acres. The project is located at the northwest corner of Wilson Street and Sacramento Street at 1727 to 1829 East Sacramento Street.  Comment Period: 11/30/2023- 12/20/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent
<i>Retail</i> <b>LAC231221-08</b> ZA-2022-2222-ZV Project	The project consists of demolishing a duplex and constructing an 11,800 square foot auto body repair with spray-painted booth and office. The project is located southwest of Woodley Avenue and Cantlay Street at 16118 to 16122 West Cantlay Street in Van Nuys.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/LAC231221-08.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/LAC231221-08.pdf</a>  Comment Period: 12/21/2023- 1/22/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Comment letter sent on 1/17/2024
<i>Retail</i> <b>ORC231201-09</b> SCIND Batavia Point, LLC Batavia Self-Storage Project	The project consists of demolishing two light manufacturing buildings and a covered storage area to construct three self-storage buildings totaling 133,372 square feet on 3.22 acres. The project is located at 630 North Batavia Street.  Comment Period: 11/17/2023- 12/7/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent
<i>Retail</i> <b>RVC231201-01</b> Richardson's RV PP2023-0573	The project consists of demolishing two buildings totaling 1,800 square feet and constructing a 6,204 square foot RV sales office building and 3,939 square foot maintenance building. The project is located southwest of East 6th Street and Xenia Avenue at 1451 and 1463 East 6th Street.  Comment Period: 11/28/2023- 12/7/2023 Public Hearing: 12/7/2023	Site Plan	City of Beaumont	Document reviewed - No comments sent

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PROJECT TITLE				
<i>Retail</i> <b>RVC231201-05</b> PS Containers Development	The project consists of developing a 2.18-acre property into an outdoor storage yard for containerized and pod storage. The project is located on the northeast corner of Dillon Road and Cabot Road.  Comment Period: 11/22/2023- 12/12/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Desert Hot Springs	Document reviewed - No comments sent
<i>Retail</i> <b>RVC231201-13</b> Tentative Parcel Map (PEN20-0045), Master Plot Plan (PEN21-0074), Plot Plan (PEN20-0047), Conditional Use Permits (PEN20-0049, PEN20-0050, PEN20-0051, and PEN20-0053)	The project consists of constructing a 9.3-acre commercial center to be utilized with a combination of retail, restaurant, fueling station, car wash, and three drive thru restaurants. The project is located on the northwest corner of Nason Street and Fir Avenue.  Comment Period: 11/20/2023 - 1/11/2024 Public Hearing: 1/11/2024	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Moreno Valley	Document reviewed - No comments sent
<i>Retail</i> <b>RVC231212-02</b> Rubidoux Carwash/ Retail Complex MA23047 - SDP23044 & TPM38681	The project consists of constructing three retail buildings totaling 21,063 square feet and a 3,692 square foot car wash. The project is located northeast of 30th Street and Rubidoux Boulevard.  Comment Period: 12/8/2023 - 12/22/2023 Public Hearing: N/A	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent

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<b>Retail</b> <b>SBC231221-06</b> Bloomington Gas Station, Restaurant, and Commercial Center	The project consists of a zone change from rural living to general commercial and a conditional use permit for the construction of a convenience store, gas station, car wash, restaurant, and commercial center on 3.97 acres. The project is located on the northwest corner of Cedar Avenue and San Bernardino Avenue.  Comment Period: 12/18/2023- 1/18/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	San Bernardino County	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231201-04</b> Tentative Tract Map No. 83733	The project consists of subdividing a property to construct two residential units. The project is located at 423 North McPherrin Avenue.  Comment Period: 11/15/2023- 11/29/2023 Public Hearing: N/A	Site Plan	City of Monterey Park	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231201-06</b> Foster Bridge and Bluff Community Residential Project	The project consists of constructing 33 residential units on 1.29 acres. The project is located at the northwest corner of Foster Bridge Boulevard and Suva Street at 7360 Foster Bridge Boulevard.  Comment Period: 11/21/2023- 12/21/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Downey	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231201-14</b> 1000 North La Brea Avenue Project	The project consists of demolishing existing structures and constructing 514 residential units and 30,000 square feet of retail use on 0.99 acres. The project is located at the northwest corner of La Brea Avenue and Romaine Street at 1000 through 1028 North La Brea Avenue in West Hollywood.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-14.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-14.pdf</a>  Comment Period: 11/23/2023- 12/23/2023 Public Hearing: 11/30/2023	Notice of Preparation	City of West Hollywood	Comment letter sent on 12/22/2023

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<i>General Land Use (residential, etc.)</i> <b>LAC231206-06</b> Monroe Specific Plan and Development Project	The project consists of demolishing existing commercial uses on 1.6 acres, and constructing a mixed-use building that includes 200 residential units and 5,143 square feet of commercial use. The project is located at the southwest corner of South Myrtle Avenue and Olive Avenue.  Comment Period: 12/4/2023- 1/4/2024      Public Hearing: 1/3/2024	Notice of Preparation	City of Monrovia	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>LAC231213-04</b> Normandie Crossing Specific Plan Project#	The project consists of removing existing onsite structures and constructing 403 residential units on 5.3 acres. The project is located on the northwest corner of Normandie Avenue and West 170th Street within the designated AB 617 Wilmington, Carson, West Long Beach community. Reference LAC230516-02  Comment Period: 12/4/2023- 1/20/2024      Public Hearing: N/A	Draft Environmental Impact Report	City of Gardena	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>LAC231214-01</b> Future Street Single-Family Development ENV-2016-4999-MND	The project consists of constructing one 2,502.09 square foot residential unit on 6,470.2 square feet and one 2,508.34 square foot residential unit on 6,626.1 square feet. The project is located north of Future Street and south of West Kilbourn Street.  Comment Period: 12/14/2023- 1/16/2024      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>LAC231221-03</b> Oak Park Monrovia Specific Plan Project	The project consists of redeveloping existing senior and affordable housing units into 269 residential units. The project is located on the southeast corner of West Colorado Boulevard and South Primrose Avenue.  Comment Period: 12/14/2023- 1/15/2024      Public Hearing: 1/11/2024	Notice of Preparation	City of Monrovia	Document reviewed - No comments sent

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<b>General Land Use (residential, etc.)</b> <b>LAC231227-06</b> Ocean Avenue Project	The project consists of demolishing 44,450 square feet of existing structures and constructing a 122,400 square foot building with 120 hotel rooms and 100 residential units, 36,110 square feet of commercial uses, and 35,500 square feet of public amenities on 1.2 acres. The project is located on the northeast corner of Ocean Avenue and Santa Monica Boulevard. Reference LAC220705-01, LAC200519-01 and LAC190102-06  Comment Period: 12/27/2023 - 1/8/2024 Public Hearing: 1/8/2024	Notice of a Public Hearing	City of Santa Monica	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231227-11</b> Tentative Tract Map No. 84058	The project consists of subdividing a property for air rights to construct four residential units. The project is located southwest of East Newmark Avenue and South Sefton Avenue at 345 South Sefton Avenue.  Comment Period: 12/27/2023 - 1/9/2024 Public Hearing: N/A	Site Plan	City of Monterey Park	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>ORC231201-17</b> General Plan Amendment No. 0004-22, Zone Change No. 1307-22, Tentative Tract Map No. 0051-22, Major Site Plan Review No. 1111-22, Design Review No. 5092-22, Administrative Adjustment No. 0293-23 - Intracorp Residential Project	The project consists of demolishing all site improvements to redevelop an existing 2.71-acre commercial site with 49 residential units. The project is located at the northeast corner of North Cambridge Street and East Katella Avenue. Reference ORC231115-03  Comment Period: 11/29/2023- 12/6/2023 Public Hearing: 12/6/2023	Notice of Availability of a Draft Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent

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PROJECT TITLE				
<b>General Land Use (residential, etc.)</b> <b>ORC231201-21</b> Orangethorpe/Placentia Mixed Use Project	The project consists of constructing 248 residential units, 3,000 square feet of retail use, and a parking structure on 2.72 acres. The project is located at 776 South Placentia Avenue and 777 West Orangethorpe Avenue.  Comment Period: 11/29/2023 - 1/4/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Placentia	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>ORC231227-10</b> Craig Homes Project	The project consists of constructing 19,939 square feet of building space for 12 residential units. The project is located southwest of Beach Boulevard and Craig Avenue at 7682, 7692, 7712, and 7722 Craig Avenue.  Comment Period: 12/22/2023- 1/16/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Buena Park	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>RVC231201-10</b> Golden Meadows	The project consists of amending the Zoning Code to support the increase in residential density and modifying the Tentative Tract Map No. 31194 to increase the number of residential lots from 161 to 240. The project is located southwest of Garbani Road and Kurt Street. Reference RVC231101-16, RVC230131-06 and RVC210525-02  Comment Period: 11/29/2023- 12/6/2023 Public Hearing: 12/6/2023	Final Environmental Impact Report	City of Meniffee	Document reviewed - No comments sent

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<i>General Land Use (residential, etc.)</i> <b>RVC231201-18</b> General Plan Amendment (PEN20-0095), Change of Zone (PEN20-0096), Conditional Use Permit for a Planned Unit Development (PEN21-0066), and Tentative Tract Map No. 38459 (PEN22-0127)	The project consists of subdividing 32.56 acres into 16.59 acres for 108 residential units, 15.97 acres for an additional 108 residential units, and 0.89 acre for a park. The project is located near the northeast corner of Morton Road and Jennings Court. Reference RVC230901-03 and RVC230308-06  <p align="center">Comment Period: 11/29/2023- 12/5/2023                                  Public Hearing: 12/5/2023</p>	Final Mitigated Negative Declaration	City of Moreno Valley	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>RVC231201-20</b> MA22246 - TTM38561	The project consists of subdividing 2.35 acres into 7 residential lots. The project is located at 7837 Galena Street.  <p align="center">Comment Period: 11/29/2023- 12/15/2023                                  Public Hearing: N/A</p>	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>RVC231226-01</b> 60 Palm Avenue Apartments	The project consists of constructing 42 residential units with a 20,362 square foot building area on 2.08 acres. The project is located on the southeast corner of Palm Avenue and 1st Street.  <p align="center">Comment Period: 12/21/2023- 1/11/2024                                  Public Hearing: N/A</p>	Site Plan	City of Beaumont	Document reviewed - No comments sent

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<b>General Land Use (residential, etc.)</b> <b>RVC231226-02</b> Tentative Tract Map No. 38766 (PLN23-0246), Major Plot Plan No. PLN23-0247	The project consists of subdividing one parcel into 66 parcels and constructing 66 residential units on approximately 20 acres. The project is located at the northwest corner of Garbani Road and Evans Road.  Comment Period: 12/21/2023- 1/17/2024    Public Hearing: N/A	Site Plan	City of Menifee	Under review, may submit comments
<b>General Land Use (residential, etc.)</b> <b>RVC231227-01</b> Menifee Valley Specific Plan	The project consists of constructing 1,718 residential units, 275.5 acres of business park uses, 32.1 acres of commercial uses, 33.3 acres of public facilities, 19.6 acres of roadway improvements, and 44.5 acres of open space on 590.3 acres. The project is located on the northeast corner of Matthews Road and Menifee Road. Reference RVC231025-01, RVC220308-07, RVC211015-01, RVC190821-04, and RVC180823-02  Staff previously provided comments on the Draft Environmental Impact Report and the Notice of Preparation for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231025-01.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231025-01.pdf</a> and <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/march/RVC220308-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment- letters/2022/march/RVC220308-07.pdf</a> .  Comment Period: 12/27/2023- 1/10/2024    Public Hearing: 1/10/2024	Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>RVC231227-07</b> Catana Specific Plan	The project consists of constructing 310 residential units on 36 acres. The project is located at the northwest corner of Ramon Road and Rattler Road.  Comment Period: 12/22/2023- 1/22/2024    Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Rancho Mirage	Document reviewed - No comments sent

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<i>General Land Use (residential, etc.)</i> <b>RVC231227-08</b> 8-Lot Subdivision (Tentative Tract Map 38447)0	The project consists of subdividing 5.04 acres into eight residential lots and four lettered lots. The project is located on the southwest corner of Via Florencia and Via Josefina.  Comment Period: 12/22/2023- 1/22/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Rancho Mirage	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>SBC231206-05</b> The Neighborhoods at Lugonia Village Project	The project consists of subdividing the Project site into three parcels to facilitate the development of 541 residential units on 24.4 acres. The project is located on the northwest corner of West Lugonia Avenue and Karon Street.  Comment Period: 12/6/2023- 1/4/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Redlands	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>SBC231213-05</b> Yucaipa Valley Wine Country Specific Plan	The project consists of constructing 1,091 residential units and 465.5 acres of vineyards and wineries on a total of 1,093.6 acres. The project is bounded by the San Bernardino mountains to the north, Martell Avenue to the east, Oak Glen Road to the south, and Fremont Street to the west. Reference SBC220719-04  Comment Period: 12/8/2023- 1/22/2024 Public Hearing: N/A	Draft Supplemental Environmental Impact Report	City of Yucaipa	Document reviewed - No comments sent
<i>Plans and Regulations</i> <b>LAC231205-01</b> Section 368 Energy Corridors	The project consists of amending the Resource Management Plan for seven designated Section 368 energy corridors that include Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. The project is located in various locations including a portion that is bordered by Battle Mountain District to the north, Arizona Strip District to the east, Phoenix District to the south, and Los Padres to the west.  Comment Period: 12/1/2023- 2/2/2024 Public Hearing: 1/9/2024	Other	Bureau of Land Management	Document reviewed - No comments sent

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**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b><i>Plans and Regulations</i></b> <b>LAC231206-01</b> City of Montebello General Plan and Downtown Montebello Specific Plan#	<p>The project consists of updating the City’s General Plan and the Downtown Montebello Specific Plan to develop policies, goals, and guidelines for housing, land use, transportation, and economic development elements. The project encompasses 8.37 square miles and is bounded by State Route 60 to the north, Rosemead Boulevard to the east, Interstate 5 to the south, and Commerce to the west. The project is also located in the designated AB 617 East Los Angeles, Boyle Heights, and West Commerce community. Reference LAC230613-05</p> <p>Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/LAC230613-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/LAC230613-05.pdf</a>.</p> <p style="text-align: center;">Comment Period: 12/4/2023- 1/17/2024    Public Hearing: N/A</p>	Notice of Availability of a Draft Environmental Impact Report	City of Montebello	Document reviewed - No comments sent
<b><i>Plans and Regulations</i></b> <b>LAC231219-02</b> Lomita General Plan Update	<p>The project consists of updating the Lomita General Plan by including land use, circulation, housing, conservation, open space, noise, safety, and environmental justice elements. The project is bounded by the City of Torrance to the north and west, the City of Los Angeles to the east, the City of Rolling Hills Estates on the southwest, and the City of Rancho Palos Verdes on the southeast.</p> <p style="text-align: center;">Comment Period: 12/13/2023- 1/26/2024    Public Hearing: 1/11/2024</p>	Notice of Preparation	City of Lomita	Under review, may submit comments
<b><i>Plans and Regulations</i></b> <b>LAC231219-03</b> City of Irwindale Housing Element and General Plan Update	<p>The project consists of updating the Housing and Safety Elements and adding a new Environmental Justice Element into the General Plan. The project is generally bounded by Duarte to the north, Azusa to the east, Baldwin Park to the south, and Monrovia to the west.</p> <p><a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/LAC231219-03.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2024/january-2024/LAC231219-03.pdf</a></p> <p style="text-align: center;">Comment Period: 12/14/2023- 1/13/2024    Public Hearing: N/A</p>	Notice of Preparation	City of Irwindale	Comment letter sent on 1/11/2024

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Notes:  
1. Disposition may change prior to Governing Board Meeting  
2. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW  
December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><b><i>Plans and Regulations</i></b> <b>ORC231212-07</b> La Habra 2035 General Plan Amendments</p>	<p>The project consists of amending the La Habra 2035 General Plan that includes the Community Development Element, Community Safety Element, and a new Environmental Justice component. The project is located throughout La Habra.</p> <p style="text-align: center;">Comment Period: 10/6/2023 - 12/11/2023      Public Hearing: 12/11/2023</p>	Other	City of La Habra	Document reviewed - No comments sent
<p><b><i>Plans and Regulations</i></b> <b>ORC231227-09</b> General Plan Amendment, Zone Change, Specific Plan Amendment and Objective Design and Development Standards (ODDS) to Implement the Housing Incentive Overlays (HIO) - Programs 11, 12, and 16 of the 2021-2029 Housing Element</p>	<p>The project consists of amending the General Plan Land Use Map to address the shortfall of sites to accommodate the City's Regional Housing Need Allocation. The project is located throughout the City of Buena Park. Reference ORC211109-06</p> <p style="text-align: center;">Comment Period: 12/20/2023 - 1/22/2024      Public Hearing: 1/24/2024</p>	Notice of Intent to Adopt a Negative Declaration	City of Buena Park	Document reviewed - No comments sent
<p><b><i>Plans and Regulations</i></b> <b>RVC231206-07</b> West Valley Campus Development Plan Amendment No. 1</p>	<p>The project consists of amending the West Valley Campus Development Plan Project to accommodate an enrollment of 3,000 full-time students by developing up to 330,000 square feet of functional space. The project is located at the southwest corner of Tahquitz Canyon Way and Farrell Drive in the City of Palm Springs.</p> <p style="text-align: center;">Comment Period: 12/6/2023 - 1/5/2024      Public Hearing: N/A</p>	Notice of Preparation	College of the Desert	Document reviewed - No comments sent

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**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> <b>RVC231212-05</b> March JPA Environmental Justice Element	This project consists of including the Environmental Justice Element as part of the March JPA General Plan. The project is located between the Cities of Moreno Valley, Perris, Riverside and the County of Riverside.  Comment Period: N/A Public Hearing: N/A	Other	March Joint Powers Authority	Document reviewed - No comments sent
<i>Plans and Regulations</i> <b>RVC231227-05</b> Code Amendment LR23-0012 - Development Code update to comply with State law and to implement the City's 6th Cycle, 2021-2029 Housing Element	The project consists of amending the Development Code to support greater housing opportunity. The project is located throughout the City of Menifee.  Comment Period: 12/27/2023 - 1/17/2024 Public Hearing: 1/17/2024	Notice of a Public Hearing	City of Menifee	Document reviewed - No comments sent
<i>Plans and Regulations</i> <b>SBC231221-05</b> Oasis at Glen Helen Parkway	The project consists of constructing 202,900 square feet of commercial and retail uses on 32.2 acres. The project is located near the northeast corner of Interstate 15 and Glen Helen Parkway in Rialto. Reference SBC230621-01  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/SBC230621-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/SBC230621-01.pdf</a> .  Comment Period: 12/21/2023 - 2/5/2024 Public Hearing: N/A	Draft Subsequent Environmental Impact Report	San Bernardino County	Document reviewed - No comments sent

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**ATTACHMENT B**  
**ACTIVE PROJECTS WITH CONTINUED REVIEW OF ENVIRONMENTAL DOCUMENTS PREPARED BY**  
**OTHER PUBLIC AGENCIES**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231122-03</b> Distribution Park Commercial and Industrial Project	The project consists of subdividing two parcels into four to construct one hotel, two restaurants, and a 275,098 square foot warehouse with 8,000 square feet of office space and trailer parking. The project is located north of East Dawes Street, east of Painted Canyon Street, south of Ramona Expressway, and west of the Camper Resorts of America facility.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231122-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231122-03.pdf</a>  Comment Period: 11/17/2023 - 12/18/2023                      Public Hearing: 12/6/2023	Notice of Preparation	City of Perris	Comment letter sent on 12/18/2023
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231122-04</b> Waypoint Commerce Center Project	The project consists of constructing a 200,000 square foot warehouse on 9.2 acres and a 152,177 square foot warehouse on 6.98 acres. The project is located north of Mountain Avenue, south of Malbert Street, and west of Goetz Road.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231122-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231122-04.pdf</a>  Comment Period: 11/17/2023 - 12/18/2023                      Public Hearing: 12/6/2023	Notice of Preparation	City of Perris	Comment letter sent on 12/18/2023
<b>Industrial and Commercial</b> <b>LAC231012-01</b> Berth 191-194 (ECOCEM) Low-Carbon Cement Processing Facility Project#	The project consists of constructing a new processing facility that would import raw materials by ship and truck, temporarily store and process them to produce a low-carbon binder, and load third-party trucks that would transport the product to local consumers. The project is located at 100 Yacht Street in Wilmington within the designated AB 617 Wilmington, Carson, West Long Beach community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231012-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231012-01.pdf</a>  Comment Period: 10/12/2023 - 12/11/2023                      Public Hearing: 11/1/2023	Draft Environmental Impact Report	City of Los Angeles Harbor Department	Comment letter sent on 12/8/2023

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**ATTACHMENT B**  
**ACTIVE PROJECTS WITH CONTINUED REVIEW OF ENVIRONMENTAL DOCUMENTS PREPARED BY**  
**OTHER PUBLIC AGENCIES**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Industrial and Commercial</b> <b>SBC231101-10</b> Assembly and Light Manufacturing Building Project	The project consists of constructing a 173,000 square foot building for assembly and light manufacturing use on 9.2 acres. The project is located southwest of Barton Road and La Crosse Avenue at 21801 and 21823 Barton Road.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/sbc231101-10.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/sbc231101-10.pdf</a>  Comment Period: 10/26/2023 - 12/5/2023                                  Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Grand Terrace	Comment letter sent on 12/5/2023
<b>Waste and Water-related</b> <b>SBC231108-08</b> Mountain Square Cleaners	The project consists of installing three soil vapor extraction system wells to remove volatile organic compounds from the soil. The project is located near the northeast corner of South Mountain Avenue and the State Route 10 at 384 and 386 South Mountain Avenue in Upland.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/SBC231108-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/SBC231108-08.pdf</a>  Comment Period: 11/10/2023 - 12/12/2023                                  Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	Comment letter sent on 12/12/2023
<b>Institutional (schools, government, etc.)</b> <b>SBC231122-15</b> Ontario Regional Sports Complex	The project consists of constructing 540,750 square feet of commercial building space, 450,000 square feet of stadium space, and 272,000 square feet of parking structures. The project is located near the northeast corner of Vineyard Avenue and Chino Avenue. Reference SBC230920-10  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231101-14.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231101-14.pdf</a>  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/SBC230920-10.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/october-2023/SBC230920-10.pdf</a> .  Comment Period: 11/14/2023 - 12/15/2023                                  Public Hearing: 12/6/2023	Notice of Preparation	City of Ontario	Comment letter sent on 12/15/2023
<b>General Land Use (residential, etc.)</b> <b>LAC231122-05</b> Downtown Burbank Transit-Oriented Development (TOD) Specific Plan	The project consists of constructing up to 9,944 residential units, 6,083,657 square feet of commercial and industrial development, a hotel, utilities infrastructure upgrades within 965 acres. The project is bounded by North 5th Street to the north, Linden Court to the east, and Mariposa Street to the west.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231122-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231122-05.pdf</a>  Comment Period: 11/16/2023 - 12/15/2023                                  Public Hearing: 11/30/2023	Notice of Preparation	City of Burbank	Comment letter sent on 12/15/2023

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**ATTACHMENT B**  
**ACTIVE PROJECTS WITH CONTINUED REVIEW OF ENVIRONMENTAL DOCUMENTS PREPARED BY**  
**OTHER PUBLIC AGENCIES**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><i>Plans and Regulations</i></p> <p><b>RVC231101-14</b> Eastvale 2040 General Plan Update</p>	<p>The project consists of updating the City’s General Plan elements and strategies for land use, circulation, conservation, open space, noise, safety, housing, environmental justice, economic development, public health, and sustainability with a planning horizon of 2040 on 13.12 square miles. The project is bounded by the City of Ontario to the north, Jurupa Valley to the east, cities of Norco and Corona to the south, and City of Chino Hills to the west. Reference RVC220809-08</p> <p><a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231101-14.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231101-14.pdf</a></p> <p>Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/august/RVC220809-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment- letters/2022/august/RVC220809-08.pdf</a>.</p> <p style="text-align: center;">Comment Period: 10/31/2023 - 12/15/2023</p>	<p>Draft Environmental Impact Report</p>	<p>City of Eastvale</p>	<p>Comment letter sent on 12/15/2023</p>

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**ATTACHMENT C**  
**PROPOSED AIR PERMIT PROJECTS FOR**  
**WHICH SOUTH COAST AQMD IS CEQA LEAD**  
**AGENCY THROUGH DECEMBER 31, 2023**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>The Draft EIR was released for a 124-day public review and comment period from October 14, 2021 to February 15, 2022 and approximately 200 comment letters were received.</p> <p>Staff held two community meetings, on November 10, 2021 and February 9, 2022, 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 community meetings, along with responses will be included in the Final EIR which is currently being prepared by the consultant.</p> <p>After the Draft EIR public comment and review period closed, Quemetco submitted additional applications for other permit modifications which are also being evaluated by staff.</p>	<p>Trinity Consultants</p>
<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 emission flares with two additional 300-horsepower 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, health risk assessment (HRA), and Preliminary Draft SEIR which are currently being addressed by the consultant.</p>	<p>SCS Engineers</p>
<p>Tesoro is proposing to modify its Title V permit to: 1) add gas oil as a commodity that can be stored in three of the six new crude oil storage tanks at the Carson Crude Terminal (previously assessed in the May 2017 Final EIR); and 2) drain, clean and decommission Reservoir 502, a 1.5 million barrel concrete lined, wooden-roof topped reservoir used to store gas oil.</p>	<p>Tesoro Refining &amp; Marketing Company, LLC (Tesoro)</p>	<p>Addendum to the Final Environmental Impact Report (EIR) for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC)</p>	<p>South Coast AQMD staff reviewed and provided comments on the Preliminary Draft Addendum, which are currently being addressed by the consultant.</p>	<p>Environmental Audit, Inc.</p>

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 16

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2024.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

SLR:MK:IM:JA:ZS

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## 2024 MASTER CALENDAR

The 2024 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 an AQMP, either the 2016 AQMP or 2022 AQMP, when adopted, Toxics, AB 617 (for BARCT) or measures identified in an AB 617 Community Emission Reduction Plan (CERP), SIP to address comments or actions from U.S. EPA for a rule that is in an approved SIP, or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP or 2022 AQMP when adopted, 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.

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 is being moved from April to August 2024 to allow additional time for staff to work with stakeholders on rule proposal.	

## 2024 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
April		
1118* <sup>+</sup>	<p><b>Control of Emissions from Refinery Flares</b>  Proposed Amended Rule 1118 will seek to incorporate provisions to further reduce flaring at refineries, for clean service flares, and facility thresholds. Other proposed amendments to the rule will improve clarity and remove obsolete provisions.</p> <p style="text-align: right;"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP
1146.2# <sup>+</sup>	<p><b>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</b>  Proposed Amended Rule 1146.2 will update the 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.</p> <p style="text-align: right;"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 BARCT
1148.1* <sup>+</sup>	<p><b>Oil and Gas Production Wells</b>  Proposed Amendments to Rule 1148.1 are needed to further reduce emissions from operations and implement early leak detection, odor minimization plans, and enhanced emissions and chemical reporting from oil and drilling sites.</p> <p style="text-align: right;"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB617 CERP
May	Title and Description	Type of Rulemaking
Reg III	<p><b>Fees</b>  Regulation III, which is comprised of Rules 301, 303, 304, 304.1, 306, 307.1, 308, 309, 311, 313, 314, 315, and 316, will be amended to increase most fees to be consistent with the California Consumer Price Index as established in Rule 320.</p> <p style="text-align: right;"><i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other

\* 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



**2024 MASTER CALENDAR (Continued)**

<b>Month</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>June</b>		
301	<p><b>Permitting and Associated Fees</b>                      Proposed Amended Rule 301 will be amended to update the sections regarding Clean Air Act Nonattainment Fee collection, usage and reporting.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
317.1	<p><b>Clean Air Act Nonattainment Fees for the 8-Hour Ozone Standards</b>                      Proposed Rule 317.1 establishes the requirements and mechanism to collect penalties from major stationary sources of NO<sub>x</sub> and VOC for failure to meet the 1997 and 2008 8-hour ozone standard by the applicable attainment date in accordance with the Clean Air Act section 185.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
463	<p><b>Organic Liquid Storage</b>                      Proposed Amended Rule 463 will address the current test method and improve the effectiveness, enforceability, and clarity of the rule. Proposed amendments may also be needed to ensure consistency with Rule 1178.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP Other
<b>August</b>		
1135 <sup>+</sup>	<p><b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b>                      Proposed Amended Rule 1135 will modify provisions for electricity generating units at Santa Catalina Island to reflect a revised BARCT assessment.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 BARCT

\* 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

**2024 MASTER CALENDAR (Continued)**

<b>Month</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>Third Quarter</b>		
1159.1 <sup>#</sup>	<p><b>Control of NOx Emissions from Nitric Acid Tanks</b>                      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.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 BARCT
1173 <sup>+</sup>	<p><b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b>                      Proposed Amended Rule 1173 will further reduce emissions from petroleum and chemical plants by requiring early leak detection approaches.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP
1445*	<p><b>Control of Toxic Emissions from Laser Arc Cutting</b>                      Proposed Rule 1445 will establish requirements to reduce hexavalent chromium and other metal toxic air contaminant particulate emissions from laser arc cutting.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / AB 617 CERP
2306* <sup>+</sup> 316.2	<p><b>Intermodal Railyard Indirect Source Rule Fees for Rule 2306</b>                      Proposed Rule 2306 will establish requirements to minimize emissions from indirect sources associated with new and existing railyards. Proposed Rule 316.2 will establish fees to recover the South Coast AQMD's anticipated cost of implementing Proposed Rule 2306.  <i>Elaine Shen 909.396.2715; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP
<b>Fourth Quarter</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
1111	<p><b>Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces</b>                      Proposed Amended Rule 1111 will implement the 2022 AQMP control measure R-CMB-02 requiring zero emission residential space heating.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
1121*	<p><b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b>                      Proposed amendments may be needed to further reduce NOx emissions from water heaters.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</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

**2024 MASTER CALENDAR (Continued)**

<b>Month</b>	<b>Title and Description</b>	<b>Type of Rulemaking</b>
<b>Fourth Quarter</b>		
1165	<p><b>Control of Emissions from Incinerators</b>  Proposed Rule 1165 will establish emission standards, source testing, and monitoring, recordkeeping, and reporting requirements for incinerators.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / Other
1401	<p><b>New Source Review of Toxic Air Contaminants</b>  Proposed Amended Rule 1401 will amend Table 1 to include new toxic air contaminants identified by California Office of Environmental Health Hazard Assessment (OEHHA).  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
Regulation XIII*#	<p><b>New Source Review</b>  Proposed Amended Regulation XIII will revise New Source Review provisions to address facilities that are transitioning from RECLAIM to a command-and-control regulatory structure 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.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
Regulation XX*#	<p><b>RECLAIM</b>  Proposed Amended Regulation XX will address the transition of NOx RECLAIM facilities to a command-and-control regulatory structure.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
2304*+  316.1	<p><b>Indirect Source Rule for Commercial Marine Ports – Container Terminals</b>  <b>Fees for Rule 2304</b>  Proposed Rule 2304 will establish requirements to reduce emissions from indirect sources related to marine ports. Proposed Rule 316.1 will establish fees to recover the South Coast AQMD’s anticipated cost of implementing Proposed Rule 2304.  <i>Elaine Shen 909.396.2715; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP

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

## 2024 To-Be-Determined

2024	Title and Description	Type of Rulemaking
102	<p><b>Definition of Terms</b> Proposed amendments may be needed to update and add definitions, and potentially modify exemptions. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
103	<p><b>Definition of Geographical Areas</b> Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
209	<p><b>Transfer and Voiding of Permits</b> Proposed amendments may be needed to clarify requirements for change of ownership and permits and the assessment of associated fees. <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
223	<p><b>Emission Reduction Permits for Large Confined Animal Facilities</b> Proposed Amended Rule 223 will seek additional ammonia emission reductions from large, confined animal facilities by lowering the applicability threshold. Proposed amendments will implement BCM-04 in the 2016 AQMP. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
403	<p><b>Fugitive Dust</b> Proposed Amended Rule 403 will seek to remove outdated provisions and clarify existing provisions to enhance compliance. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
403.1	<p><b>Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources</b> Proposed Amended Rule 403.1 will clarify existing requirements for dust control and remove outdated provisions contained in supporting documents for Rule 403.1. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
407 <sup>#</sup>	<p><b>Liquid and Gaseous Air Contaminants</b> Proposed Amended Rule 407 will update SO<sub>x</sub> emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
410	<p><b>Odors from Transfer Stations and Material Recovery Facilities</b>                      Proposed Amended Rule 410 will clarify existing provisions. Additional provisions may be needed to address activities associated with diversion of food waste to transfer stations or material recovery facilities.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
425	<p><b>Odors from Cannabis Processing</b>                      Proposed Rule 425 will establish requirements for control of odors from cannabis processing.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
430	<p><b>Breakdown Provisions</b>                      Amendments to Rule 430 will be needed to 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.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	RECLAIM / Other
431.1 <sup>#</sup>	<p><b>Sulfur Content of Gaseous Fuels</b>                      Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT / AB 617 CERP
431.2 <sup>#</sup>	<p><b>Sulfur Content of Liquid Fuels</b>                      Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT / AB 617 CERP
431.3 <sup>#</sup>	<p><b>Sulfur Content of Fossil Fuels</b>                      Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT / AB 617 CERP
444	<p><b>Open Burning</b>                      Amendments may be needed to clarify existing provisions.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
445 <sup>*</sup>	<p><b>Wood Burning Devices</b>                      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.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
461	<p><b>Gasoline Transfer and Dispensing</b>                      Amendments to Rule 461 may be needed to address potential regulatory gaps.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
462	<p><b>Organic Liquid Loading</b>                      Proposed Amended Rule 462 will incorporate the use of advanced techniques to detect fugitive emissions and Facility Vapor Leak. Other amendments may be needed to streamline implementation and add clarity.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
468 <sup>#</sup>	<p><b>Sulfur Recovery Units</b>                      Proposed Amended Rule 468 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT
469 <sup>#</sup>	<p><b>Sulfuric Acid Units</b>                      Proposed Amended Rule 469 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT
1101 <sup>#</sup>	<p><b>Secondary Lead Smelters/Sulfur Oxides</b>                      Proposed Amended Rule 1101 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT
1102	<p><b>Dry Cleaners Using Solvent Other Than Perchloroethylene</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 CERP
1105 <sup>#</sup>	<p><b>Fluid Catalytic Cracking Units SOx</b>                      Proposed Amended Rule 1105 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT / AB 617 CERP

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1107	<p><b>Coating of Metal Parts and Products</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1108	<p><b>Cutback Asphalt</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1108.1	<p><b>Emulsified Asphalt</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics/ Other
1110.2*+ #	<p><b>Emissions from Gaseous- and Liquid-Fueled Engines</b>  Proposed amendments will address use of emergency standby engines, incorporate possible comments by U.S. EPA for approval into the SIP, and address monitoring provisions for new engines.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 BARCT
1110.4	<p><b>Emissions from Emergency Generators</b>  Proposed Rule 1110.4 will establish and revise rule provisions to reduce NOx, CO, and PM emissions from emergency generators.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other / AQMP
1113	<p><b>Architectural Coatings</b>  Proposed amendments may be needed to address delisted compounds and other amendments to improve clarity and to remove obsolete provisions.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
1114	<p><b>Petroleum Refinery Coking Operations</b>  Proposed Amended Rule 1114 will seek to add notification requirements when coke particles, liquid and/or gas is ejected from the coke drum during cutting.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1119 <sup>#</sup>	<p><b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b>                      Proposed Amended Rule 1119 will update SOx emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AB 617 BARCT / AB 617 CERP
1122	<p><b>Solvent Degreasers</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1124	<p><b>Aerospace Assembly and Component Manufacturing Operations</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1125	<p><b>Metal Container, Closure, and Coil Coating Operations</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1126	<p><b>Magnet Wire Coating Operations</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1128	<p><b>Paper, Fabric, and Film Coating Operations</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1130	<p><b>Graphic Arts</b>                      Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other

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



**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1130.1	<p><b>Screen Printing Operations</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1133.3	<p><b>Emission Reductions from Greenwaste Composting Operations</b>  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.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
1136	<p><b>Wood Products Coatings</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1138 <sup>+</sup>	<p><b>Control of Emissions from Restaurant Operations</b>  Proposed Amended Rule 1138 will further reduce emissions from underfired charboilers.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP
1142	<p><b>Marine Tank Vessel Operations</b>  Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations, applicability, noticing requirements, and provide clarifications.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
1143	<p><b>Consumer Paint Thinners and Multi-Purpose Solvents</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1144	<p><b>Metalworking Fluids and Direct-Contact Lubricants</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1145	<p><b>Plastic, Rubber, Leather, and Glass Coatings</b>  Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1146	<p><b>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b></p> <p>Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA.</p> <p align="center"><i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
1146.1 <sup>#</sup>	<p><b>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b></p> <p>Proposed amendments to Rule 1146.1 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA.</p> <p align="center"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
1151	<p><b>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations</b></p> <p>Proposed Amended Rule 1151 will provide clarifications of current requirements and amend provisions to address implementation issues.</p> <p align="center"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other / AB 617 CERP
1162	<p><b>Polyester Resin Operations</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p align="center"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1166	<p><b>Volatile Organic Compound Emissions from Decontamination of Soil</b></p> <p>Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other
1171	<p><b>Solvent Cleaning Operations</b></p> <p>Proposed Amendments to Rule 1171 may be needed to address certain exempt chemicals and compliance issues.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1174	<p><b>Control of Volatile Organic Compound Emissions from the Ignition of Barbecue Charcoal</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p align="center"><i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / Other

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1176	<p><b>VOC Emissions from Wastewater Systems</b>  Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of “Industrial Facilities,” and streamline and clarify provisions.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other / AB 617 CERP
1186.1, 1191, 1192, 1193, 1194, 1195, 1196* <sup>+</sup>	<p><b>Fleet Rules</b>  Proposed amendments to Rules 1186.1, 1191, 1192, 1193, 1194, 1195, 1196 will seek to align South Coast AQMD fleet rules with CARB’s final Advanced Clean Fleets regulation should it be adopted.  <i>Vicki White 909.396.3436; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / Other
1403*	<p><b>Asbestos Emissions from Demolition/Renovation Activities</b>  Proposed Amended Rule 1403 will enhance implementation, improve rule enforceability, update provisions, notifications, exemptions, and align provisions with the applicable U.S. EPA National Emission Standard for Hazardous Air Pollutants (NESHAP) and other state and local requirements as necessary.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1404	<p><b>Hexavalent Chromium Emissions from Cooling Towers</b>  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.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / AQMP
1411	<p><b>Recovery or Recycling of Refrigerants from Motor Vehicle Air Conditioners</b>  Proposed Amended Rule 1411 seeks amendments to coincide with Section 609 of the Clean Air Act.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1415 1415.1	<p><b>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</b>  Proposed Amended Rules 1415 and 1415.1 will align requirements with the proposed CARB Refrigerant Management Program and U.S. EPA’s Significant New Alternatives Policy Rule provisions relative to prohibitions on specific hydrofluorocarbons.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Other

\* Potentially significant hearing

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**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1420	<p><b>Emissions Standard for Lead</b>  Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Other provisions may be needed to address storage and handling requirements, and revise closure requirements.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1420.1	<p><b>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities</b>  Proposed Amendments are needed to update applicable test methods and provide clarifications regarding submittal of a source-test protocol. Additional amendments may be needed to address monitoring and post closure requirements.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1420.2	<p><b>Emission Standards for Lead from Metal Melting Facilities</b>  Proposed Amended Rule 1420.2 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Additional amendments may be needed to address monitoring and post closure requirements.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1420.3	<p><b>Emissions Standards for Lead from Firing Ranges</b>  Proposed Rule 1420.3 will establish requirements to address lead emissions from firing ranges.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / Other
1426.1	<p><b>Hexavalent Chromium Emissions from Metal Finishing Operations</b>  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.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics

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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1435*	<p><b>Control of Toxic Air Contaminant Emissions from Metal Heating Operations</b>                      Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements.</p> <p align="right"><i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP
1450*	<p><b>Control of Methylene Chloride Emissions</b>                      Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.</p> <p align="right"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1455	<p><b>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding</b>                      Proposed Rule 1455 will establish requirements to reduce hexavalent chromium emissions from torch cutting and welding of chromium alloys.</p> <p align="right"><i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics / AB 617 CERP
1466	<p><b>Control of Particulate Emissions from Soils with Toxic Air Contaminants</b>                      Amendments may be needed for residential cleanup projects.</p> <p align="right"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1466.1	<p><b>Control of Particulate Emissions from Demolition of Buildings</b>                      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.</p> <p align="right"><i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
1469	<p><b>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</b>                      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.  <i>Kalam Cheung 909.396.3281; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1470	<p><b>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</b>                      Proposed Amended Rule 1470 seeks to reduce NOx emissions from stationary internal combustion engines (ICEs) by replacing older ICEs with alternative cleaner technology.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / Toxics
1470.1	<p><b>Emissions from Emergency Standby Diesel-Fueled Engines</b>                      Proposed Rule 1470.1 seeks to reduce NOx emissions from emergency standby internal combustion engines (ICEs) by replacing older ICEs and requiring the use of commercially available lower emission fuels, such as renewable diesel.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / Toxics
1472	<p><b>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</b>                      Proposed Amended Rule 1472 will remove provisions that are no longer applicable, update and streamline provisions to reflect the latest OEHHA Health Risk Assessment Guidelines and assess the need for Compliance Plans.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1480.1	<p><b>Ambient Monitoring and Sampling of Gaseous Toxic Air Contaminants</b>                      Proposed Rule 1480.1 will establish requirements to conduct monitoring and sampling for those facilities identified as significant high-risk level.  <i>Heather Farr 909.396.3672; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	Toxics
1901	<p><b>General Conformity</b>                      Proposed Amended Rule 1901 will establish a new General Conformity determination process for applicable projects receiving federal funding or approval.  <i>TBD; CEQA and Socio: Barbara Radlein 909.396.2716</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

**2024 To-Be-Determined (Continued)**

2024	Title and Description	Type of Rulemaking
Regulation XX	<p><b>RECLAIM - Requirements for Oxides of Sulfur (SOx) Emissions</b>                      Amendments to Regulation XX rules to address SOx requirements at RECLAIM facilities if there is consideration to transition SOx RECLAIM to command-and-control regulatory structure.  <i>Michael Morris 909.396.3282; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	RECLAIM / Other
Regulation XXIII* <sup>+</sup>	<p><b>Facility-Based Mobile Sources</b>                      Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., facilities that attract mobile sources).  <i>Elaine Shen 909.396.2715; CEQA and Socio: Barbara Radlein 909.396.2716</i></p>	AQMP / AB 617 CERP
Regulation II, III, IV, V, VIII, XI, XIV, 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 latest risk assessment guidance; incorporate changes from OEHHA to new or revised toxic air contaminants or their risk values; address variance issues, emission limits, technology-forcing emission limits, and conflicts with other agency requirements; abate substantial endangerment to public health; apply additional reductions to meet SIP short-term measure commitments; address issues raised by U.S. EPA or CARB for the SIP or for a rule that was submitted into the SIP; and address compliance issues raised by the Hearing Board. In addition, administrative changes could be necessary for Hearing Board procedures, filings, petitions, noticing, etc. 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 measures in the 2012, 2016 or 2022 AQMP. 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, U.S. EPA’s National Emission Standards for Hazardous Air Pollutants, or to address the lead National Ambient Air Quality Standard. Rule adoption or amendments may be needed to implement AB 617 including but not limited to BARCT rules, Community Emission Reduction Plans prepared pursuant to AB 617, or new or amended rules to abate a public health issue identified through emissions testing or ambient monitoring.</p>	Other / AQMP/ Toxics / AB 617 BARCT / AB 617 CERP

\* Potentially significant hearing

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

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

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 17

REPORT: Status Report on Regulation XIII – New Source Review

SYNOPSIS: This report presents the state and federal Preliminary Determination of Equivalency for January 2022 through December 2022. The report provides information regarding the status of Regulation XIII – New Source Review in meeting state and federal NSR requirements and shows that South Coast AQMD’s NSR program is in preliminary compliance with applicable state and federal requirements from January 2022 through December 2022.

COMMITTEE: Stationary Source, January 19, 2024, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

JA:JW:DO:SKT

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### Summary

South Coast AQMD’s NSR rules and regulations are designed to ensure that emissions increases from new and modified sources do not interfere with efforts to attain and maintain the state and federal ambient air quality standards, while economic growth in the South Coast region is not unnecessarily impeded. Regulation XIII - New Source Review, regulates and accounts for all emission changes (both increases and decreases) from the permitting of new, modified, and relocated stationary sources within South Coast AQMD’s jurisdiction, excluding NO<sub>x</sub> and SO<sub>x</sub> emissions from sources that are subject to Regulation XX – Regional Clean Air Incentives Market (RECLAIM).<sup>1</sup>

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<sup>1</sup> While the RECLAIM program is different than command and control rules for NO<sub>x</sub> and SO<sub>x</sub> and provides greater regulatory flexibility to business, its NSR requirements, as specified in Rule 2005, are designed to comply with the governing principles of NSR contained in the federal Clean Air Act (CAA) and the California State Health and Safety Code.



Rule 1315 – Federal New Source Review Tracking System, was adopted by the Board on February 4, 2011, to maintain South Coast AQMD’s ability to issue permits to major sources that require offsets but obtain offset credits from South Coast AQMD’s Priority Reserve under Rule 1309.1 – Priority Reserve, and/or that are exempt from offsets under South Coast AQMD Rule 1304 – Exemptions. Since these sources are not exempt from offsets under the federal Clean Air Act, South Coast AQMD provides offsets from South Coast AQMD’s internal account balances, which have been generated primarily from orphan shutdowns (*i.e.*, emissions reductions from sources that have shut down but the owner or operator did not apply for emission reduction credits). The purpose of this Determination of Equivalency is to show that there are sufficient offsets in the internal account balances to cover sources that used these offsets for the year in question and the offset needs projected for the following two years.

Rule 1315 requires that, commencing with calendar year 2010, and for each calendar year thereafter, the Executive Officer prepare a Preliminary Determination of Equivalency (PDE) and Final Determination of Equivalency (FDE), which cover NSR activities for twelve-month periods. The calendar year 2022 PDE and FDE are required to be reported to the South Coast AQMD Board at the February and September 2024 Board meetings, respectively. Rule 1315 also requires the Executive Officer to aggregate and track offsets debited from and deposited to South Coast AQMD’s internal offset accounts for specified periods between October 1, 1990, and December 31, 2005, and each calendar year from 2006 through 2030 for the purpose of making periodic determinations of compliance. The last annual report submitted to the Board on September 1, 2023, presented the FDE for calendar year 2021 and demonstrated that South Coast AQMD’s NSR program met the state and federal offset requirements for calendar year 2021.

This report, which presents the PDE covering the calendar year 2022 reporting period, demonstrates compliance with state and federal NSR requirements by establishing aggregate equivalence with state and federal offset requirements for sources that were not exempt from state and federal offset requirements, but were either exempt from offsets or obtained their offsets from South Coast AQMD pursuant to Regulation XIII.

The federal offset account PDE for calendar year 2022 is summarized in Table 1. Projections of South Coast AQMD’s federal offset account balances for January 2023 through December 2023 and January 2024 through December 2024, as specified and required pursuant to Rule 1315(e), are presented in Table 2. These tables demonstrate that there were, and project that there will be, adequate offsets available to mitigate all applicable emission increases during these reporting periods. The state offset accounts for calendar year 2022 are summarized in Table 3. This report demonstrates that, for calendar years 2022 through 2024, South Coast AQMD’s NSR program continues and is projected to meet state and federal offset requirements and is equivalent<sup>2</sup> to those requirements on an aggregate basis. The South Coast Air Basin and Coachella Valley

were designated as being in attainment with the federal and state CO standards, and therefore South Coast AQMD does not report CO accumulated credits and account balances in this equivalency determination. U.S. EPA designated the South Coast Air Basin as being in attainment with the federal PM10 standard effective July 26, 2013. However, the Coachella Valley has not attained the PM10 National Ambient Air Quality Standards (NAAQS), therefore, South Coast AQMD will continue to track and report PM10 (in the South Coast Air Basin) accumulated credits and account balances for informational purposes only.<sup>3</sup>

**Table 1  
Federal Offset Accounts PDE for January 2022 through December 2022**

DESCRIPTION	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM10
<b>2021 Actual Ending Balance<sup>a</sup> (tons/day)</b>	<b>118.03</b>	<b>24.73</b>	<b>5.50</b>	<b>18.04</b>
2022 Discount of Credits for Surplus Adjustment <sup>b</sup> (tons/day)	0.00	-0.30	0.00	0.00
<b>2022 Starting Balance (tons/day)</b>	<b>118.03</b>	<b>24.43</b>	<b>5.50</b>	<b>18.04</b>
2022 Actual Total Debits <sup>c</sup> (lbs./day)	-456	-941	0	-3
<b>2022 Actual Total Debits<sup>c</sup> (tons/day)</b>	<b>-0.23</b>	<b>-0.47</b>	<b>0.00</b>	<b>0.00</b>
2022 Actual Total Credits <sup>d</sup> (lbs./day)	0	0	0	0
<b>2022 Actual Total Credits<sup>d</sup> (tons/day)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>2022 Preliminary Ending Balance<sup>e</sup> (tons/day)</b>	<b>117.80</b>	<b>23.96</b>	<b>5.50</b>	<b>18.04</b>

<sup>a</sup> Previously reported in Table 1 of the 2021 FDE dated September 1, 2023.

<sup>b</sup> This adjustment is surplus at the time of use discount, which is also discussed in Rule 1315(c)(4).

<sup>c</sup> For an explanation of the sources of debits please refer to page 8 as well as Rule 1315(c) and the February 4, 2011, Rule 1315 staff report. Debits are shown as negative.

<sup>d</sup> PDE does not account for any credits for calendar year 2022. Credits will be included in the 2022 FDE.

<sup>e</sup> Represents the “2021 Actual Ending Balance” reduced by any surplus adjustments and the sum of actual debits.

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<sup>2</sup> South Coast AQMD’s NSR program is deemed to be equivalent to state and federal offset requirements. South Coast AQMD’s ending offset account balances remained positive, indicating there were adequate offsets during this reporting period.

<sup>3</sup> Rule 1315 does not distinguish accumulated credits and account balances between designated areas.

**Table 2**  
**Projections of South Coast AQMD’s Federal Offset Account Balances**  
**for January 2023 through December 2023, and**  
**January 2024 through December 2024**

DESCRIPTION	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>
<b>2022 Preliminary Ending Balance<sup>a</sup> (tons/day)</b>	<b>117.80</b>	<b>23.96</b>	<b>5.50</b>	<b>18.04</b>
2023 Total Projected Debits <sup>b</sup> (lbs./day)	-300	-440	-20	-100
2023 Total Projected Credits <sup>b</sup> (lbs./day)	5,640	1,340	580	1,120
<b>2023 Sum of Projected Debits/Credits<sup>b</sup> (lbs./day)</b>	<b>5,340</b>	<b>900</b>	<b>560</b>	<b>1,020</b>
<b>2023 Sum of Projected Debits/Credits<sup>b</sup> (tons/day)</b>	<b>2.67</b>	<b>0.45</b>	<b>0.28</b>	<b>0.51</b>
<b>2023 Projected Ending Balance<sup>c</sup> (tons/day)</b>	<b>120.47</b>	<b>24.41</b>	<b>5.78</b>	<b>18.55</b>
2024 Total Projected Debits <sup>b</sup> (lbs./day)	-300	-440	-20	-100
2024 Total Projected Credits <sup>b</sup> (lbs./day)	5,640	1,340	580	1,120
<b>2024 Sum of Projected Debits/Credits<sup>b</sup> (lbs./day)</b>	<b>5,340</b>	<b>900</b>	<b>560</b>	<b>1,020</b>
<b>2024 Sum of Projected Debits/Credits<sup>b</sup> (tons/day)</b>	<b>2.67</b>	<b>0.45</b>	<b>0.28</b>	<b>0.51</b>
<b>2024 Projected Ending Balance<sup>d</sup> (tons/day)</b>	<b>123.14</b>	<b>24.86</b>	<b>6.06</b>	<b>19.06</b>

<sup>a</sup> “2022 Preliminary Ending Balance” is as shown in Table 1.

<sup>b</sup> Projections are based upon the average of the total annual debits and the average of the total annual credits for the five reporting periods most recently included in a PDE or an FDE, pursuant to Rule 1315(e). For an explanation of the sources of debits and credits please refer to page 8 as well as Rule 1315(c) and the February 4, 2011, Rule 1315 staff report. Debits are shown as negative and credits as positive, while the sum of debits/credits are shown as negative or positive, as appropriate.

<sup>c</sup> “2023 Projected Ending Balance” equals the “2022 Preliminary Ending Balance” plus the “2023 Sum of Projected Debits/Credits.”

<sup>d</sup> “2024 Projected Ending Balance” equals the “2023 Projected Ending Balance” plus the “2024 Sum of Projected Debits/Credits.”

**Table 3****State Offset Accounts PDE for January 2022 through December 2022**

<b>DESCRIPTION</b>	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>PM10</b>
<b>2022 Actual Starting Balance<sup>a</sup> (tons/day)</b>	<b>89.51</b>	<b>35.64</b>	<b>10.15</b>	<b>23.87</b>
2022 Actual Total Debits <sup>b</sup> (lbs./day)	-1,892	-1,110	-207	-134
2022 Actual Total Credits <sup>c</sup> (lbs./day)	0.00	0.00	0.00	0.00
<b>2022 Sum of Actual Debits/Credits<sup>c</sup> (lbs./day)</b>	<b>-1,892</b>	<b>-1,110</b>	<b>-207</b>	<b>-134</b>
<b>2022 Sum of Actual Debits/Credits<sup>c</sup> (tons/day)</b>	<b>-0.95</b>	<b>-0.56</b>	<b>-0.10</b>	<b>-0.07</b>
<b>2022 Actual Ending Balance<sup>d</sup> (tons/day)</b>	<b>88.56</b>	<b>35.08</b>	<b>10.05</b>	<b>23.80</b>

<sup>a</sup> “2022 Actual Starting Balance” was previously reported (“2021 Actual Ending Balance”) in Table 5 of the 2021 FDE dated September 1, 2023.

<sup>b</sup> For an explanation of the sources of debits and credits please refer to pages 8 and 9. Debits and shown as negative and credits as positive, while the sums of debits/credits are shown as positive or negative, as appropriate.

<sup>c</sup> PDE does not account for any credits for calendar year 2022. Credits will be included in the 2022 FDE.

<sup>d</sup> “2022 Actual Ending Balance” equals the “2022 Actual Starting Balance” plus the “2022 Sum of Actual Debits/Credits.”

**Background**

South Coast AQMD originally adopted its NSR program in 1976. U.S. EPA approved South Coast AQMD’s NSR program into the SIP initially on January 21, 1981 (46FR5965) and again on December 4, 1996 (61FR64291). U.S. EPA approved the May 3, 2002, Rule 1309.1 amendments into the SIP on June 19, 2006 (71FR35157). The original program has evolved into the current version of the Regulation XIII rules in response to state and federal legal requirements and the changing needs of the local environment and economy. Amendments to the NSR rules were adopted by the Board on December 6, 2002, to facilitate and provide additional options for credit generation and use. Rule 1315 was adopted and re-adopted on September 8, 2006, and August 3, 2007, respectively. Rule 1309.1 was amended and replaced on September 8, 2006, and August 3, 2007, respectively. On November 3, 2008, in response to a lawsuit filed by a group of environmental organizations, a California State Superior Court Judge in the County of Los Angeles invalidated the August 3, 2007, adopted Rule 1315 and amendments to Rule 1309.1, and prohibited South Coast AQMD from taking any action to implement Rule 1315 or the amendments to Rule 1309.1 until it had prepared a new environmental assessment under CEQA. On February 4, 2011, South Coast AQMD adopted a revised and enhanced version of Rule 1315, which included a new CEQA environmental assessment. U.S. EPA approved Rule 1315 into SIP in 2012 (77FR31200), and this approval was upheld by the U.S. Court of Appeals for the Ninth Circuit Court in 2015.

South Coast AQMD's computerized emission tracking system is used to demonstrate equivalence with state and federal offset requirements on an aggregate basis. Specific NSR requirements of federal law are presented below.

### **Federal Law**

Federal NSR requirements vary with respect to the area's attainment status and classification. Based on the current classification for the 1997 8-hour ozone standard, the South Coast Air Basin and the Riverside County portion of the Salton Sea Air Basin (also known as the Coachella Valley) are both extreme nonattainment areas.<sup>4</sup> The South Coast Air Basin is in extreme nonattainment for both the 2008 and 2015 ozone standards. The Coachella Valley is in extreme and severe nonattainment for the 2008 and 2015 8-hour ozone standards, respectively. South Coast AQMD requested a voluntary reclassification to extreme nonattainment for Coachella Valley for the 2015 ozone standard.<sup>5</sup> As the NSR requirements are more stringent for a higher nonattainment classification and the more stringent requirements apply, both South Coast Air Basin and Coachella Valley must comply with the requirements for extreme nonattainment areas for ozone precursors (*i.e.*, VOC and NOx). During the 2022 equivalency period, both the South Coast Air Basin and the Coachella Valley complied with their respective requirements for ozone nonattainment and serious nonattainment for PM10 and its precursors (*i.e.*, VOC, NOx and SOx).<sup>6</sup> Coachella Valley is considered in attainment for CO. U.S. EPA designated the South Coast Air Basin in attainment with federal CO standards on June 11, 2007. Starting calendar year 2017, South Coast AQMD stopped reporting CO accumulated credits, debits, and account balances in the equivalency determination. Both South Coast Air Basin and Coachella Valley are considered in attainment for SO2 and NO2; however, SOx and NOx are precursors to pollutants for which both South Coast Air Basin and Coachella Valley are designated as in nonattainment.<sup>7</sup> The non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin under South Coast AQMD's jurisdiction is unclassifiable. Federal law requires the use of Lowest Achievable Emission Rate (LAER) and offsets for emissions of nonattainment pollutants (or their precursors) for new, modified, and relocated

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<sup>4</sup> In 2019, the Coachella Valley was redesignated to extreme nonattainment for the 1997 8-hour ozone standard.

<sup>5</sup> South Coast AQMD requested to reclassify the Coachella Valley's nonattainment status from "severe" to "extreme" for the 2008 and 2015 8-hour ozone standards. The Board adopted a voluntary reclassification request for the 2008 ozone standard on November 4, 2022. The 2022 AQMP adopted by the Board on December 2, 2022, included a reclassification request for the 2015 8-hour ozone standard.

<sup>6</sup> As of July 26, 2013, South Coast Air Basin was redesignated as attainment for the federal 24-hour PM10 standard and U.S. EPA approved a PM10 maintenance plan. South Coast AQMD will continue to track and report PM10 accumulated credits and account balances for informational purposes only in the South Coast Air Basin and for equivalency in the Coachella Valley.

<sup>7</sup> SOx is a precursor to PM10 and NOx is a precursor to both PM10 and ozone.

stationary sources, when the source is considered a major stationary source<sup>8</sup> for the nonattainment pollutants (or their precursors). This report demonstrates compliance with the federal NSR offsets requirements.

**State Law**

State law requires the use of BACT for new and modified sources (Health and Safety Code Sections 40440(b)(1) and 40920.5) and “no net increase in emissions” from certain permitted new or modified sources based on their potential to emit and the nonattainment classification of the area in which they are located. This report demonstrates South Coast AQMD’s compliance with the “no net emission increase” requirements of state law for the 2022 period by demonstrating compliance with the requirements for extreme ozone nonattainment areas for ozone precursors and with the requirements for serious nonattainment areas for PM10 and precursors to PM10. The South Coast Air Basin was designated as being in attainment with the state CO standards effective June 11, 2007.

**Overview of Analysis Methodology**

The two most important elements of state and federal nonattainment NSR requirements are BACT/LAER and emission offsetting. As set forth in South Coast AQMD’s BACT Guidelines, South Coast AQMD’s BACT requirements are at least as stringent as federal LAER for major sources and state BACT requirements for all sources. The NSR emission offset requirements that South Coast AQMD implements through its permitting process ensure that sources provide emission reduction credits (ERCs) to offset their emission increases in compliance with state and federal requirements. As a result, these sources each comply with state and federal offset requirements by providing ERCs. However, certain sources are exempt from South Coast AQMD’s offset requirements pursuant to Rule 1304 or qualify for offsets from South Coast AQMD’s Community Bank (applications received between October 1, 1990, and February 1, 1996, only) or Priority Reserve, both pursuant to Rule 1309.1. Providing offset exemptions and the Priority Reserve (as well as the previously administered Community Bank) are important to the NSR program and the local economy. Therefore, South Coast AQMD has assumed the responsibility of providing the necessary offsets for exempt sources, the Priority Reserve, and the Community Bank.

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<sup>8</sup> The major stationary source thresholds for South Coast Air Basin, Coachella Valley, and non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin, based on their attainment status during the calendar year 2022 reporting periods are summarized below:

Pollutant	South Coast Air Basin	Coachella Valley	Non-Palo Verde, Riverside County Portion of Mojave Desert Air Basin
VOC	10 tons/year	10 tons/year	100 tons/year
NOx	10 tons/year	10 tons/year	100 tons/year
SOx	70 tons/year	70 tons/year	100 tons/year
PM10	70 tons/year	70 tons/year	100 tons/year
CO	50 tons/year	100 tons/year	100 tons/year

This report examines withdrawals from South Coast AQMD emission offset accounts during calendar year 2022 and demonstrates programmatic equivalence on an aggregate basis with state and federal emission offset requirements for the sources exempt from providing offsets and the sources that receive offsets from the Priority Reserve or the Community Bank.

### **South Coast AQMD's Offset Accounts**

For the purposes of this report, federal debit and credit accounting for South Coast AQMD offset accounts was conducted pursuant to the same procedures previously agreed to by U.S. EPA and as delineated in Rule 1315 and described in the staff report dated January 7, 2011. Each of the pollutants subject to offset requirements has a separate federal offset account. State debit and credit accounting for South Coast AQMD offset accounts was similarly conducted, with the difference that state offset requirements apply to all increases of VOC or NO<sub>x</sub> from equipment subject to South Coast AQMD's permitting program and to increases of SO<sub>x</sub> and PM<sub>10</sub> from facilities that emit 15 or more tons per year. South Coast AQMD's NSR program is considered to provide equivalent or greater offsets of emissions as required by state and federal requirements for each subject pollutant provided the balance of offsets in South Coast AQMD's state and federal offset account for each pollutant remains positive, indicating that there were adequate offsets available.

#### *Debit Accounting*

Staff tracks all emission increases that are offset through the Priority Reserve or the Community Bank, as well as all increases that are exempt from offset requirements pursuant to Rule 1304 exemptions. These increases are debited from South Coast AQMD's federal offset accounts when they occur at major sources. For federal equivalency demonstrations, South Coast AQMD uses an offset ratio of 1.2-to-1.0 for extreme nonattainment pollutants (ozone and ozone precursors, *i.e.*, VOC and NO<sub>x</sub>) and uses 1.0-to-1.0 for all other nonattainment pollutants (non-ozone precursors, *i.e.*, SO<sub>x</sub> and PM<sub>10</sub>) to offset any such increases. That is, 1.2 pounds are deducted from South Coast AQMD offset accounts for each pound of maximum allowable permitted potential to emit VOC or NO<sub>x</sub> increase at a major source and 1.0 pound is deducted for each pound of maximum allowable permitted potential to emit SO<sub>x</sub> or PM<sub>10</sub> at a major source. A more detailed description of federal debit accounting is provided in the Rule 1315 staff report dated January 7, 2011, and Rule 1315(c)(2).

To comply with U.S. EPA's NSR Reform requirements applicable to extreme nonattainment areas for ozone, the South Coast AQMD tracks changes to facility-wide limits under Rule 1304 – Exemptions and debits any increases from the federal offset accounts accordingly.

State offset requirements are based on actual emissions rather than maximum allowable permitted potential to emit. South Coast AQMD methodology uses actual emissions as eighty percent of permitted potential to emit.<sup>9</sup> Thus, 0.8 pounds is debited from South Coast AQMD's state accounts for each pound of maximum allowable permitted emissions increase.

### *Credit Accounting*

When emissions from a permitted source are permanently reduced (*e.g.*, installation of control equipment, removal of the source) and the emission reduction is not required by rule or law and is not included in an AQMP control measure that has been assigned a target implementation date,<sup>10</sup> the permit holder may apply for ERCs for the pollutants reduced. If the permit holder for the source generating the emission reduction had previously received offsets from South Coast AQMD or has a "positive NSR balance" (*i.e.*, pre-1990 net emission increase), the quantity of South Coast AQMD offsets used or the amount of the positive NSR balance is subtracted from the reduction and "paid back" to South Coast AQMD's accounts prior to issuance of an ERC pursuant to Rule 1306. In certain other cases, permit holders do not always submit applications to claim ERCs or do not qualify to obtain ERCs for their equipment shutdowns or other eligible emission reductions. These unclaimed reductions are referred to as "orphan shutdowns" and are deposited in South Coast AQMD's offset accounts. ERCs provided as offsets by major sources in excess of the applicable federally required offset ratio and all ERCs provided as offsets by minor sources not subject to federal offset requirements are also deposited in South Coast AQMD's federal offset accounts. A more detailed description of federal credit accounting is provided in Rule 1315(c)(3)(A) and its staff report dated January 7, 2011.

### **Determination of Equivalency with Federal Offset Requirements**

Figure 1 illustrates South Coast AQMD's federal offset account balances for calendar years 1990 and after.<sup>11</sup> The calendar year 2022 balances are based on preliminary determinations.

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<sup>9</sup> See Status Report on Regulation XIII – New Source Review dated April 2, 2004.

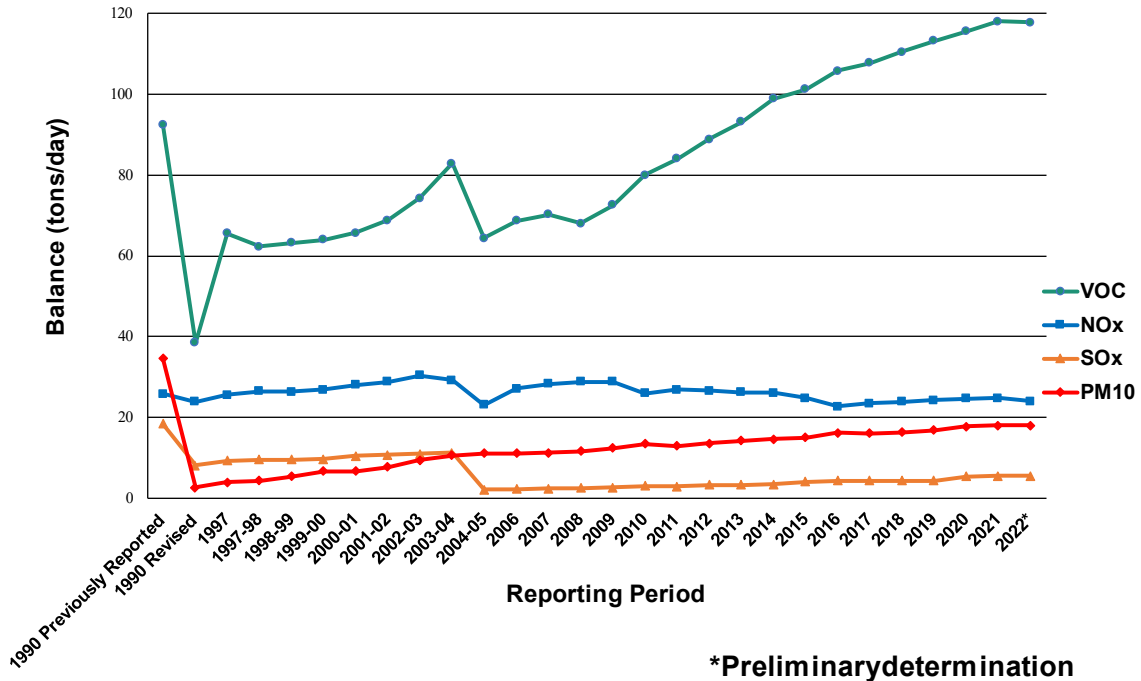
<sup>10</sup> Refer to Rule 1309(b) for a complete explanation of eligibility requirements.

<sup>11</sup> The 1990 and 2005 drops in federal account balances are due to the initial removal of pre-1990 balance and the 2005 removal of the remaining pre-1990 balance.



Figure 1:

## South Coast AQMD's Federal Offset Account Balances (1990 – 2022\*)



The federal offset requirements PDE for calendar year 2022 and the projections for calendar years 2023 and 2024 are summarized in Tables 1 and 2, respectively. The detailed listing of actual final withdrawals, deposits and sum of withdrawals and deposits are shown in Tables A and B of the Attachment to this letter; the account balances shown in Tables A and B reflect the tracking sequence described under Rule 1315(c)(5).

### Conclusions

The analysis presented in this report demonstrates the following:

- For calendar year 2022, South Coast AQMD's NSR program provided equivalent offsets to those required by state and federal NSR requirements. The program is at least preliminarily equivalent to the state and federal requirements on an aggregate basis. This conclusion is based on the fact that the preliminary ending state and federal offset account balances for the calendar year reporting period, as shown in Tables 1 and 3, remained positive for all pollutants.

- South Coast AQMD's projected federal offset account balances for 2023 and 2024 are projected to remain positive. This means that the sum of the estimated withdrawals from and deposits to South Coast AQMD's offset accounts during 2023 and 2024 are projected to remain positive and, therefore, demonstrates that South Coast AQMD's NSR program is equivalent to federal NSR requirements, as shown in Table 2.

**Attachment**

Detailed listing of Actual Debits and Sum of Debits and Credits

## ATTACHMENT

### Detailed listings of Actual Debits and Sum of Debits and Credits

**Table A**  
**Total Actual Debits from South Coast AQMD's Federal Offset Accounts**  
**(January 2022 through December 2022)**

<b>DISTRICT OFFSETS USED</b>	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>PM10</b>
Priority Reserve (lbs./day)	-178	-363	0	0
Community Bank (lbs./day)	0	0	0	0
Rule 1304 Exemptions (lbs./day)	-202	-421	0	-3
Sum Total of South Coast AQMD Offsets (lbs./day)	-380	-784	0	-3
1.2-to-1.0 Offset Ratio (lbs./day)	-76	-157	NA	NA
<b>Total Actual Debits to South Coast AQMD Account (lbs./day)</b>	<b>-456</b>	<b>-941</b>	<b>0</b>	<b>-3</b>
<b>Total Actual Debits to South Coast AQMD Account (tons/day)</b>	<b>-0.23</b>	<b>-0.47</b>	<b>0.00</b>	<b>0</b>

**Table B**  
**Sum of Preliminary Debits/Credits Activities in South Coast AQMD's**  
**Federal Offset Accounts (January 2022 through December 2022)**

	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>PM10</b>
Total Actual Debits* (lbs./day)	-456	-941	0	-3
Total Actual Credits* (lbs./day)	0	0	0	0
<b>Sum of Actual Debits (-)/Credits (+)* (lbs./day)</b>	<b>-456</b>	<b>-941</b>	<b>0</b>	<b>-3</b>
<b>Sum of Actual Debits (-)/Credits (+)* (tons/day)</b>	<b>-0.23</b>	<b>-0.47</b>	<b>0</b>	<b>0</b>

\* Debits are shown as negative and credits as positive, while their sum is shown as negative or positive, as appropriate. No credits are accounted for in the Preliminary Determination of Equivalency analysis.

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 18

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, January 12, 2024, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

RMM:XC:DD:HL: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 rules and regulations, and to improve internal efficiencies. The annual Budget and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

### **Summary of Report**

The attached report identifies 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  
February 2, 2024 Board Meeting  
Status Report on Ongoing and Upcoming Projects for  
Information Management

<b>AQ-SPEC Cloud Platform Phase 2</b>	
Brief description	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
Estimated project cost	\$313,350
Overall project status	In Progress
Est. date of completion	5/21/24
Percentage complete	42%
LAST 30 days	<ul style="list-style-type: none"> <li>System development in progress</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>System development in progress</li> </ul>

<b>PeopleSoft Electronic Requisition</b>	
Brief description:	This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow
Estimated project cost	\$75,800
Overall project status	In Progress
Est. date of completion	3/8/24
Percentage complete	95%
LAST 30 days	<ul style="list-style-type: none"> <li>Training and Integrated User Testing for DEI, Legal</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>Training and Integrated User Testing for AHR</li> </ul>

<b>Warehouse Indirect Source Rule Online Reporting Portal Phase 4</b>	
Brief description:	Development of online reporting portal for Rule 2305 –Warehouse Indirect Source
Estimated project cost	\$250,000
Overall project status	In Progress
Est. date of completion	3/15/24
Percentage complete	65%
LAST 30 days	<ul style="list-style-type: none"> <li>Phase 4 System Development in Progress</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>Phase 4 System Development in Progress</li> </ul>

<b>Online Application Filing</b>	
Brief description	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
Estimated project cost	\$525,000
Overall project status	In Progress
Est. date of completion	04/16/24
Percentage complete	90%
LAST 30 days	<ul style="list-style-type: none"> <li>User Acceptance Testing of Phase 1 of the project (first ten 400-E-XX forms).</li> <li>User Acceptance Testing of next set of Rule 222 forms.</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>User Acceptance Testing of Phase 1 of the project (first ten 400-E-XX forms)</li> <li>User Acceptance Testing of next set of Rule 222 forms</li> </ul>

<b>Agenda Tracking System</b>	
Brief description	Develop new Agenda Tracking System for submittal, review, and approval of Governing Board meeting agenda items
Estimated project cost	\$250,000
Overall project status	In Progress
Est. date of completion	04/5/24
Percentage complete	87%
LAST 30 days	<ul style="list-style-type: none"> <li>User Acceptance Testing</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>User Acceptance Testing</li> </ul>

<b>Source Test Tracking System (STTS)</b>	
Brief description	Online STTS will keep track of timelines and quantify the number of test protocols and reports received. The 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
Estimated project cost	\$250,000
Overall project status	In Progress
Est. date of completion	2/20/24
Percentage complete	95%
LAST 30 days	<ul style="list-style-type: none"> <li>Working on going live</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>Go-live</li> </ul>

<b>Compliance System</b>	
Brief description	Develop new Compliance System to help streamline the compliance business process. The new system will provide full integration of incident management, inspection process, field operations and operations dashboard.
Estimated project cost	\$450,000
Overall project status	In Progress
Est. date of completion	9/17/24
Percentage complete	30%
LAST 30 days	<ul style="list-style-type: none"> <li>System development in progress</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>System development in progress</li> </ul>

<b>Website Upgrade</b>	
Brief description	Upgrade the Website Content Management System to latest version
Estimated project cost	\$100,000
Overall project status	In Progress
Est. date of completion	2/23/24
Percentage complete	94%
LAST 30 days	<ul style="list-style-type: none"> <li>User Acceptance Testing and Training</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>Working on going live</li> </ul>

<b>Prequalify Vendor List for PCs, Network Hardware, etc.</b>	
Brief description	Establish list of prequalified vendors to provide computer, network, and printer hardware and software, and to purchase desktop computer hardware upgrades
Estimated project cost	\$300,000
Overall project status	In Progress
Est. date of completion	2/2/2024
Percentage complete	90%
LAST 30 days	<ul style="list-style-type: none"> <li>RFQQ approved on November 3, 2023</li> </ul>
NEXT 30 days	<ul style="list-style-type: none"> <li>Approve Vendors List February 2, 2024</li> </ul>

<b>Renewal of HP Server Maintenance &amp; Support</b>	
Brief description	Purchase of maintenance and support services for servers and storage device
Estimated project cost	\$175,000
Overall project status	In Progress
Est. date of completion	4/30/2024
Percentage complete	0%
LAST 30 days	
NEXT 30 days	<ul style="list-style-type: none"> <li>Request Board approval for HP server maintenance and support April 5, 2024</li> <li>Execute purchases April 30, 2024</li> </ul>

<b>Renewal of OnBase Software Support</b>	
Brief description	Authorize the sole source purchase of OnBase software subscription and support for one year
Estimated project cost	\$175,000
Overall project status	In Progress
Est. date of completion	7/30/2024
Percentage complete	0%
LAST 30 days	
NEXT 30 days	<ul style="list-style-type: none"> <li>Request Board Approval June 7, 2024</li> <li>Execute purchase July 30, 2024</li> </ul>



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

**COMPLETED PROJECTS**

PROJECT	DATE COMPLETED
PeopleSoft HCM (Human Capital Management) upgrade	October 24, 2023
Carl Moyer Program GMS	October 4, 2023
Legal Office System – Phase 2	August 31, 2023
Oracle PeopleSoft Software Support	August 31, 2023
PeopleSoft E-Requisition deployment for IM division	August 22, 2023
Renewal of OnBase Software Support	July 31, 2023
Air Quality Advisory Enhancement	June 30, 2023
WAIRE Program Online Portal – Initial Site Information Report Enhancement	May 26, 2023
Renewal of HP Server Maintenance & Support	April 30, 2023
Purchase of Server and Storage Upgrades	April 30, 2023
Rule 1180 Monitoring Site and Notification Updates	March 30, 2023

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 19

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a hybrid meeting on Friday, January 12, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Vanessa Delgado, Chair  
Administrative Committee

SN:cb

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### **Committee Members**

Present: Chair Vanessa Delgado, Committee Chair  
Vice Chair Michael Cacciotti  
Board Member Gideon Kracov  
Supervisor V. Manuel Perez

### **Call to Order**

Chair Delgado called the meeting to order at 10:03 a.m.

For additional details of the Administrative Committee Meeting, please refer to the [Webcast](#).

### **DISCUSSION ITEMS:**

1. **Board Members' Concerns:** Supervisor Perez commented about the process for violations and fines and suggested that staff look into opportunities to educate and provide entities with tools to do a better job to comply so we are partners in improving air quality, particularly in his area where the sources are primarily agricultural and landscapers. Chair Delgado asked if Supervisor Perez's issue pertained to small businesses. For additional information please refer to the [Webcast at 5:21](#).

Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs & Media, commented about South Coast AQMD's incentive program which includes outreach to landscapers. Mr. Alatorre commented that the South Coast AQMD wants to expand outreach to landscapers in Coachella Valley. Executive Officer Wayne Nastri confirmed that the goal of the agency is to work with the public to help achieve compliance. Vice Chair Cacciotti discussed ordinances on gas leaf blowers in his jurisdiction.

2. **Chair's Report of Approved Travel:** There was travel reported for Board Member Kracov to Sacramento as the CARB representative.
3. **Report of Approved Out-of-Country Travel:** There was no out-of-country travel to report.
4. **Review February 2, 2024 Governing Board Agenda:** Board Member Kracov confirmed that we have a presentation on the Permit Enhancement Program and public hearings on the mobile fueling operation and BACT guidelines. Mr. Nastri confirmed and noted for Board Member awareness that there will be a set hearing for a Coachella Valley contingency measure SIP revision for the 2008 eight-hour ozone standard. For additional information please refer to the [Webcast at 18:36](#).
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** There were two new consultant proposals and three modifications for compensation for Board Member Assistants/Consultants. This item was moved to Action Items as approval from the Administrative Committee is needed. For additional information please refer to the [Webcast at 19:23](#).
6. **Update on South Coast AQMD Diversity, Equity, Inclusion Efforts:** Anissa Heard-Johnson, Diversity, Equity & Inclusion (DEI) Officer/DEI with Community Air Programs, provided an update on agency efforts, seasonal events, cultural displays, Statewide DEI Working Group, and discussed Dr. Susan La Flesche Picotte for Fabulous Female Friday. Vice Chair Cacciotti asked to be informed if we go out to the community in Boyle Heights again to spend time with Monsignor Moretta at Resurrection Church. Board Member Kracov agreed. For additional information please refer to the [Webcast at 20:12](#).

Harvey Eder, Public Solar Power Coalition, commented on a low-income solar equity program from 40 years ago, litigation on anti-competitive aspects and owning and controlling businesses.

7. **Review Recommended Appointments of New Members to South Coast AQMD's Young Leader's Advisory Council (YLAC):** Dr. Heard-Johnson stated that staff is recommending to add two new members representing Orange County to YLAC. She confirmed that the YLAC membership is now full and the first meeting is February 20, 2024. For additional information please refer to the [Webcast at 31:21](#).
8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management, reported on the status of various projects and projects that have been completed. For additional information please refer to the [Webcast at 32:03](#).

David Rothbart, Clean Water SoCal/Air Quality Committee Chair, commented on the timeline to obtain permits and some suggestions on the permit process. Mr. Nastri commented that staff has met with Mr. Rothbart. Jason Aspell, Deputy Executive Officer/Engineering & Permitting stated that a Permit Streamlining Task Force meeting will be held on January 24, 2024 and that staff vacancies have affected permit processing. Mr. Aspell commented that projects such as Chiquita Canyon and Sunshine Canyon have impacted the permitting and compliance process as well.

Alison Torres, Clean Water SoCal/Vice Chair of Air Quality Committee, provided public comment and echoed Mr. Rothbart on permitting priority.

Chair Delgado said she would be listening in to the Permit Streamlining Task Force meeting. For additional information please refer to the [Webcast at 33:25](#).

### **ACTION ITEMS:**

5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** There was one new proposal for Board Member Kracov's Board Consultant, Ernesto Castillo and one new proposal for Supervisor Perez's Board Consultant, Brian Nestande. There were two proposals to modify the compensation for Mayor Solache's Board Consultants, Marisela Santana and Uduak-Joe Ntuk and one proposal to modify the compensation for Board Member Kracov's Board Consultant, Destiny Rodriguez. The contracts and modifications will be effective from January 2024 through June 30, 2024. Board Member Kracov provided some background on his new consultant. For additional information please refer to the [Webcast at 19:23](#).

Moved by Kracov; seconded by Cacciotti, unanimously approved.

Ayes: Cacciotti, Delgado, Kracov, Perez  
Noes: None

9. **Establish List of Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software:** Mr. Moskowitz had this item for a list of prequalified vendors. For additional information please refer to the [Webcast at 44:57](#).

Moved by Kracov; seconded by Cacciotti, unanimously approved.

Ayes: Cacciotti, Delgado, Kracov Perez  
Noes: None

10. **Recognize Revenue, Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring Equipment:** Dr. Jason Low, Deputy Executive Officer, Monitoring & Analysis, had this item for purchase orders of air monitoring equipment. For additional information please refer to the [Webcast at 45:36](#).

Moved by Kracov; seconded by Cacciotti, unanimously approved.

Ayes: Cacciotti, Delgado, Kracov, Perez  
Noes: None

#### **WRITTEN REPORT:**

11. **Environmental Justice Advisory Group Minutes for the January 27, 2023 Meeting:** The report was acknowledged and received.
12. **Environmental Justice Advisory Group Minutes for the April 28, 2023 Meeting:** The report was acknowledged and received.
13. **Environmental Justice Advisory Group Minutes for the August 25, 2023 Meeting:** The report was acknowledged and received.

#### **OTHER MATTERS:**

14. **Other Business:** Board Member Kracov confirmed that staff is going to DC in early February. For additional information please refer to the [Webcast at 46:47](#).
15. **Public Comment:** Mr. Eder provided public comment regarding fossil fuels and changes needed in the climate and politics.

Rita Loof, Rad Tech International/Director of Environmental Affairs, provided public comment regarding a quorum in the Local Government Small Business Assistance Advisory Group (LGSBA) and past practices. Chair Delgado acknowledged Ms. Loof's public comment and will follow up with the Chair of LGSBA, Councilmember Carlos Rodriguez.

Bill LaMarr, California Alliance, Executive Director, provided public comment regarding the value of the LGSBA group and concern of disbanding the group. Chair Delgado confirmed that LGSBA would not be disbanded and Mr. Nastri added that we are seeking to revise the charter to address membership and the quorum issue and other aspects to get the full benefit of the business community.

For additional information please refer to the [Webcast at 47:24](#).

16. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for Friday, February 9, 2024 at 10:00 a.m.

### **Adjournment**

The meeting was adjourned at 10:56 a.m.



# South Coast Air Quality Management District



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## MEETING OF THE ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, JANUARY 27, 2023 MEETING MINUTES

### **Members Present:**

Senator (Ret.) Vanessa Delgado, Advisory Group Chair (Board Member)  
Veronica Padilla-Campos (Board Member)  
Mayor Elizabeth Alcantar  
Angelica Balderas  
Dr. Lawrence Beeson  
Suzanne Bilodeau  
Dr. Afif El-Hasan  
Mary Figueroa  
Angela Garcia  
Kareem Gongora  
Ana Gonzalez  
Dr. Jill Johnston  
David McNeill  
Rafael Yanez

### **Members Absent:**

Supervisor Janice Rutherford (Board Member)  
Rhetta Alexander  
Manuel Arredondo  
Paul Choe  
Kerry Doi  
Dr. Monique Hernandez  
Humberto Lugo  
Donald Smith

### **South Coast AQMD Staff:**

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs & Media  
Nicholas Sanchez, Assistant Chief Deputy Counsel, Legal  
Alicia Lizarraga, Senior Public Affairs Manager, Legislative, Public Affairs & Media  
Monika Kim, Public Affairs Manager, Legislative, Public Affairs & Media  
Phillip Crabbe, Senior Public Affairs Manager, Legislative, Public Affairs and Media  
Evangelina Barrera, Senior Public Affairs Specialist, Legislative, Public Affairs and Media  
Brandee Keith, Senior Public Affairs Specialist, Legislative, Public Affairs and Media  
Brisa Lopez, Secretary, Legislative, Public Affairs & Media

**Call to Order/Opening Remarks**

Chair Delgado called the meeting to order at 12:00 p.m., and roll call was taken.

**Agenda Item #1: Approval of the October 28, 2022, Meeting Minutes**

Chair Delgado called for the approval of the October 28, 2022, meeting minutes.

Moved to approve by Kareem Gongora; seconded by Angela Garcia

Ayes: Delgado, Padilla-Campos, Alcantar, Balderas, Beeson, Bilodeau, El-Hasan, Figueroa, Garcia, Gongora, Gonzalez, McNeill Johnston, Yanez

Noes: None

Abstain: None

Absent: Rutherford, Alexander, Arredondo, Choe, Doi, Hernandez, Lugo, Smith

**Agenda Item #2: Review of Follow-Up/Action Items**

Mr. Alatorre reported that there were no action items from the October 28, 2022 meeting.

**Agenda Item #3: EJAG Accomplishments 2022**

Ms. Kim, Public Affairs Manager, Legislative, Public Affairs and Media, presented an update on EJAG's Accomplishments in 2022.

Rafael Yanez expressed interest in focusing on odor mitigation and supporting AB 617 communities.

For further details, please refer to the [Webcast](#) at 08:30.

**Agenda Item #4: 2022 Summary Report on State and Federal Legislation**

Phillip Crabbe, Senior Public Affairs Manager, Legislative, Public Affairs and Media, presented a summary report on state and federal legislation.

Board Member Veronica Padilla-Campos asked whether funds specified under the Inflation Reduction Act were available nationwide to multiple entities. Mr. Crabbe clarified that some funds would be available based on formulas and competitive grants.

David McNeill asked how he could apply for funds for local groups and projects. He was referred to South Coast AQMD's Legislative, Public Affairs and Media Department.

Mr. Yanez volunteered his expertise to assist in applying for funds.

Board Member Padilla-Campos asked if South Coast AQMD would be taking a stance on U.S. EPA's proposed determination prohibiting lead from certain aircraft.

***Action Item: Staff to bring the matter up to the attention of the Executive Officer.***

Angela Garcia asked for the legislation number allocating funds to the Salton Sea. She was referred to the Inflation Reduction Act.



For further details, please refer to the [Webcast](#) at 13:05.

**Agenda Item #5: Update on the Clean Air Program for Elementary Students (CAPES) and Why Healthy Air Matters Program (WHAM)**

Ms. Kim presented an update on CAPES and WHAM.

Board Member Padilla-Campos asked if there was a calendar of events.

***Action Item: Staff to provide Board Member Padilla-Campos with a calendar of events for CAPES and WHAM.***

Chair Delgado asked whether the programs would continue while changes were discussed and implemented in autumn. The future structure and format of the program is under review by the team.

For further details, please refer to the [Webcast](#) at 31:05.

**Agenda Item #6: Member Updates/Other Business**

Chair Delgado requested an update from staff regarding rendering plants.

***Action Item: Staff to schedule a general overview on rendering facilities at the next meeting.***

Mr. Yanez requested an update on transportation rulemaking by CARB.

***Action Item: Staff to check with CARB on availability for an update.***

Mary Figueroa requested an update on projects in the Inland Empire and Riverside County.

***Action Item: Staff to provide an update on the Warehouse Indirect Source Rule efforts in the Inland Empire and Riverside County.***

Ms. Figueroa shared a developing situation in Riverside concerning the building of a new elementary school and a major transportation/mobility hub to be built nearby.

Mark Abramowitz made a public comment encouraging members to become engaged in South Coast AQMD's efforts to update the California Environmental Quality Act guidelines.

For further details, please refer to the [Webcast](#) at 00:35:05.

**Agenda Item #7: Public Comment**

There was no public comment.

**Agenda Item #8: Next Meeting Date**

The next regular EJAG meeting is scheduled for April 28, 2023, at 12:00 p.m.

**Adjournment**

Senator Delgado adjourned the meeting at 12:55 p.m.



# South Coast Air Quality Management District



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## MEETING OF THE ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, APRIL 28, 2023 MEETING MINUTES

### Members Present:

Governing Board Members:

Veronica Padilla-Campos, Advisory Group Chair

Supervisor Curt Hagman

Councilmember José Luis Solache

Manuel Arredondo

Dr. Lawrence Beeson

Dr. Afif El-Hasan

Rafael Yanez

Donald Smith

### Members Absent:

Senator (Reg) Vanessa Delgado, (Governing Board Member)

Mayor Elizabeth Alcantar

Rhetta Alexander

Angelica Balderas

Suzanne Bilodeau

Paul Choe

Kerry Doi

Mary Figueroa

Angela Garcia

Kareem Gongora

Ana Gonzalez

Dr. Monique Hernandez

Dr. Jill Johnston

Humberto Lugo

David McNeill

### South Coast AQMD Staff:

Susan Nakamura, Chief Operating Officer

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs & Media

Daphne Hsu, Principal Deputy District Counsel, Legal

Michael Krause, Asst. Deputy Executive Officer, Planning, Rule Development & Implementation

Barbara Radlein, Program Supervisor, Planning, Rule Development & Implementation

Crystal Villanueva, Senior Enforcement Manager, Office of Compliance & Enforcement

Evangelina Barrera, Senior Public Affairs Specialist, Legislative, Public Affairs & Media

Monika Kim, Public Affairs Manager, Legislative, Public Affairs & Media

Brandee Keith, Senior Public Affairs Specialist, Legislative, Public Affairs & Media

**Call to Order/Opening Remarks**

Chair Veronica Padilla-Campos called the meeting to order at 12:05 p.m., and roll call was taken.

**Agenda Item #1: Approval of the January 27, 2022, Meeting Minutes**

Due to the lack of quorum, this item was continued to the next meeting.

**Agenda Item #2: Review of Follow-Up/Action Items**

Derrick Alatorre, reviewed the action items from the January 27, 2023, meeting:

Board Member Padilla-Campos asked if South Coast AQMD would be taking a stance on an EPA-backed measure regarding airport emissions and jet fuel. **Staff to bring the matter up to the attention of the Executive Officer and the Governing Board.**

Board Member Padilla-Campos asked if there was a calendar of events. **Lisa Tanaka O'Malley shared it on February 14, 2023.**

Senator Vanessa Delgado requested a future update from staff regarding rendering plants. **This item is on the April 28, 2023 EJAG agenda.**

Mr. Rafael Yanez requested an update on transportation rulemaking by CARB. **CARB to present at the August 25, 2023, meeting.**

**Agenda Item #3: California Environmental Quality Act (CEQA) Guidance and South Coast AQMD's Roles**

Barbara Radlein, Program Supervisor in Planning, Rule Development & Implementation presented on the California Environmental Quality Act (CEQA) Guidance and South Coast AQMD's roles.

Rafael Yanez asked how the lead agency is determined. Ms. Radlein explained that it is usually the agency who will do the primary approvals for the case in question.

Board Member José Luis Solache expressed his interest in future developments and applications of CEQA.

Dr. Afif El-Hassan asked if CEQA has jurisdiction over water projects. He also asked if the potential future use of land near projects was taken into consideration during the review process. Staff responded that hydrology and water quality are one of the key environmental topics that are evaluated under CEQA.

Board Member Padilla-Campos asked if any of the working group meetings have already been held. Staff responded that three working group meetings have been held and the presentations are on the website.

Angela Garcia asked if any CEQA challenges had been received regarding greenhouse gasses. Staff responded that South Coast AQMD has not had any CEQA challenges related to greenhouse gasses.

Mr. Yanez asked at what point findings are considered in the process of permit renewals. Staff responded that permits are not issued until the CEQA process is completed.

Manuel Arredondo shared some of the major concerns in desert communities, including dust.

***Action Item: Staff to contact Mr. Arredondo for the address of the facility in concern.***

Moses Huerta requested clarification on whether rules were applied and enforced on projects during the review process.

For further details, please refer to the [Webcast](#) at 00:06:21.

**Agenda Item #4: Update on Rendering Plants**

Crystal Villanueva, Supervisor, Office of Compliance and Enforcement, delivered an update on rendering plants.

Board Member Padilla-Campos asked what brought about the improvement in odor conditions. Staff responded that rule implementation requiring containment and odor mitigation have made a significant difference. Board Member Padilla-Campos inquired about the definition of 'yellow grease.'

Ms. Garcia asked if the rendering plants have permits. She asked if the permits delineated a schedule for inspection.

For further details, please refer to the [Webcast](#) at 01:03:20.

**Agenda Item #5: Member Updates/Other Business**

Dr. El-Hasan announced that the American Lung Association had released the annual State of the Air report. He stated that anyone in the group who could help him track down data regarding school attendance as another factor to consider in environmental justice to reach out to him directly.

Mr. Yanez announced he'd recently attended the DTSC community meeting on the Exide cleanup.

Mr. Arredondo shared efforts in his area through AB 617 and related interests outside the AB 617 community in making changes as well.

For further details, please refer to the [Webcast](#) at 01:18:02.

**Agenda Item #6: Public Comment**

No public comment.

**Agenda Item #7: Next Meeting Date**

The next regular EJAG meeting is scheduled for August 25, 2023, at 12:00 p.m.

**Adjournment**

Board Member Padilla-Campos adjourned the meeting at 1:43 p.m.



# South Coast Air Quality Management District



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

## MEETING OF THE ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, AUGUST 25, 2023 MEETING MINUTES

### **Board Members Present:**

Supervisor Curt Hagman

### **Members Present:**

Angelica Balderas  
Dr. Lawrence Beeson  
Kerry Doi  
Rafael Yanez

### **Members Absent:**

Chair Vanessa Delgado  
Councilmember José Luis Solache  
Veronica Padilla-Campos, Advisory Group Chair  
Elizabeth Alcantar  
Manuel Arredondo  
Suzanne Bilodeau  
Paul Choe  
Dr. Afif El-Hasan  
Mary Figueroa  
Angela Garcia  
Kareem Gongora  
Ana Gonzalez  
Dr. Monique Hernandez  
Dr. Jill Johnston  
Humberto Lugo  
David McNeill  
Donald Smith

### **South Coast AQMD Staff:**

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs & Media  
Lisa Tanaka O'Malley, Assistant Deputy Executive Officer, Legislative, Public Affairs & Media  
Nicholas Sanchez, Assistant Chief Deputy Counsel, Legal  
Aisha Reyes, Senior Administrative Assistant, Legislative, Public Affairs, & Media  
Monika Kim, Public Affairs Manager, Legislative, Public Affairs & Media

Brandee Keith, Senior Public Affairs Specialist, Legislative, Public Affairs and Media  
Brisa Lopez, Administrative Assistant, Legislative, Public Affairs & Media

**Call to Order/Opening Remarks**

Derrick Alatorre called the meeting to order at 12:05 p.m., and roll call was taken.

**Agenda Item #1: Approval of the January 27, 2023 Meeting Minutes**

Due to lack of quorum, this item was continued to the next meeting.

**Agenda Item #2: Approval of the April 28, 2023 Meeting Minutes**

Due to lack of quorum, this item was continued to the next meeting.

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

Mr. Alatorre reviewed the action items from the April 28, 2023, meeting:

Follow-up with Manuel Arredondo for address of site with dust. **Staff followed up with Mr. Arredondo and he informed staff that that the area was fenced off and sprayed down with a green chemical.**

**Agenda Item #4: California Air Resources Board (CARB) Overview on Transportation Rules**

Michael Benjamin, Chief of the Air Quality Planning and Science Division at CARB, delivered an update on CARB's Transportation Rules.

Supervisor Curt Hagman asked why the South Coast region was having difficulty in meeting federal standards. Mr. Benjamin responded that the convergence of port activity, transportation activity, and geography contribute to a heavier amount of pollution in the region.

Supervisor Hagman asked whether there were more actions to be taken beyond requesting stronger federal involvement, such as requesting more resources. Mr. Benjamin responded that several avenues are possible and are being pursued at different levels.

Dr. Lawrence Beeson asked how compliance is verified in oceangoing vessels when asked to switch to cleaner fuels within a certain distance to the coast. Mr. Benjamin responded that CARB has a team to inspect the fuel usage and fuel usage records.

Rafael Yanez discussed the importance of meeting emissions reduction goals to combat the advancement of climate change and global temperature rise.

Harvey Eder advocated for regulatory agencies to favor renewable solar energy.

Moses Huerta, resident of Paramount, voiced support for stronger advocacy of federal action to help address emissions reductions.

Mr. Yanez suggested monitoring GHGs specifically in areas of high transportation traffic to present empirical field data to federal and even international regulatory authorities.

For more information, please refer to webcast at [00:06:00](#)

**Agenda Item #5: Update on the South Coast AQMD's 9<sup>th</sup> Annual Environmental Justice Conference**

Monika Kim delivered an update on South Coast AQMD's 9<sup>th</sup> Annual Environmental Justice Conference.

There was no discussion of this item.

For further details, please refer to the webcast at [01:02:45](#)

**Agenda Item #6- Member Updates/Other Business**

There were no member updates.

**Agenda Item #7- Public Comment**

Mr. Eder advocated for EJAG to reestablish their support for a ports and railyard ISR as opposed to MOUs to address transportation emissions reduction.

**Agenda Item #8: Next Meeting Date**

The next regular EJAG meeting is on Thursday, November 16, 2023 at 12:00 p.m.

**Adjournment**

Mr. Alatorre adjourned the meeting at 01:15:00 p.m.



[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 20

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a hybrid meeting on Friday, January 12, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:

Receive and file this report and approve agenda items as specified in this letter.

Michael A. Cacciotti, Chair  
Legislative Committee

DJA:LTO:PFC:DPG:ar

---

### **Committee Members**

Present: Councilmember Michael A. Cacciotti, Committee Chair  
Mayor Patricia Lock Dawson  
Supervisor Curt Hagman  
Supervisor V. Manuel Perez  
Mayor José Luis Solache  
Absent: Councilmember Nithya Raman

### **Call to Order**

Chair Michael Cacciotti called the meeting to order at 9:00 a.m.

### **ACTION/DISCUSSION ITEMS:**

#### **1. Update on Proposed Sponsored Bills**

Philip Crabbe, Senior Public Affairs Manager/Legislative, Public Affairs & Media, informed the Committee that staff has had over 25 meetings with state legislators and their staff to secure authors for the following South Coast AQMD sponsored state bill proposals.

- Increase Compensation for Air District Board Members by doubling the current limit and adding an annual consumer price index increase going forward.
- Provide CARB board members representing air districts the same compensation as other voting CARB board members.
- Update the Carl Moyer program by 1) expanding the liquidation time for funding from 4 to 6 years; and 2) increasing administrative fees for air districts from 6.25% to 10%.

For additional information, please refer to the [Webcast](#) beginning at 4:34.

There was no public comment.

## **DISCUSSION ITEMS:**

### **2. Update and Discussion on Federal Legislative Issues**

South Coast AQMD's federal legislative consultants (Cassidy & Associates, Kadesh & Associates and Carmen Group) provided written reports on key Washington, D.C. issues.

Amelia Morales, Cassidy & Associates, provided an update on fiscal year 2024 appropriations bills to fund the federal government. If an agreement cannot be reached by the expiration of the current continuing resolution, there is likely to be another extension to provide Congress more time to work out the issues.

Dave Ramey, Kadesh & Associates, reported that seven members of the California House delegation are retiring including three members that are running for Senate; they are: Katie Porter, Barbara Lee, and Adam Schiff.

Gary Hoitsma, Carmen Group, reported on the new U.S. EPA Climate Pollution Reduction grants and Clean Ports funding opportunity as well as the Maritime Administration's Port Infrastructure Development program.

Supervisor Curt Hagman inquired about the potential impact of budget negotiations on grant programs. Mr. Hoitsma responded that the three federal programs mentioned should be consistently funded. For additional information, please refer to the [Webcast](#) beginning at 8:00.

There was no public comment.

### **3. Update and Discussion on State Legislative Issues**

South Coast AQMD's state legislative consultants (California Advisors, LLC, Joe A. Gonsalves & Son and Resolute) provided written reports on key issues in Sacramento.

Ross Buckley, California Advisors, LLC, provided an overview of the Governor's 2024-25 state budget proposal. The \$291.5 billion budget proposal includes a deficit of \$37.86 billion. To address the deficit, the Governor is proposing to use reserve funds, cuts, internal borrowing, funding delays, and payment deferrals. The budget process and negotiations between the Governor and the Legislature will likely continue until the June 15 budget deadline.

Paul Gonsalves, Joe A. Gonsalves & Son, provided the Committee with more details on the proposed budget's impact on funding for air quality and climate programs. This impact includes a reduction of \$2.9 billion, \$1.9 billion in delayed spending and \$1.8 billion shifted from the General Fund to other funds.

David Quintana, Resolute, reported that two-year bills must be passed out of their first house by January 31 to continue through the legislative process. The Governor's budget proposal allocates \$250 million for the AB 617 program including \$195 million for incentives, \$50 million for implementation and \$5 million for community grants and meeting facilitation.

Supervisor Perez inquired about the Governor's proposed budget reduction to the AB 617 program and commented on dust suppression efforts. Wayne Nastri, Executive Officer, responded that the proposed \$50 million decrease to the AB 617 program does not include input from the legislature. Staff will be advocating to restore funding through the Legislature.

Chair Cacciotti inquired about feedback from legislators regarding the proposals to increase board member compensation. Derrick Alatorre, Deputy Executive Officer for Legislative, Public Affairs and Media, responded that the feedback from legislators has been positive. For additional information, please refer to the [Webcast](#) beginning at 17:20.

Sam Emmersen, Better World Group, inquired about the status of AB 1609 (Garcia) related to AB 2766 fees. Mr. Crabbe responded that the bill died in 2023.

### **OTHER MATTERS:**

#### **4. Other Business**

Mayor Solache reported that he will be in Washington D.C. to attend the U.S. Conference of Mayors and welcomes the opportunity to engage on issues relating to South Coast AQMD as needed.

**5. Public Comment Period**

Harvey Eder, Public Solar Power Coalition, provided comments regarding methane emissions.

**6. Next Meeting Date**

The next regular Legislative Committee meeting is scheduled for Friday, February 9, 2024, at 9:00 a.m.

**Adjournment**

The meeting was adjourned at 9:39 a.m.

**Attachments**

1. Attendance Record
2. Update on Federal Legislative Issues – Written Reports
3. Update on State Legislative Issues – Written Reports

# ATTACHMENT 1

## **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING ATTENDANCE RECORD – January 12, 2024**

Councilmember Michael Cacciotti .....	South Coast AQMD Board Member
Mayor Patricia Lock Dawson .....	South Coast AQMD Board Member
Supervisor Curt Hagman .....	South Coast AQMD Board Member
Supervisor V. Manuel Perez .....	South Coast AQMD Board Member
Mayor José Luis Solache .....	South Coast AQMD Board Member
Ken Chawkins .....	Board Consultant (Cacciotti)
Debra Mendelsohn .....	Board Consultant (McCallon)
Guillermo Gonzalez .....	Board Consultant (Perez)
Brian Nestande .....	Board Consultant (Cacciotti)
Mark Taylor .....	Board Consultant (Rodriguez)
Ben Wong .....	Board Consultant (Cacciotti)
Ross Buckley .....	California Advisors, LLC
Paul Gonsalves .....	Joe A. Gonsalves & Son
Gary Hoitsma .....	Carmen Group, Inc.
Amelia Morales .....	Cassidy & Associates
David Quintana .....	Resolute
Dave Ramey .....	Kadesh & Associates
Alan Abbs .....	Public Member
Mark Abramowitz .....	Public Member
Kimberly Caceres .....	Public Member
Helena DuPont .....	Public Member
Harvey Eder .....	Public Member
Sam Emmersen .....	Public Member
Victor Ibarra .....	Public Member
Thomas Jelenic .....	Public Member
Ricky Lai .....	Public Member
Bill La Marr .....	Public Member
David Rothbart .....	Public Member
Patty Senecal .....	Public Member
Brissa Sotelo-Vargas .....	Public Member
Peter Whittingham .....	Public Member
Derrick Alatorre .....	South Coast AQMD Staff
Debra Ashby .....	South Coast AQMD Staff
Barbara Baird .....	South Coast AQMD Staff
Cindy Bustillos .....	South Coast AQMD Staff
Lara Brown .....	South Coast AQMD Staff
Maria Corralejo .....	South Coast AQMD Staff
Philip Crabbe .....	South Coast AQMD Staff
Denise Gailey .....	South Coast AQMD Staff
Bayron Gilchrist .....	South Coast AQMD Staff
De Groeneveld .....	South Coast AQMD Staff

Alex Han .....	South Coast AQMD Staff
Sheri Hanizavareh .....	South Coast AQMD Staff
Anissa Cessa Heard-Johnson.....	South Coast AQMD Staff
Sujata Jain .....	South Coast AQMD Staff
Aaron Katzenstein .....	South Coast AQMD Staff
Angela Kim .....	South Coast AQMD Staff
Howard Lee .....	South Coast AQMD Staff
Alicia Lizarraga .....	South Coast AQMD Staff
Jason Low.....	South Coast AQMD Staff
Connie Mejia .....	South Coast AQMD Staff
Ron Moskowitz .....	South Coast AQMD Staff
Susan Nakamura.....	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Robert Paud.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Aisha Reyes.....	South Coast AQMD Staff
MaFe Ruivivar.....	South Coast AQMD Staff
Lisa Tanaka O'Malley .....	South Coast AQMD Staff
Mei Wang.....	South Coast AQMD Staff
Jillian Wong .....	South Coast AQMD Staff
Paul Wright .....	South Coast AQMD Staff
Victor Yip.....	South Coast AQMD Staff

## ATTACHMENT 2A



To: South Coast Air Quality Management District  
From: Cassidy & Associates  
Date: December 21, 2023  
Re: December Report

### *HOUSE/SENATE*

#### *Congress*

The House and Senate have both adjourned until January. Before leaving town, Congress passed the Fiscal Year 2024 National Defense Authorization Act (NDAA) and an extension to the Federal Aviation Administration (FAA)'s funding authority until March 8 while they continue to negotiate the FAA reauthorization bill. The Senate is scheduled to return on January 8, and the House on January 9. When Congress returns, Members will resume work on appropriations bills as the first of the two-tiered funding deadline approaches on January 19, when FY23 appropriations will expire for Agriculture, Energy and Water Development, Military Construction and Veterans Affairs, and Transportation, Housing, and Urban Development. Congress will also continue debate on a supplemental package that includes sending aid to Israel and Ukraine and funding the border.

#### *EPA*

On December 2, the Environmental Protection Agency (EPA) announced a final rule to reduce methane and other harmful air pollutants from the oil and natural gas industry. Oil and natural gas operations are the nation's largest industrial source of methane, responsible for approximately one-third of the warming from greenhouse gases. EPA's final rule is estimated to prevent 58 million tons of methane emissions from 2024 to 2038. The rule will eliminate routine

flaring of natural gas, require comprehensive monitoring for methane leaks, and establish equipment standards that will reduce emissions. Read more [here](#).

On December 14, the EPA announced that it will begin the process for prioritizing five additional chemicals for risk evaluation: acetaldehyde, acrylonitrile, benzenamine, MBOCA, and vinyl chloride. EPA will consider whether to designate the chemicals as High Priority Substances during the twelve-month process, authorized under the Toxic Substances Control Act. Read more [here](#).

On December 18, the EPA released its FY23 Enforcement and Compliance Annual Results, which showed increased on-site inspections, new criminal investigations, civil settlements, and cleanup enforcement. In 2023, the enforcement and compliance program focused on underserved and overburdened communities who have faced the greatest effects of pollution. Read more [here](#).

On December 20, the EPA released its annual Automotive Trends Report, which showed record low CO2 emissions and record high fuel economy. The increased use of electric and hybrid vehicles and the use of advanced technologies by manufacturers have helped to achieve emissions goals. All fourteen large manufacturers are in compliance with the light-duty greenhouse gas program requirements. Read more [here](#).

On December 20, the EPA announced the selection of California-based Social and Environmental Entrepreneurs, Inc. (SEE) to serve as the EPA Region 9 Grantmaker as part of the Environmental Justice Thriving Communities Grantmaking Program. SEE will receive \$50,000,000 to allot as subgrants to community-based organizations to fund environmental project activities, including local emergency preparedness, environmental workforce development programs for local jobs reducing greenhouse gas emissions, and fenceline air quality and asthma-related projects. Read more [here](#).

Cassidy and Associates support in December:

- Worked with South Coast AQMD staff to strategize on DC outreach.
- Assisted and coordinated on reauthorization of BioWatch program.
- Continued to monitor and report on activities in Congress and the Administration that impact the District.
- Participated in weekly strategy sessions with South Coast AQMD staff.
- Prepared for February South Coast AQMD fly in.



## IMPORTANT LEGISLATIVE DATES

### January 19, 2023:

FY 2023 Appropriations expire for:

- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
- Energy and Water Development
- Military Construction, Veterans Affairs, and Related Agencies
- Transportation, Housing and Urban Development, and Related Agencies

### February 2, 2024:

FY 2023 Appropriations expire for:

- Commerce, Justice, Science, and Related Agencies
- Department of Defense
- Financial Services and General Government
- Homeland Security
- Interior, Environment, and Related Agencies
- Labor, Health and Human Services, Education, and Related Agencies
- Legislative Branch
- State and Foreign Operations and Related Programs

## AGENCY RESOURCES

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each Federal Agency has also established a dedicated coronavirus website, where you can find important information and guidance. They include: Health and Human Services ([HHS](#)), Centers of Medicare and Medicaid ([CMS](#)), Food and Drug Administration ([FDA](#)), Department of Education ([DoED](#)), Department of Agriculture ([USDA](#)), Small Business Administration ([SBA](#)), Department of Labor ([DOL](#)), Department of Homeland Security ([DHS](#)), Department of State ([DOS](#)), Department of Veterans Affairs ([VA](#)), Environmental Protection Agency ([EPA](#)), Department of the Interior ([DOI](#)), Department of Energy ([DOE](#)), Department of Commerce ([DOC](#)), Department of Justice ([DOJ](#)), Department of Housing and Urban Development ([HUD](#)), Department of the

Treasury ([USDT](#)), Office of the Director of National Intelligence ([ODNI](#)), and U.S. Election Assistance Commission ([EAC](#)).

Helpful Agency Contact Information:

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – [darcie.johnston@hhs.gov](mailto:darcie.johnston@hhs.gov))

U.S. Department of Homeland Security – Cherie Short (Office – 202-441-3103 / Cell – 202-893-2941 / Email – [Cherie.short@hq.dhs.gov](mailto:Cherie.short@hq.dhs.gov))

U.S. Department of State – Bill Killion (Office – 202-647-7595 / Cell – 202-294-2605 / Email – [killionw@state.gov](mailto:killionw@state.gov))

U.S. Department of Transportation – Sean Poole (Office – 202-597-5109 / Cell – 202-366-3132 / Email – [sean.poole@dot.gov](mailto:sean.poole@dot.gov))

# ATTACHMENT 2B

## KADESH & ASSOCIATES

South Coast AQMD Report for the January 2024  
Legislative Meeting covering December 2023  
Kadesh & Associates

Following a dramatic Fall, it was a relief to nearly all in Washington that the short-term federal funding dilemma was quickly resolved when the House and Senate passed a two-tiered Continuing Resolution (CR) to keep the government funded into the new year. Under this bill, four FY24 appropriations bills were extended until January 19; those bills cover agriculture, military construction, transportation/housing, and energy/water. The remaining eight bills, including the bill that funds the EPA, will be extended until February 2. Aside from the bifurcated extension dates, the new CR straightforwardly extends FY23 funding levels, as well as farm bill and health programs. It also extended DHS' Countering Weapons of Mass Destruction Office, which would otherwise have expired Dec. 21; this office funds the Biowatch program that has supported monitoring at South Coast AQMD.

The CR was approved under the "suspension of the rules" procedure in the House, meaning it needed a 2/3 vote to pass. The suspension process was required because passing the rule to govern debate became untenable due to political pressures in the House. In the end, almost all House Democrats supported the bill, while the House Republican conference was divided.

However, despite the welcome respite from shutdown threats, the House and Senate are no closer to an agreed-upon topline number for FY24 appropriations. The Senate marked up its bills to the number (\$1.59 trillion) set in the debt ceiling deal passed earlier this year. The House, however, has been using \$1.47 trillion as its topline number. This will be the next meaningful battle in appropriations, and if a shutdown occurs in January or February, it will be over which topline to use.

Without the pressure of a pending shutdown, Congress adjourned for the year in mid-December, leaving additional substantive work to be completed in January. Neither the CR nor the FY24 topline numbers include or address the President's request for emergency aid for Israel and Ukraine. In addition, Senate Republicans have insisted on border/immigration policy changes as a condition of considering the Israel/Ukraine funding. Senate negotiators have been working towards a deal over the holiday recess.

### Kadesh & Associates Activity Summary-

- Worked with South Coast AQMD and the congressional delegation on whole-of-government efforts to address air quality through BIL and IRA funding programs and Clean Air Act issues.
- Assisted with BioWatch reauthorization issue.

### Contacts:

Contacts included staff and Members throughout the CA delegation, especially new members of the delegation, authors of priority legislation, Senate offices, and members of key committees. We have also been in touch with administration staff.

###

# ATTACHMENT 2C



**Carmen Group**  
I N C O R P O R A T E D

**To:** South Coast AQMD Legislative Committee

**From:** Carmen Group

**Date:** December 27, 2023

**Re:** Federal Update -- Executive Branch -- (November and December)

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## **Department of Transportation**

**DOT Announces Funds Available for RAISE Grants:** In November, the Department of Transportation (DOT) announced the availability of \$1.5 billion for the FY 24 RAISE grant program to help communities carry out transportation infrastructure projects with significant local or regional impact. In 2023, the program funded 162 projects covering all 50 states. Applications due February 28, 2024.

**MARAD Announces Port Infrastructure Grant Awards:** In November, The Maritime Administration (MARAD) announced the award of over \$653 million to fund 41 projects across the nation selected under the Port Infrastructure Development discretionary grant program. These included four projects in California: \$52.6 million at Long Beach North Harbor; \$11.3 million at National City Marine Terminal (San Diego); \$8.6 million at Redwood Marine Terminal (Eureka); and \$2 million at Port of Hueneme (Oxnard).

**DOT Announces Opening of Two EV Charging Stations:** In December, DOT announced the opening of the first two new EV charging stations (one in Ohio and one in New York) funded by the National EV Infrastructure Formula Program created under the Bipartisan Infrastructure Law passed in 2021. The program is designed to provide \$5 billion directly to the states and an additional \$2.5 billion in discretionary grants to build out a national network of over 500,000 stations over five years. Also in December, the Federal Highway Administration (FHWA) announced it will soon publish a new Request for Information (RFI) seeking stakeholder feedback to help update the agency's minimum standards and requirements for such charging stations.

**FHWA Announces GHG Climate Performance Measure:** In November, the FHWA announced a new finalized "performance measure" regulation that will impose on state DOTs and Metropolitan Planning Organizations (MPOs) a new national requirement to track transportation-related greenhouse gas (GHG) emissions, while providing flexibility to set their own targets for emission reductions. A few days later, at a hearing of the House Transportation & Infrastructure Highways & Transit Subcommittee, Republicans questioned the DOT's authority to impose such a requirement, saying such authority was not Congressionally authorized under the Bipartisan Infrastructure Law (BIL). The FHWA administrator countered that the authority came not from the BIL but from the previous authorization bill, the FAST Act, which the BIL replaced.

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## **Environmental Protection Agency**

**EPA Announces Actions to Reduce Methane Emissions:** In December, the EPA announced two measures to reduce methane emissions from the oil and gas industry, a key target of the administration’s national and international climate agenda. First, EPA announced (at the COP28 Climate Summit in Dubai, UAE) its finalized rulemaking on methane after receiving nearly 1 million public comments. The rule sets rigorous new standards to slash methane emissions and incentivize innovation. Second, the EPA also announced (with the Department of Energy) a commitment of \$350 million from the Inflation Reduction Act to 14 states (including California) to help them reduce methane emissions in their states.

**EPA Announces Environmental Justice Actions:** The EPA recently announced the following significant Environmental Justice-related actions: 1) Providing \$600 million to 11 organizations nationwide selected as Grantmakers under the EPA’s Environmental Justice Thriving Communities Grantmaking program, created by the Inflation Reduction Act. Such Grantmakers are intended to streamline the process of funding a range of environmental projects important to local communities; 2) Designating California-based Social and Environmental Entrepreneurs (SEE) to serve as EPA’s Region 9 EJ Thriving Communities Grantmaker. SEE will use its expertise and local connections to design a subgrant program “that prioritizes equity-centered grantmaking processes and procedures”; 3) Launching the new Community, Equity & Resiliency initiative to help communities across the nation navigate all of EPA’s Inflation Reduction Act investments and other new related funding opportunities; and 4) Issuing a \$777,000 grant to the California Department of Public Health to provide technical assistance to general aviation airports in California in disadvantaged communities to support the transition from leaded to unleaded aviation gasoline.

**EPA Announces Youth Advisory Council Members:** In November, the EPA Administrator announced his selection of the 16 initial members who will serve two-year terms on the EPA’s newly created National Environmental Youth Advisory Council (NEYAC) which will begin work in 2024. All members are between the ages of 16 and 29. The committee will meet twice a year and provide policy advice and recommendations to the Administrator on environmental issues impacting youth. The selected members represent 13 states (including California) and the District of Columbia, come from a variety of backgrounds, party affiliations, geographic locations and lived experiences and were selected from a pool of over 1000 applicants. By design, the committee pledges to maintain at least 50 percent of its membership from disadvantaged communities.

**EPA Launches Video Prize Challenge to Showcase EV Transportation:** The EPA recently announced it is conducting a prize competition (“My Electric Ride”) soliciting 1-2-minute videos showcasing the advantages of electric transportation in the categories of personal mobility, electric vehicles, and electric buses. Nine winners can receive up to \$3000 each. Submissions due January 23, 2024.

**EPA Among Seven Agencies in “Climate Corps” MOU:** In December, the EPA, the Departments of Commerce, Interior, Agriculture, Labor and Energy, and AmeriCorps announced they are formally entering into a Memorandum of Understanding (MOU) to

begin implementation of President Biden’s September 2023 executive order creating what is being called the American Climate Corps. This sweeping initiative to hire up to 40,000 people initially (mostly ages 18-35) to be trained for environmental work and careers, has no apparent authorization in law, was rejected by Congress as part of the Inflation Reduction Act, and is now under investigation by the House Oversight & Accountability Committee, where public hearings are expected to be held in early 2024.

## **Department of Energy**

**Notable Appointment:** **Raylene Yung** to be *Chief of Staff, Office of Clean Energy Demonstrations*. Previously served as executive director of the Technology Modernization Fund at the US General Services Administration; CEO of US Digital Response; Engineering and product development roles in the private sector. Originally from California. BS and MS degrees from Stanford University.

**DOE Announces New Technology Office:** In December, the Department of Energy announced the launch of the new Office of Critical and Emerging Technology to oversee areas such as artificial intelligence, biotechnology, quantum computing, and semiconductors, many of which will have broad applications to many DOE priorities including clean energy. The office will be directed by **Helena Fu**, who has been a senior advisor at DOE after serving as Director of Technology and National Security at the National Security Council. She will also serve as DOE’s Chief Artificial Intelligence Officer.

**DOE Announces Funds Available for Domestic Battery Manufacturing:** In November, DOE’s Office of Manufacturing and Energy Supply Chains (MESC) announced the availability of \$3.5 billion from the Bipartisan Infrastructure Law to boost domestic production of advanced batteries and battery materials. The funding is designed to create new, retrofitted, and expanded domestic facilities for battery-grade processed critical minerals, battery precursor materials, battery components and cell and pack manufacturing all of which are critical to supporting clean energy electric vehicles and related supply chains of the future. Concept papers due January 9, 2024. Full applications due March 19, 2024.

**DOE Announces US-Canada Rail Decarbonization Task Force:** In December, on the margins of the COP28 Climate Conference in Dubai, UAE, the U.S. Secretary of Energy and Canada’s Minister of Transport issued a joint statement noting the creation of a Rail Decarbonization Task Force “to develop a common vision to reduce emissions from the rail sector.” It says the two countries will “establish a joint research agenda,” “coordinate strategies,” and “collaborate” on a “rail sector net-zero climate model by 2025.”

**Congress:** New FY24 Appropriations Deadlines: January 19 and February 2.

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**Outreach:** In November, Carmen Group coordinated with officials at the Department of Transportation’s Maritime Administration on issues related to the agency’s Port Infrastructure Development grant program.

# ATTACHMENT 3A



## CALIFORNIA ADVISORS, LLC

South Coast AQMD Report  
California Advisors, LLC  
January 12, 2024, Legislative Committee Hearing

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### **Legislative Update**

On November 21<sup>st</sup>, Speaker Robert Rivas announced new committee chair appointments. This action marked a critical moment in the Assembly because this was the Speaker finally appointing his inner circle to key committee assignments. While he did keep some committee chairs in place from the previous regime, most of the major committees saw a new Chair being appointed. This included Assembly Appropriations, Budget, Health, Judiciary, Labor and Employment, Natural Resources, Rules, Transportation, and many others.

It was important to announce these changes before the start of the new year so that these chairs could familiarize themselves with the bills still on their agendas. When the Legislature returns to Sacramento in January they will immediately dive into “two-year” bills. These are bills that need to move to the other house before the end of January. This expedited process will see several bills moving and these new chairs will have to make some tough decisions. Additionally, we expect additional changes to be made to the committee memberships before the new year.

Also, it was announced that Senator Mike McGuire would officially become the next Senate President Pro Tempore on February 5<sup>th</sup>, 2024. In the announcement, they said to expect additional details in the coming weeks regarding the full transition timeline. Senator McGuire will succeed Senator Toni G. Atkins who was elected as Pro Tempore in 2017.

### **Budget Update**

On December 7<sup>th</sup>, the Legislative Analyst’s Office (LAO) released the Fiscal Outlook in anticipation of the upcoming budget season. The LAO estimated a budget problem of \$68 billion in the upcoming budget process. This largely comes because of severe revenue decline in 2022-

23. They stated that while addressing a deficit of this scope will be challenging, the Legislature has several options available to do so. In particular, the state has nearly \$24 billion in reserves to address the budget problem. In addition, there are options to reduce spending on schools and community colleges that could address nearly \$17 billion of the budget problem. Further adjustments to other areas of the budget, such as reductions in one-time spending, could address at least an additional \$10 billion or so. These options and some others, like cost shifts, would allow the Legislature to solve most of the deficit largely without impacting the state's core ongoing service level.

Further, on December 12<sup>th</sup>, the Department of Finance sent out a letter to every state department which indicated they were expecting significant General Fund budget deficits in fiscal years 2023-24 and 2024-25. Accordingly, the Department of Finance directed all entities under the Governor's direct executive authority to take immediate action to reduce current-year General Fund expenditures. There were a limited number of exemptions from the spending reduction which included addressing declared emergencies, providing 24-hour medical care, avoiding significant revenue loss, and achieving significant net cost savings. Agency Secretaries and Cabinet-level Directors will be required to report monthly to Finance and the Governor's Office on all approved exemptions as well as achieved savings.

It should also be noted that California's cash position remained relatively strong over the last few months. As of November 30<sup>th</sup>, the state treasury retained more than \$91 billion of available "cash on hand". This revenue is predominately made up of money in accounts outside of the state's General Fund. This money could potentially be used as a temporary "borrowable resource" for the General Fund.

### **Governor Appointments**

The Governor announced on December 14<sup>th</sup> that Hazel Miranda was appointed Chief of Staff and Policy Advisor for the Chair of the California Air Resources Board. In 2023, Miranda founded Miranda Strategies, a regulatory and strategy consulting firm. She served as a Deputy Legislative Secretary in the Office of Governor Gavin Newsom from 2021 to 2023. She was Legislative Director in the Office of Government Affairs at the California Public Utilities Commission from 2016 to 2021.



# ATTACHMENT 3B



## **Joe A. Gonsalves & Son**

**Anthony D. Gonsalves**

**Jason A. Gonsalves**

**Paul A. Gonsalves**

PROFESSIONAL LEGISLATIVE REPRESENTATION

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Email: gonsalves@gonsalvi.com

**TO:** South Coast Air Quality Management District  
**FROM:** Anthony, Jason & Paul Gonsalves  
**SUBJECT:** Legislative Update – December 2023  
**DATE:** Tuesday, December 19, 2023

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December is always a very quiet month in Sacramento, especially in the first year of a two-year session. When the Legislature returns to session next month, there will be two priorities on the agenda.

First, the Governor and the Legislature are facing a \$68 billion deficit. The last time the state faced significant budget woes was before 2012. Very few legislators remain in office who experienced this significant of a deficit. It is unclear whether this large deficit represents a one-time issue or a more long-term structural problem. Regardless, it is a large deficit and closing the gap will demand considerable attention from the Governor and legislative leadership.

Next, all bills introduced in 2023 that did not pass out of the house they were introduced in must pass by the end of January 2024 to stay alive. Legislators will focus some of their attention on this task throughout the first month of the year.

The following will provide you with updates of interest to the District:

### **NEW SENATE PRESIDENT PRO TEMPORE**

Senator Mike McGuire will be sworn in as the next President Pro Tempore of the California Senate on February 5, 2024, replacing outgoing Senate Pro Tempore Toni Atkins. The timeline puts Senator McGuire in charge as lawmakers grapple with a large projected budget deficit that could require steep cuts to state spending. Senator McGuire's leadership stint will be no more than 2½ years since he is termed out in 2026. This means a new Leadership team, Committee Chairs and Committee makeups for the 2024 Legislative session.

As previously reported, the Assembly elected a new Speaker, Assemblymember Robert Rivas, who took over the top leadership position on July 1, 2023. Both newly elected leaders, Assembly Speaker Rivas and Senate President Pro Tempore elect McGuire, are from Northern California

and both come from rural districts. This is a sharp contrast to their predecessors who both come from highly urbanized areas of Southern California.

Assembly Speaker Rivas has already made significant changes to the legislative process by way of new committee chairs, the makeup of committees, and leadership roles. Once Senator McGuire takes over as Senate President Pro Tempore, he too will make his own changes to the legislative process.

## **BUDGET**

Last week, the nonpartisan Legislative Analyst's Office (LAO) said that the state's budget deficit will likely grow to \$68 billion in fiscal year 2024-25, a stark contrast to the \$14 billion Lawmakers anticipated when crafting last year's budget deal.

California's revenue system relies heavily on income taxes. One reason why previous estimates differed so greatly is because of federal tax filing extensions. Legislators and the LAO did not have a complete picture of the tax collections until after the 2023-24 fiscal year ended. Budget watchers expected some high-wage earners and large corporations to file their income taxes at the November filing deadline. However, that failed to materialize.

The LAO projects that 2022-23 revenues will be \$26 billion below prior estimates. Collections data shows a 25% reduction in total income tax collections. Still, the state is in a much better position to respond to the deficit than in years past. The state has closed similar funding gaps before and has nearly \$91 billion in unused borrowable funds. Legislators could also borrow from special funds, pull back allocations, or recalculate the state's obligation to schools and community colleges. The LAO warned that although tax revenues will likely begin growing next year, recovery will be slow.

## **SALTON SEA RESTORATION**

On December 8, 2023, Governor Gavin Newsom announced \$70 million in federal investment coming to California to accelerate the state's ongoing work to restore the Salton Sea through efforts that enhance wildlife habitat, protect public health and improve water quality at the lake.

The Biden-Harris Administration announced that \$70 million in federal funding is being transferred to the state's Salton Sea Management Program, the first tranche of funding from a \$250 million federal commitment announced last year to accelerate dust suppression and aquatic habitat projects at the Salton Sea. California has committed more than \$500 million in state funding for Salton Sea projects to date.

The \$70 million will be used to expand the state's Species Conservation Habitat Project, which is creating a network of ponds and wetlands over 4,000 acres to provide fish and bird habitats and suppress dust emissions. This federal funding will enable the expansion of the project at the southern edge of the sea.

An additional \$2 million in federal funding was announced for the Torres Martinez Desert Cahuilla Indians to expand the Tribe's technical capacity by funding positions entrusted with supporting Salton Sea project implementation.

### **COMMUNITY AIR GRANT PROGRAM**

On December 11, 2023, The California Air Resources Board (CARB) announced the award of \$10 million from the Community Air Grant program to 42 local non-profit organizations and California Native American tribes for projects that focus on air pollution reduction efforts across the state.

These funds are allocated to local organizations and California Native American tribes to launch community-driven projects that engage residents and support grassroots ideas aimed at tackling air pollution issues. This year, the grant program is funding a new kind of project called a Local Community Emissions Reduction Plan (L-CERP), which encourages community collaboration with local air districts and other government agencies that can help implement proposed air improvement actions prioritized by residents. Eight organizations were awarded funds to launch this new effort. Other funded projects range from educational outreach efforts to increase awareness about local pollution and advocacy opportunities to air monitoring programs that supply residents with data about conditions in their community.

Community Air Grants are an essential component of CARB's implementation of AB 617, which requires that air pollution reduction efforts target disadvantaged communities. Since the program was launched in 2018, \$35 million has been awarded to 69 local organizations and eight California Native American tribes. All projects are located in and benefit disadvantaged and low-income communities.

The Award Recipients within the SCAQMD boundaries include:

- The Soboba Band of Luiseño Indians will develop a targeted local Tribal Community Emissions Reduction Plan for harmful emissions that impact the Soboba Reservation. The Soboba Tribe faces challenges from increasing wildfires, transportation sources, and industrial operations surrounding the reservation. The project will provide data, training and educational resources that target pollution reduction, including the creation of a local emissions inventory. Following that initial work, the community will develop an action plan to tackle sources of emissions.
- The People's Collective for Environmental Justice will support an educational project that includes community engagement and leadership capacity-building goals for the residents of Bloomington and the City of Colton in the Inland Valley. Residents in these two areas experience air pollution from heavy-duty diesel and drayage trucks and locomotives. This project will provide tools the community can use to advocate for clean air and a healthy environment.
- The Del Amo Action Committee in Los Angeles County will conduct a comprehensive technical air toxics study that includes measuring the air pollution levels in the

community, documenting emission sources, and estimating the cumulative health risks from all air pollution. Air pollution sources near the Del Amo neighborhood include an industrial park, warehouses, Superfund sites, and the Ports of Los Angeles and Long Beach. The Del Amo project will involve education, training, and community capacity-building activities.

- The Morongo Band of Mission Indians will implement a technical project to enhance and expand its Community Air Quality Monitoring Network and perform additional air quality sampling for air toxics impacting the Morongo Reservation. Air quality on the Morongo Reservation is impacted by multiple industrial and mobile sources in neighboring Riverside and Los Angeles Counties. This project will help support and enhance the community by engaging, informing and empowering the community to take action to protect air quality and reduce exposure of air pollution on the reservation.

### **GOVERNOR'S APPOINTMENTS**

On December 14, 2023, Hazel Miranda, of Sacramento, was appointed Chief of Staff and Policy Advisor to the Chair of the California Air Resources Board. In 2023, Miranda founded Miranda Strategies, a regulatory and strategy consulting firm. She served as a Deputy Legislative Secretary in the Office of Governor Gavin Newsom from 2021 to 2023. She was Legislative Director in the Office of Government Affairs at the California Public Utilities Commission from 2016 to 2021. She was an Advisor to Commissioner Andrew McAllister at the California Energy Commission from 2013 to 2016. Miranda was a Public Utilities Regulatory Analyst at the California Public Utilities Commission from 2011 to 2013 and a Researcher and Consultant at SEIU Local 1021 from 2010 to 2011. Miranda was a graduate Consultant at the U.N. Economic Commission for Europe in 2009 and Legislative Director in the Office of State Assemblymember Warren Furutani in 2008. She was a Legislative Aide in the Office of State Assemblymember Jose Solorio from 2006 to 2008 and in the Office of State Senator Martha Escutia from 2004 to 2006. Miranda was a Polanco Fellow at the California Latino Legislative Caucus Institute for Public Policy from 2003 to 2004. She earned a Master of Public Affairs degree from the Princeton School of Public and International Affairs. This position does not require Senate confirmation and the compensation is \$189,864.

### **TRANSFORMATIVE CLIMATE COMMUNITIES PROGRAM (TCC)**

On December 18, 2023, the California Strategic Growth Council announced the award of \$98 million for 11 disadvantaged, unincorporated, and tribal communities across the state. The funds are to be used to plan and implement projects that reduce greenhouse gas emissions, improve public health and the environment, and expand economic opportunity for residents.

The current round of TCC grant funding will support three Planning Grants, four Project Development Grants, and four Implementation Grants. Planning grants provide support to communities to successfully apply to future funding rounds through TCC or other funding

sources, while Project Development Grants help fund pre-development costs, and Implementation Grants fund affordable housing, transit access and mobility, solar, energy efficiency, building electrification, green infrastructure, air quality, workforce training, anti-displacement programs, and more.

The Implementation Grants funded within the SCAQMD boundaries include:

- \$22,125,000 Award to The Energy Coalition – Pomona ACTS
- \$22,125,000 Award to the City of Coachella – Coachella Prospera

The Project Development Grants within the SCAQMD boundaries include:

- \$4,018,788.45 Award to Riverside County – Mecca and North Shore Climate Resiliency Plan

The Planning Grants funded within the SCAQMD boundaries include:

- \$300,000 Award to GRID Alternatives Greater Los Angeles – PACT for Paramount

## **2024 LEGISLATIVE DEADLINES**

January 1	Statutes take effect.
January 3	Legislature reconvenes.
January 10	Budget must be submitted by Governor.
January 12	Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.
January 19	Last day for any committee to hear and report to the Floor bills introduced in that house in the odd-numbered year. Last day to submit bill requests to the Office of Legislative Counsel.
January 31	Last day for each house to pass bills introduced in that house in the odd numbered year.
February 16	Last day for bills to be introduced
April 26	Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house
May 3	Last day for policy committees to hear and report to the Floor nonfiscal bills introduced in their house.
May 10	Last day for policy committees to meet prior to May 28.
May 17	Last day for fiscal committees to hear and report to the Floor bills introduced in their house. Last day for fiscal committees to meet prior to May 28.

- May 20-24 Floor session only. No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- May 24 Last day for each house to pass bills introduced in that house.
- May 28 Committee meetings may resume
- June 15 Budget Bill must be passed by midnight.
- June 27 Last day for a legislative measure to qualify for the Nov. 5 General Election ballot
- July 3 Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment, provided Budget Bill has been passed.
- August 5 Legislature reconvenes from Summer Recess.
- August 16 Last day for fiscal committees to meet and report bills.
- August 19-31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- August 23 Last day to amend bills on the Floor.
- August 31 Last day for each house to pass bills. Final Recess begins upon adjournment

## South Coast Air Quality Management District Legislative and Regulatory Update – December 2023

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### ❖ Important Upcoming Dates

Jan 3 2024 – Legislature Reconvenes

### ❖ RESOLUTE Actions on Behalf of South Coast AQMD. RESOLUTE partners David Quintana, and Alfredo Arredondo continued their representation of SCAQMD before the State’s Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Provided ongoing updates as the Legislature stayed in interim recess and the Governor finalized decisions on bills at his desk.
- Set and attended meetings with legislative offices regarding bill proposals for the 2024 legislative session.

### ❖ LAO Budget Deficit Projections: The Legislative Analyst’s Office has released their fiscal outlook for the next budget year which included a projection of a \$68 Billion budget deficit. The full report is available here: <https://lao.ca.gov/Publications/Report/4819>

#### EXECUTIVE SUMMARY FROM LAO:

*California Faces a \$68 Billion Deficit.* Largely as a result of a severe revenue decline in 2022-23, the state faces a serious budget deficit. Specifically, under the state’s current law and policy, we estimate the Legislature will need to solve a budget problem of \$68 billion in the upcoming budget process.

*Unprecedented Prior-Year Revenue Shortfall Creates Unique Challenges.* Typically, the budget process does not involve large changes in revenue in the prior year (in this case, 2022-23). This is because prior-year taxes usually have been filed and associated revenues collected. Due to the state conforming to federal tax filing extensions, however, the Legislature is gaining a complete picture of 2022-23 tax collections after the fiscal year has already ended. Specifically, we estimate that 2022-23 revenue will be \$26 billion below budget act estimates. This creates unique and difficult challenges—including limiting the Legislature’s options for addressing the budget problem.

*Legislature Has Multiple Tools Available to Address Budget Problem.* While addressing a deficit of this scope will be challenging, the Legislature has a number of options available to do so. In particular, the state has nearly \$24 billion in reserves to address the budget problem. In addition, there are options to reduce spending on schools and community colleges that could address nearly \$17 billion of the budget problem. Further adjustments to other areas of the budget, such as reductions to one-time spending, could address at least an additional \$10 billion or so. These options and some others, like cost shifts, would allow the Legislature to solve most of the deficit largely without impacting the state’s core ongoing service level.

*Legislature Will Have Fewer Options to Address Multiyear Deficits in the Coming Years.* Given the state faces a serious budget problem, using general purpose reserves this year is merited. That said, we suggest the Legislature exercise some caution when deploying tools like reserves and cost shifts. The state’s reserves are unlikely to be sufficient to cover the state’s multiyear deficits—which average \$30 billion per year under our estimates. These deficits likely necessitate ongoing spending reductions, revenue increases, or both. As a result, preserving a substantial portion—potentially up to half—of reserves would provide a helpful cushion in light of the anticipated shortfalls that lie ahead.

- ❖ **Assembly Committee Assignments.** Speaker Rivas has made the appointments for all committee seats. This is in addition to the Chair appointments that were released in November. The full makeups of the committees are available in the Assembly Daily File here: <https://www.assembly.ca.gov/schedules-publications/assembly-daily-file>. The following are the committee memberships for the most relevant committees for South Coast:

**Assembly Natural Resources:**

Assemblymember Isaac Bryan, Chair  
Assemblymember Heath Flora, Vice Chair  
Assemblymember Rebecca Bauer-Kahan  
Assemblymember Laura Friedman  
Assemblymember Josh Hoover  
Assemblymember Ash Kalra  
Assemblymember Devon Mathis  
Assemblymember Al Muratsuchi  
Assemblymember Gail Pellerin  
Assemblymember Buffy Wicks  
Assemblymember Jim Wood

**Assembly Budget Sub #4 on Climate, Resources, Energy and Transportation**

Assemblymember Steve Bennett, Chair  
Assemblymember Damon Connolly  
Assemblymember Heath Flora  
Assemblymember Lori Wilson  
Assemblymember Jesse Gabriel, Democrat Alternate  
Assemblymember Vince Fong, Republican Alternate

**Assembly Utilities and Energy**

Assemblymember Cottie Petrie-Norris, Chair  
Assemblymember Jim Patterson, Vice Chair  
Assemblymember Rebecca Bauer-Kahan  
Assemblymember Lisa Calderon  
Assemblymember Phillip Chen  
Assemblymember Damon Connolly  
Assemblymember Laura Friedman  
Assemblymember Chris Holden  
Assemblymember Joe Patterson  
Assemblymember Eloise Gómez Reyes  
Assemblymember Miguel Santiago  
Assemblymember Pilar Schiavo  
Assemblymember Phil Ting  
Assemblymember Greg Wallis  
Assemblymember Jim Wood

**Joint Legislative Committee on Climate Change**

Assemblymember Damon Connolly, Vice Chair  
Assemblymember Wendy Carrillo  
Assemblymember Heath Flora  
Assemblymember Laura Friedman  
Assemblymember Al Muratsuchi

**Assembly Transportation**

Assemblymember Lori Wilson, Chair  
Assemblymember Vince Fong, Vice Chair



Assemblymember Cecilia Aguiar-Curry  
Assemblymember Marc Berman  
Assemblymember Juan Carrillo  
Assemblymember Laurie Davies  
Assemblymember Gregg Hart  
Assemblymember Corey Jackson  
Assemblymember Josh Lowenthal  
Assemblymember Diane Papan  
Assemblymember Kate Sanchez  
Assemblymember Phil Ting  
Assemblymember Greg Wallis  
Assemblymember Christopher Ward  
Assemblymember Buffy Wicks

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 21

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee was held on Friday, January 19, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Gideon Kracov, Chair  
Mobile Source Committee

SLR:ja

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### **Committee Members**

Present: Board Member Gideon Kracov, Committee Chair  
Supervisor Holly J. Mitchell, Committee Vice Chair  
Mayor Pro Tem Larry McCallon  
Supervisor V. Manuel Perez  
Councilmember Nithya Raman  
Councilmember Carlos Rodriguez

### **Call to Order**

Committee Chair Kracov called the meeting to order at 9:02 a.m.

For additional details, please refer to the [Webcast](#).

### **ROLL CALL**

### **INFORMATIONAL ITEM (Items 1-2):**

#### **1. Upcoming State Implementation Plan (SIP) Actions:**

Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, presented this item. For additional details, please refer to the [webcast](#) beginning at 12:03.

Committee Chair Kracov asked about the increase in ozone levels in recent years, the NOx-based attainment strategy, and CARB's mobile source regulations. Dr. Rees answered that a combination of economic factors and weather led to the elevated ozone levels, confirmed that reductions in NOx will reduce ozone levels, and noted the need for the federal government to further control mobile sources under its authority. For additional details, please refer to the [webcast](#) beginning at 14:05.

Supervisor Perez inquired regarding the difference between the 1-hour and 8-hour ozone standards. Dr. Rees responded that the difference is in the time period used for averaging ozone concentrations. For additional details, please refer to the [webcast](#) beginning at 17:30.

Chair Kracov referenced a letter from Joe Goffman regarding U.S. EPA's rule on heavy-duty trucks, the consequences of not meeting ozone standards, and sources contributing to nonattainment in our region. Executive Officer Wayne Nastri replied that U.S. EPA has not yet finalized the rule. Dr. Rees explained that if U.S. EPA disapproves a plan, stationary source and highway sanctions can occur, along with federal takeover of air quality planning and added that trucks are currently the largest source of NOx but that ships, aircraft, and locomotives will soon be the dominant source. For additional details, please refer to the [webcast](#) beginning at 29:50.

Supervisor Mitchell asked about upcoming findings of failure to attain and the most notable consequences of those findings from the public's perspective. Dr. Rees explained that there will be nonattainment fees for stationary sources and a revised plan to meet the standards may be needed. She noted that, due to a consent decree, U.S. EPA has until this summer to act on South Coast AQMD's Contingency Measure Plan which, if disapproved, would trigger sanctions. For additional details, please refer to the [webcast](#) beginning at 36:45.

Supervisor Perez encouraged staff to perform more outreach to entities such as the Coachella Valley Association of Governments (CVAG) to explain the challenges associated with nonattainment. Mr. Nastri stated that staff recently contacted CVAG and will work with Supervisor Perez to identify other groups for outreach. For additional details, please refer to the [webcast](#) beginning at 39:32.

Councilmember Raman inquired about nonattainment fees for revoked standards, under which circumstances they apply, and the magnitude of the fees. Dr. Rees stated that while nonattainment fees are applicable even for revoked standards, a fee equivalency program is allowed. She reiterated that the fee is approximately \$12,000 per ton for VOC and NOx and South Coast AQMD is amending a rule to address the fee requirements for all ozone standards including revoked ones. For additional details, please refer to the [webcast](#) beginning at 43:34.

Harvey Eder, Public Solar Power Coalition, noted the health effects of air pollution, stating that over 80 percent of premature deaths are attributable to PM2.5. He also commented on methane emissions and climate change. For additional details, please refer to the [webcast](#) beginning at 46:10.

David Rothbart, Clean Water SoCal, commented that if all stationary source emissions were eliminated, the region would not attain ozone standards. He stated that members of the organization he represents will pay \$800,000 per year in nonattainment fees. For additional details, please refer to the [webcast](#) beginning at 48:37.

Dori Chandler, Coalition for Clean Air, commented that the 2022 AQMP is not viable because it relies on black box measures and encouraged South Coast AQMD to place greater emphasis on mobile source reductions. Supervisor Perez noted the comment and asked for greater engagement from the community and other stakeholders to advocate for action at the federal level to reduce emission sources. For additional details, please refer to the [webcast](#) beginning at 50:42.

## **2. Update on Indirect Source Rules**

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation provided status updates on Proposed Rule 2306 – Indirect Source Rule for Rail Yards (Rail Yard ISR) and Proposed Rule 2304 – Indirect Source Rule for Commercial Marine Ports – Container Terminals (Ports ISR). For additional details, please refer to [Webcast](#) at 54:00.

Committee Chair Kracov inquired if staff’s engagement with the railroads and information gathered during the previously proposed emission reduction agreement effort will be helpful for the rail yard ISR rulemaking, and whether staff will consider in-person Ports ISR working group meetings at the harbor area in the future. Mr. MacMillan responded affirmatively. Committee Chair Kracov also inquired about the upcoming joint delegation trip to Washington D.C. with the ports of Long Beach and Los Angeles to engage federal government on funding opportunities and port pollution challenges. Mr. Nastri confirmed participation by executive directors of both ports. For additional details, please refer to [Webcast](#) at 1:02:20.

Supervisor Mitchell thanked staff for clarifying that the Ports ISR aims to limit emissions, not cargo throughput, and she emphasized the importance of wide

participation by all stakeholders and setting clear goals for meeting outcomes. Committee Chair Kracov concurred. Councilmember Rodriguez inquired on the socioeconomic reports for both rules. Mr. MacMillan responded that they are being developed as part of rulemaking, with draft reports to be released later this year. For additional details, please refer to [Webcast](#) at 1:11:00.

Thomas Jelenic, Pacific Merchant Shipping Association; Sarah Wiltfong, Los Angeles County Business Federation; and Matt Schrap, Harbor Trucking Association expressed concern for the meeting series timeframe to adequately address technical concerns. Mr. MacMillan responded that working group meetings will be ongoing. Mr. Jelenic expressed disappointment that labor and industry groups were not included in the upcoming delegation trip to Washington D.C. Mr. Nastri expressed willingness to potentially include additional stakeholder representatives. Mr. Schrap appreciated the emphasis on emission reductions while expressing concerns for potential cargo diversion due to compliance costs. For additional details, please refer to [Webcast](#) at 1:15:00.

Jayne Stevenson, Pacific Environment; Yassi Kavezade, Sierra Club; Yasmine Agelidis and Fernando Gaytan, EarthJustice; and Dori Chandler, Coalition for Clean Air expressed support for timely adoption of strong ISRs and advocated for expedited deployment of zero-emission technologies, and to ensure that the technical working group meetings will inform rulemaking. Ms. Kavezade requested community and environmental groups be included in delegation trips to Washington D.C. along with other stakeholders. Mr. Gaytan requested staff's written responses to submitted comment letters. For additional details, please refer to [Webcast](#) at 1:18:20.

Committee Chair Kracov reiterated the continuation of the Ports ISR working group process and added that more rulemaking time has already been built in to allow for further expansion of stakeholder engagement. He then inquired about the next ISR update. Mr. Nastri responded that staff will provide quarterly updates to the Mobile Source Committee. For additional details, please refer to [Webcast](#) at 1:29:45.

### **WRITTEN REPORTS (Items 3-5):**

#### **3. Rule 2305 Implementation Status Report: Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program**

This item was received and filed. Committee Chair Kracov asked when a comprehensive update on the WAIRE Program was expected and noted that this update is important to Councilmember Rodriguez. Mr. Nastri stated that it would be in March. For additional details, please refer to the [Webcast](#) beginning at 1:32:00.

**4. Rule 2202 Activity Report: Rule 2202 Summary Status Report**

This item was received and filed.

**5. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects**

This item was received and filed.

**OTHER MATTERS:**

**6. Other Business**

There was no other business to report.

## **7. Public Comment Period**

Mr. Eder urged the committee to look into the Solar New Deal and the SunShot Program from the Department of Energy. He stated that solar could be helpful to the plans related to the Ports, Railroads and Indirect Sources.

## **8. Next Meeting Date**

The next regular Mobile Source Committee meeting is scheduled for Friday, February 16, 2024 at 9:00 a.m.

### **Adjournment**

The meeting adjourned at 10:32 a.m.

### **Attachments**

1. Attendance Record
2. Rule 2305 Implementation Status Report: Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program – Written Report
3. Rule 2202 Activity Report: Rule 2202 Summary Status Report – Written Report
4. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects – Written Report

**ATTACHMENT 1**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
MOBILE SOURCE COMMITTEE MEETING  
Attendance – January 19, 2024**

Board Member Gideon Kracov.....	South Coast AQMD Board Member
Mayor Pro Tem Larry McCallon.....	South Coast AQMD Board Member
Supervisor Holly Mitchell.....	South Coast AQMD Board Member
Supervisor V. Manuel Perez.....	South Coast AQMD Board Member
Councilmember Nithya Raman.....	South Coast AQMD Board Member
Councilmember Carlos Rodriguez.....	South Coast AQMD Board Member
Jackson Guze.....	Board Consultant (Raman)
Lorraine Lundquist.....	Board Consultant (Mitchell)
Debra Mendelsohn.....	Board Consultant (McCallon)
Uduak-Joe Ntuk.....	Board Consultant (Solache)
Andrew Silva.....	Board Consultant (Lock Dawson)
Mark Taylor.....	Board Consultant (Rodriguez)
Ernesto Castillo.....	Board Consultant (Kracov)
William Kelly.....	Board Consultant (Cacciotti)
Mark Abramowitz.....	Community Environmental Services
Juan Acosta.....	Public Member
Yasmine Agelidis.....	Earthjustice
Matt Arms.....	Port of Long Beach
Sarah Baumann.....	Port of Long Beach
Greg Betzwieser.....	Public Member
Nick Bryan.....	Public Member
Sergio Carillo.....	Public Member
Dori Chandler.....	Coalition for Clean Air
Chris Chavez.....	Coalition for Clean Air
Manu Chopra.....	Public Member
Trish Clary.....	Union Pacific Railroad
O Cliatt II.....	Pacific Harbor Line
Amber Coluso.....	Port of Los Angeles
Joelle Howe.....	CARB
Joy Crose.....	Port of Los Angeles
Jessi Davis.....	Public Member
Sal DiCostanzo.....	ILWU Local 13
Helena DuPont.....	Public Member
Harvey Eder.....	California Solar Power Coalition
Andrew Fox.....	Public Member
Tim French.....	Public Member
Fernando Gaytan.....	Earthjustice
Greg Gilani.....	CARB
Layla Gonzalez.....	CARB



Krivi Gupta.....	Public Member
Justin Hwang.....	Public Member
Thomas Jelenic .....	PMSA
Yassi Kavezade.....	Sierra Club
Danielle Kelton.....	Public Member
Lena Kent.....	BNSF Railway
Scott King .....	CARB
Bill La Marr.....	California Small Business Alliance
John D. Lovenburg.....	BNSF Railway
Artie Mandel.....	Port of Los Angeles
Terry Manies .....	Public Member
Erick Martell.....	Ports of Los Angeles
Kristi Monji.....	Public Member
Don Nguyen.....	OC Sanitation District
Alex Nieves.....	Public Member
Maria Osorio.....	Public Member
Elisabeth R.....	Public Member
Dustin Rinehart.....	Public Member
David Rothbart.....	LA County Sanitation Districts
Melissa Schop.....	Union Pacific Railroad
Matt Schrap .....	Harbor Trucking Association
Jayne Stevenson.....	Public Member
Peter Whittingham.....	Public Member
Sarah Wiltfong.....	BizFed
Kathleen Woodfield.....	Harbor Community Benefit Foundation

Derrick Alatorre .....	South Coast AQMD Staff
Jacob Allen .....	South Coast AQMD Staff
Maria Allen .....	South Coast AQMD Staff
Jason A spell.....	South Coast AQMD Staff
Barbara Baird.....	South Coast AQMD Staff
Rachel Ballon.....	South Coast AQMD Staff
Zoya Banan.....	South Coast AQMD Staff
Cindy Bustillos.....	South Coast AQMD Staff
Marc Carreras Sospedra.....	South Coast AQMD Staff
Philip Crabbe III.....	South Coast AQMD Staff
Joshua Ewell.....	South Coast AQMD Staff
Christian Fielding.....	South Coast AQMD Staff
Scott Gallegos.....	South Coast AQMD Staff
Bayron Gilchrist.....	South Coast AQMD Staff
De Groeneveld.....	South Coast AQMD Staff
Sheri Hanizavareh.....	South Coast AQMD Staff
Dr. Anissa "Cessa" Heard-Johnson .....	South Coast AQMD Staff
Daniel Hernandez.....	South Coast AQMD Staff
Kayla Jordan.....	South Coast AQMD Staff
Aaron Katzenstein.....	South Coast AQMD Staff
Angela Kim.....	South Coast AQMD Staff
Ricky Lai.....	South Coast AQMD Staff

Ruby Laity.....	South Coast AQMD Staff
Howard Lee.....	South Coast AQMD Staff
Sang-Mi Lee.....	South Coast AQMD Staff
Jason Low.....	South Coast AQMD Staff
Ian MacMillan.....	South Coast AQMD Staff
Terrence Mann .....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Susan Nakamura.....	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Robert Paud.....	South Coast AQMD Staff
Dan Penoyer.....	South Coast AQMD Staff
Dylan Plautz.....	South Coast AQMD Staff
Marissa Poon.....	South Coast AQMD Staff
Eric Praske.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Mary Reichert.....	South Coast AQMD Staff
Aisha Reyes.....	South Coast AQMD Staff
Valerie Rivera .....	South Coast AQMD Staff
Paul Rodriguez.....	South Coast AQMD Staff
Zafiro Sanchez.....	South Coast AQMD Staff
Elaine Shen.....	South Coast AQMD Staff
Lisa Tanaka O'Malley.....	South Coast AQMD Staff
Sergio Torres Callejas .....	South Coast AQMD Staff
Dominic Tung.....	South Coast AQMD Staff
Mei Wang .....	South Coast AQMD Staff
Shawn Wang.....	South Coast AQMD Staff
Jessica Wei .....	South Coast AQMD Staff
Vicki White.....	South Coast AQMD Staff
Jillian Wong .....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff
Alice Yang .....	South Coast AQMD Staff
Victor Yip.....	South Coast AQMD Staff



**South Coast**  
**Air Quality Management District**  
 21865 Copley Drive, Diamond Bar, CA 91765  
 (909) 396-2000, [www.aqmd.gov](http://www.aqmd.gov)

**Rule 2305 Implementation Status Report:**  
**Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program**

*November 1, 2023 to December 31, 2023*

**1. Implementation and Outreach Activities:**

Activity	Since Last Report	Since Rule Adoption
Calls and Emails to WAIRE Program Hotline (909-396-3140) and Helpdesk ( <a href="mailto:waire-program@aqmd.gov">waire-program@aqmd.gov</a> )	691	6,211
Views of Compliance Training Videos (outside of webinars)	465	6,441
Emails Sent with Information About WAIRE Program Resources	4,476	~ 72,185
Visits to <a href="http://www.aqmd.gov/waire">www.aqmd.gov/waire</a>	5,424	~ 52,506
Warehouse Locations Visited In-Person	392	574
Presentations to Stakeholders	0	143

**2. Highlights of Recent Implementation and Enforcement Activities**

Phase 1 warehouse operators (including those with greater than or equal to 250,000 square feet) were required to submit their first Annual WAIRE Report (AWR) by March 2, 2023, which includes the actions and/or investments completed in the 2022 compliance period. As of December 31<sup>st</sup>, 523 warehouse operators filed an AWR.<sup>1</sup> This represents about 50% of the anticipated Phase 1 group. Of the submitted reports, 41 warehouse operators still need to submit the required fees (including mitigation fees, as applicable). The 523 operators who submitted an AWR earned a total of about 236,249 WAIRE Points, far exceeding the total WAIRE Points Compliance Obligation reported by these entities. These excess points may be banked for future compliance. The operators reported that they will pay a total of approximately \$11.8 million in mitigation fees, of which about \$8.7 million were paid by December 31, 2023.

Rule 2305 allows warehouse operators or owners the option of earning WAIRE Points for "early" actions completed prior to their first compliance period. As of December 31<sup>st</sup>, 179 warehouse operators and facility owners filed Early Action AWRs.<sup>1</sup> These early action reports include a total earning of about 68,884 WAIRE Points.

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<sup>1</sup> Staff has begun auditing these reports. Some of these reports may have been filed to bank points for future compliance periods. Information on these audits will be provided in future monthly reports and/or the annual report.

On December 14, 2023, Notice of Violations (NOVs) were issued to 109 Phase 1 warehouse operators in Los Angeles County, Orange County, Riverside County, and San Bernardino County that have failed to meet rule deadlines. NOVs were issued in support of an enforcement initiative to bring these large facilities into compliance with Rule 2305. Since the issuance of the NOVs, many warehouses have reached out to staff for information and guidance on how to comply with Rule 2305. Approximately 50 warehouses have contacted South Coast AQMD directly in response to the NOVs issued, and staff is providing compliance assistance as needed. Ten facilities achieved compliance by submitting the required reports and fees. An additional six facilities have submitted the required reports but have not yet submitted the associated fees. Some operators provided additional documentation to assert that the rule may not apply to their facility, and staff is in the process of evaluating this information.

On December 19, 2023, South Coast AQMD issued a press release and posted an online list of warehouse locations that received Notices of Violation for failing to comply with Rule 2305.

Staff continued working on 6 Public Records Act Requests preparing information that included Rule 2305 reported data. Staff also worked with the Office of General Counsel to address business confidentiality claims made by warehouse owners and operators. In December, letters were sent via certified mail to approximately 50 companies who claimed confidentiality for certain information (i.e., operator's name, facility name, facility address and Facility ID number) that is generally not considered confidential. The letter indicated that South Coast AQMD will consider these four components of information subject to release in 21 calendar days from the date of the letter; however, this deadline may be subject to further discussions with the entities who responded to the letter.

Staff responded to WAIRE Program emails and hotline calls, which have significantly increased in volume since issuance of the Compliance Advisory and Press Release in September 2023 and NOVs in December 2023. Staff provided assistance with WAIRE Program requirements through virtual consultation sessions with stakeholders and other outreach and support efforts to stakeholders in preparation of their AWR submittal.

Staff completed review of three Custom WAIRE Plans. The applications for these Custom WAIRE Plans were posted on the WAIRE Program Website for public review on November 2, 2023. The applications were viewed 385 times in November 2023 and no public comments were received. Staff continued discussions with the applicant to address business confidentiality claims and proposed conditions for approval.

### **Anticipated Activities in January**

- Continue outreach and support efforts to warehouse operators in preparation of their ISIR/AWR submittals, including providing assistance with program requirements, tracking truck trips, and earning WAIRE Points.
- Continue to pursue potential enforcement action as necessary.
- Continue to review and verify submitted information and analyze data submitted through R2305 reports (e.g., WONS, ISIRs, AWRs, early action AWRs).
- Continue to provide documents in response to Public Records Act Requests.
- Continue to develop an approach for addressing business confidentiality concerns and making WAIRE Program data publicly accessible via the online F.I.N.D. tool on the South Coast AQMD website.

- Continue to enhance the WAIRE POP software to support improved functionality (e.g., program administration, and an amendment process for submitted reports).



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
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## Rule 2202 Summary Status Report Activity for January 1, 2023 – December 31, 2023

Employee Commute Reduction Program (ECRP)	
# of Submittals:	381

Emission Reduction Strategies (ERS)	
# of Submittals:	253

Air Quality Investment Program (AQIP) Exclusively		
County	# of Facilities	\$ Amount
Los Angeles	46	\$ 261,365
Orange	3	\$ 42,664
Riverside	3	\$ 12,944
San Bernardino	1	\$ 4,766
<b>TOTAL:</b>	<b>53</b>	<b>\$ 321,739</b>

ECRP w/AQIP Combination		
County	# of Facilities	\$ Amount
Los Angeles	0	\$ 0
Orange	0	\$ 0
Riverside	0	\$ 0
San Bernardino	0	\$ 0
<b>TOTAL:</b>	<b>0</b>	<b>\$ 0</b>

### Total Active Sites as of December 31, 2023

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
512	8	55	575	101	654	1,330
38.49%	0.60%	4.14%	43.23%	7.60%	49.17%	100% <sup>4</sup>

### Total Peak Window Employees as of December 31, 2023

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
377,288	2,790	8,295	388,373	13,696	268,675	670,744
56.25%	0.41%	1.24%	57.90%	2.04%	40.06%	100% <sup>4</sup>

- Notes:**
1. ECRP Compliance Option.
  2. ECRP Offset (combines ECRP w/AQIP). AQIP funds are used to supplement the ECRP AVR survey shortfall.
  3. ERS with Employee Survey to get Trip Reduction credits. Emission/Trip Reduction Strategies are used to supplement the ECRP AVR survey shortfall.
  4. Totals may vary slightly due to rounding.

## DRAFT

BOARD MEETING DATE: February 2, 2024

AGENDA NO.

REPORT: Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

SYNOPSIS: This report provides a listing of environmental documents prepared by other public agencies seeking review by South Coast AQMD between December 1, 2023 and December 31, 2023, and proposed projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, January 19, 2024, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SR:MK:MM:BR:SW:ET

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### **Background**

The California Environmental Quality Act (CEQA) Statute and Guidelines require public agencies, when acting in their lead agency role, to provide an opportunity for other public agencies and members of the public to review and comment on the analysis in environmental documents prepared for proposed projects. A lead agency is when a public agency has the greatest responsibility for supervising or approving a proposed project and is responsible for the preparation of the appropriate CEQA document.

Each month, South Coast AQMD receives environmental documents, which include CEQA documents, for proposed projects that could adversely affect air quality. South Coast AQMD fulfills its intergovernmental review responsibilities, in a manner that is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4, by reviewing and commenting on the adequacy of the air quality analysis in the environmental documents prepared by other lead agencies.

The status of these intergovernmental review activities is provided in this report in two sections: 1) Attachment A lists all of the environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received during the reporting period; and 2) Attachment B lists the active projects for which South Coast AQMD has reviewed or is continuing to conduct a review of the environmental documents prepared by other public agencies. Further, as required by the Board's October 2002 Environmental Justice Program Enhancements for fiscal year (FY) 2002-03, each attachment includes notes for proposed projects which indicate when South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The attachments also identify for each proposed project, as applicable: 1) the dates of the public comment period and the public hearing date; 2) whether staff provided written comments to a lead agency and the location where the comment letter may be accessed on South Coast AQMD's website; and 3) whether staff testified at a hearing.

In addition, the South Coast AQMD will act as lead agency for a proposed project and prepare a CEQA document when: 1) air permits are needed; 2) potentially significant adverse impacts have been identified; and 3) the South Coast AQMD has primary discretionary authority over the approvals. Attachment C lists the proposed air permit projects for which South Coast AQMD is lead agency under CEQA.

**Attachment A – Log of Environmental Documents Prepared by Other Public Agencies and Status of Review, and Attachment B – Log of Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies**

Attachment A contains a list of all environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received pursuant to CEQA or other regulatory requirements. Attachment B provides a list of active projects, which were identified in previous months' reports, and which South Coast AQMD staff is continuing to evaluate or prepare comments relative to the environmental documents prepared by other public agencies. The following table provides statistics on the status of review<sup>1</sup> of environmental documents for the current reporting period for Attachments A and B combined<sup>2</sup>:

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<sup>1</sup> The status of review reflects the date when this Board Letter was prepared. Therefore, Attachments A and B may not reflect the most recent updates.

<sup>2</sup> Copies of all comment letters sent to the lead agencies are available on South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.



<b>Statistics for Reporting Period from December 1, 2023 to December 31, 2023</b>	
<b>Attachment A:</b> Environmental Documents Prepared by Other Public Agencies and Status of Review	80
<b>Attachment B:</b> Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies (which were previously identified in the October 2023, and November 2023 reports)	15
<b>Total Environmental Documents Listed in Attachments A &amp; B</b>	<b>95</b>
<i>Comment letters sent</i>	<i>13</i>
<i>Environmental documents reviewed, but no comments were made</i>	<i>51</i>
<i>Environmental documents currently undergoing review</i>	<i>31</i>

Staff focuses on reviewing and preparing comments on environmental documents prepared by other public agencies for proposed projects: 1) where South Coast AQMD is a responsible agency under CEQA (e.g., when air permits are required but another public agency is lead agency); 2) that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement); 3) that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); 4) where environmental justice concerns have been raised; and 5) which a lead or responsible agency has specifically requested South Coast AQMD review.

If staff provided written comments to a lead agency, a hyperlink to the “South Coast AQMD Letter” is included in the “Project Description” column which corresponds to a notation in the “Comment Status” column. In addition, if staff testified at a hearing for a proposed project, a notation is also included in the “Comment Status” column. Copies of all comment letters sent to lead agencies are available on South Coast AQMD’s website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>. Interested parties seeking information regarding the comment periods and scheduled public hearings for projects listed in Attachments A and B should contact the lead agencies for further details as these dates are occasionally modified.

In January 2006, the Board approved the Clean Port Initiative Workplan (Workplan). One action item of the Workplan 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 accordance with this action item, Attachments A and B organize the environmental documents received according to the following categories: 1) goods movement projects; 2) schools; 3) landfills and wastewater projects; 4) airports; and 5) general land use projects. In response to the action item relative to mitigation, staff maintains a compilation of mitigation measures presented as a series of tables relative to off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust;

and greenhouse gases which are available on 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 such as ground support equipment.

### **Attachment C – Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency**

The CEQA lead agency is responsible for determining the type of environmental document to be prepared if a proposal requiring discretionary action is considered to be a “project” as defined by CEQA. South Coast AQMD periodically acts as lead agency for its air permit projects and the type of environmental document prepared may vary depending on the potential impacts. For example, an Environmental Impact Report (EIR) is prepared when there is 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 a proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are types of CEQA documents which analyze the potential environmental impacts and describe the reasons why a significant adverse effect on the environment will not occur such that the preparation of an EIR is not required.

Attachment C of this report summarizes the proposed air permit projects for which South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation pursuant to CEQA. As noted in Attachment C, South Coast AQMD is lead agency for three air permit projects during December 2023.

### **Attachments**

- A. Environmental Documents Prepared by Other Public Agencies and Status of Review
- B. Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies
- C. Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency

**DRAFT**

**ATTACHMENT A**

**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**

**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Goods Movement</b> <b>LAC231201-23</b> Pier Wind Terminal Development Project#	The project consists of constructing a 400-acre terminal and 30-acre transportation corridor. The project is located in the Southwest Harbor Planning District of the Port of Long Beach just north of the federal breakwater, east of Port of Los Angeles Pier 400, south of the Navy Mole, and west of the Main Channel in San Pedro. The project is also located within the designated AB 617 Wilmington, Carson, and West Long Beach community.  Comment Period: 11/30/2023- 1/19/2024 Public Hearing: 12/13/2023	Notice of Preparation	Port of Long Beach	Under review, may submit comments
<b>Goods Movement</b> <b>LAC231212-04</b> Terminal Island Maritime Support Facility Project#	The project consists of constructing a chassis support and container storage facility on 80 acres. The project is located at 740 Terminal Way in San Pedro within the designated AB 617 Wilmington, Carson, and West Long Beach community.  Comment Period: 12/7/2023- 1/22/2024 Public Hearing: 1/9/2024	Notice of Preparation	Port of Los Angeles	Under review, may submit comments
<b>Warehouse &amp; Distribution Centers</b> <b>LAC231201-16</b> Whittier Boulevard Business Center	The project consists of redeveloping a 295,499 square foot warehouse on 13.49 acres. The project is located near the southwest corner of Whittier Boulevard and Penn Street. Reference: LAC230802-02 and LAC221220-04  Staff previously provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230802-02.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230802-02.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	City of Whittier	Document reviewed - No comments sent
<b>Warehouse &amp; Distribution Centers</b> <b>LAC231213-09</b> Prologis Stewart and Gray Road Warehouse Project	The project consists of demolishing 433,000 square feet of existing structures and constructing a 535,685 square foot warehouse on 29.16 acres. The project is located on the northwest corner of Stewart and Gray Road and Woodruff Avenue. Reference LAC220405-03  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/LAC220405-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/LAC220405-03.pdf</a> .  Comment Period: 12/12/2023- 1/25/2024 Public Hearing: N/A	Draft Environmental Impact Report	City of Downey	Document reviewed - No comments sent

Key:

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

LAC = Los Angeles County, ORC = Orange County, RVC = Riverside County, and SBC = San Bernardino County

Notes:

1. Disposition may change prior to Governing Board Meeting
2. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.



**ATTACHMENT A  
ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW  
December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231206-02</b> Motte Business Center; Tentative Parcel Map (TPM) No. 38432 (PLN22-0114), and Plot Plan No. PLN22-0115	The project consists of constructing a 1,138,638 square foot warehouse and combining eight parcels into one parcel for a total of 46.33 gross acres. The project is located near the southeast corner of Ethanac Road and Dawson Road. Reference RVC231003-01  Staff previously provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/RVC231003-01.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/november-2023/RVC231003-01.pdf</a> .  Comment Period: 12/6/2023 - 12/13/2023 Public Hearing: 12/13/2023	Notice of Availability of a Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231206-04</b> The Cubes at Placentia Industrial Project	The project consists of constructing a 578,265 square foot warehouse. The project is located on the northeast corner of Placentia Avenue and Wilson Avenue.  Comment Period: 12/1/2023 - 1/2/2024 Public Hearing: 12/20/2023	Notice of Preparation	City of Perris	Under review, may submit comments
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231212-01</b> Harvill at Water Industrial	The project consists of constructing a 434,823 square foot warehouse on 20.57 acres. The project is located on the southwest corner of Harvill Avenue and Water Street in Mead Valley. Reference RVC220526-02 and RVC220217-03  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/june/RVC220526-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/june/RVC220526-02.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	County of Riverside	Document reviewed - No comments sent
<i>Warehouse &amp; Distribution Centers</i> <b>RVC231221-01</b> Sunset Crossroads Project	The project consists of constructing a 268,400 square foot building consisting of a medical office, professional office, education, recreation, commercial, a travel center with refueling uses, and a hotel on 47.9 acres; and up to 5,545,000 square feet of industrial uses on 392 acres. The project is located on the northwest corner of Sunset Avenue and Bobcat Road.  Comment Period: 12/15/2023 - 1/30/2024 Public Hearing: N/A	Draft Environmental Impact Report	City of Banning	Under review, may submit comments

Key:

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

LAC = Los Angeles County, ORC = Orange County, RVC = Riverside County, and SBC = San Bernardino County

Notes:

- Disposition may change prior to Governing Board Meeting
- Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW  
December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231221-04</b> Newland Simpson Road Project	The project consists of constructing an 883,080 square foot warehouse on 45.28 acres and a 309,338 warehouse on 18.73 acres. The project is located on the southwest corner of Warren Road and Simpson Road.  Comment Period: 12/18/2023- 1/19/2024 Public Hearing: 1/3/2024	Notice of Preparation	City of Hemet	Under review, may submit comments
<b>Warehouse &amp; Distribution Centers</b> <b>SBC231206-09</b> Cherry Commerce Center	The project consists of constructing a 477,480 square foot warehouse and a 221,953 square foot warehouse on 29.4 acres. The project is located near the northeast corner of Cherry Avenue and Jurupa Avenue. Reference SBC230712-08  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230712-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230712-08.pdf</a> .  Comment Period: 12/7/2023- 1/22/2024 Public Hearing: 1/16/2024	Draft Subsequent Environmental Impact Report	City of Fontana	Under review, may submit comments
<b>Warehouse &amp; Distribution Centers</b> <b>SBC231213-03</b> West Foothill Development Project	The project consists of constructing a 3,570 square foot drive-through restaurant, a 42,476 square foot warehouse with two condominiums, and a 51,959 square foot warehouse with two condominiums. The project is located at 1780 West Foothill Boulevard.  Comment Period: 12/8/2023- 1/2/2024 Public Hearing: 1/24/2024	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Upland	Under review, may submit comments
<b>Industrial and Commercial</b> <b>LAC231201-15</b> Development Review Permit No. DRP21-0065 and Conditional Use Permit No. CUP22-0007	The project consists of constructing a 295,959 square foot manufacturing building and modifying the parking layout. The project is located at 12352 Whittier Boulevard.  Comment Period: 11/29/2023- 12/4/2023 Public Hearing: 12/4/2023	Notice of Availability of a Final Environmental Impact Report	City of Whittier	Document reviewed - No comments sent

**Key:**

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

LAC = Los Angeles County, ORC = Orange County, RVC = Riverside County, and SBC = San Bernardino County

**Notes:**

- Disposition may change prior to Governing Board Meeting
- Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b><i>Industrial and Commercial</i></b> <b>LAC231227-04</b> Azusa Greens Redevelopment Project	The project consists of constructing six industrial buildings and a residential development site and reconfiguring an existing golf course. The project is generally bordered by North Sunset Avenue to the east, West 10th Street to the south, and North Todd Avenue to the west.  Comment Period: 12/22/2023 - 1/22/2024                      Public Hearing: 1/11/2024	Notice of Preparation	City of Azusa	Under review, may submit comments
<b><i>Industrial and Commercial</i></b> <b>RVC231201-11</b> Lowe's Parking Lot Project	The project consists of developing a 12-acre parcel into a surface parking lot for truck trailer storage. The project is located at the northeast corner of Brennan Avenue and Morgan Street at 3984 Indian Avenue.  Comment Period: 11/24/2023 - 12/23/2023                      Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	Document reviewed - No comments sent
<b><i>Industrial and Commercial</i></b> <b>RVC231206-08</b> West Campus Upper Plateau Project	The project consists of demolishing 14 military bunkers, and constructing 65.32 acres of business park uses, 143.31 acres of industrial uses, 42.22 acres of commercial and retail uses, 37.91 acres of public streets, 60.28 acres of recreational uses, 17.72 acres of open space, 2.84 acres of public facilities, and 445.43 acres of conservation uses on 817.90 acres. The project is located on the southwest corner of Meridian Parkway and Alessandro Boulevard in Riverside. Reference RVC230111-04 and RVC211123-02  Staff previously provided comments on the Notice of Availability of a Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/march-2023/RVC230111-04.pdf</a> .  Comment Period: 12/2/2023 - 1/31/2024                      Public Hearing: N/A	Recirculated Draft Environmental Impact Report	March Joint Powers Authority	Under review, may submit comments
<b><i>Industrial and Commercial</i></b> <b>RVC231213-08</b> Low Drag Inc.	The project consists of a Conditional Use Permit for a spray booth and handling of firearms. The project is located southeast of East 3rd Street and Maple Avenue at 242 Maple Avenue Suite H.  Comment Period: 12/13/2023 - 1/4/2024                      Public Hearing: 1/4/2024	Site Plan	City of Beaumont	Under review, may submit comments

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SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Waste and Water-related</i> <b>ORC231213-01</b> Smith Reservoir Replacement Project	The project consists of replacing the 6-million-gallon Smith Reservoir and Pump Station with two below grade cast-in-place concrete tanks of the same size and a pump station with increased maximum pumping capacity. The project is located at the intersection of Taft Avenue and Cannon Street.  Comment Period: 12/12/2023- 1/10/2024 Public Hearing: 1/23/2024	Notice of Intent to Adopt a Mitigated Negative Declaration	Serrano Water District	Under review, may submit comments
<i>Waste and Water-related</i> <b>RVC231213-07</b> Washington Street Transmission Main Project	The project consists of installing a 6,400-linear-feet of 18-inch diameter potable water main. The project is located along Washington Street from Fields Drive to the north and Abelia Street to the south in Winchester.  Comment Period: 12/7/2023- 1/5/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	Eastern Municipal Water District	Document reviewed - No comments sent
<i>Waste and Water-related</i> <b>RVC231219-01</b> EM-11 Transmission Pipeline and Pump Station Project	The project consists of constructing a turnout treatment facility, a water pump station, and water pipelines. The project is located near the northwest corner of Auld Road and Washington Street in unincorporated areas of Riverside County between the cities of Murrieta and Hemet. Reference RVC220726-11  Comment Period: 12/12/2023- 1/25/2024 Public Hearing: N/A	Re-Issued Notice of Preparation	Eastern Municipal Water District	Document reviewed - No comments sent
<i>Waste and Water-related</i> <b>SBC231206-03</b> Inland Valley Infrastructure Corridor	The project consists of improving the following infrastructure systems: water; wastewater/sewer; dry utilities, including communications; drainage; roads; and other future utility integration. The project is bounded by San Bernardino International Airport to the north, State Route 210 to the east, and Tippecanoe Avenue to the west.  Comment Period: 11/30/2023- 1/16/2024 Public Hearing: N/A	Notice of Preparation	Inland Valley Development Agency	Under review, may submit comments

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<i>Waste and Water-related</i> <b>SBC231221-07</b> The Replenish Big Bear Program	The project consists of constructing 6.59 miles of drinking water pipelines, RO brine minimization, three pump stations, a groundwater recharge system, and four monitoring wells with a capacity of up to 2,210-acre feet per year on 138 square miles by 2040. The project is bounded by unincorporated areas of San Bernardino County in the north, east, south, and west in Big Bear. Reference SBC221206-04  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/january-2023/SBC221206-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/january-2023/SBC221206-04.pdf</a> .  Comment Period: 12/21/2023 - 2/5/2024 Public Hearing: N/A	Draft Program Environmental Impact Report	Big Bear Area Regional Wastewater Agency	Under review, may submit comments
<i>Waste and Water-related</i> <b>SBC231227-02</b> IEUA Facilities Master Plans Program	The project consists of upsizing existing pumps, constructing a pump station, installing dual force mains, and modifying an existing lift station. The project is within the 242-square-mile IEUA service area, which includes the cities of Upland, Montclair, Ontario, Fontana, Chino, Chino Hills, Rancho Cucamonga, and the unincorporated areas of San Bernardino County. Reference SBC160701-04  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/july/NOPieuamasterplan.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/july/NOPieuamasterplan.pdf</a> .  Comment Period: 12/22/2023 - 1/5/2024 Public Hearing: N/A	Addendum to the Program Environmental Impact Report	Inland Empire Utilities Agency	Document reviewed - No comments sent
<i>Utilities</i> <b>LAC231227-03</b> Robertson Boulevard Sidewalk Improvement Project	The project consists of replacing 64,000 square feet of damaged sidewalk. The project is located along Robertson Boulevard and is bordered by Burton Way to the north and Whitworth Drive to the south.  Comment Period: 12/20/2023 - 1/19/2024 Public Hearing: N/A	Notice of Preparation	City of Beverly Hills	Under review, may submit comments

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<i>Utilities</i> <b>RVC231219-05</b> Sapphire Project CA-CDD-23-34	The project consists of constructing solar panel arrays, battery energy storage, and related facilities on 1,082 acres. The project is located in eastern Riverside County.  Comment Period: 12/19/2023- 1/18/2024 Public Hearing: 1/8/2024	Notice of Preparation	Bureau of Land Management	Under review, may submit comments
<i>Transportation</i> <b>LAC231207-01</b> Los Angeles Aerial Rapid Transit Project	The project consists of constructing an electric-powered aerial gondola system with a capacity to transport 5,500 people per hour in each direction from Los Angeles Union Station to Dodger Stadium. The project is located above-ground and along North Alameda Street and North Spring Street between East Cesar E. Chavez Avenue and Solano Avenue in Los Angeles. Reference LAC221018-05 and LAC201001-17  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/November/LAC201001-17.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/November/LAC201001-17.pdf</a> .  Comment Period: N/A Public Hearing: N/A	Final Environmental Impact Report	Los Angeles County Metropolitan Transportation Authority	Document reviewed - No comments sent
<i>Transportation</i> <b>LAC231219-04</b> SR-110 Bridge Replacement & Railing Upgrade Project	The project consists of improving the State Route 110 by replacing the North 110-North 5 Connector Sidehill Viaduct and upgrading the bridge railing of Avenue 43 Ramp Bridge and Arroyo Seco Channel Bridge. The project is located along State Route 110 and is generally bounded by Hough Street to the North and Los Angeles River to the South in the City of Los Angeles and South Pasadena.  Comment Period: 11/28/2023- 1/16/2024 Public Hearing: N/A	Notice of Preparation	Department of Transportation	Under review, may submit comments
<i>Transportation</i> <b>ORC231213-06</b> Bake Parkway/Jeronimo Road Intersection Improvements Project	The project consists of improving intersection performance by adding one northbound left turn lane on Bake Parkway, one westbound left turn lane on Jeronimo Road, and extending Class II bike lanes. The project is located at Bake Parkway and Jeronimo Road.  Comment Period: 12/14/2023- 1/23/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Irvine	Document reviewed - No comments sent

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<i>Institutional (schools, government, etc.)</i> <b>ODP231221-09</b> Hawaii-California Training and Testing	The project consists of at-sea military readiness activities including training and research, development, testing, and evaluation activities. The project is located along the Southern California coastline from approximately Dana Point to Port Hueneme.  Comment Period: 12/15/2023 - 1/29/2024 Public Hearing: N/A	Notice of Preparation	Department of the Navy	Under review, may submit comments
<i>Institutional (schools, government, etc.)</i> <b>RVC231221-02</b> Roadrunner Motors Transportation Training Center	The project consists of constructing a 26,020 square foot training facility. The project is located west of Perez Access Road and south of Margot Murphy Way in Cathedral City.  Comment Period: 12/20/2023 - 1/10/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	College of the Desert	Document reviewed - No comments sent
<i>Medical Facility</i> <b>SBC231213-02</b> Planned Development No. 6 Amendment No. 7 to Concept Plan 1	The project consists of constructing a hospital on 29.5 acres and amending Concept Plan No. 1 to add an application processing procedure for governing campus development projects. The project is located at the northwest corner of California Street and West Lugonia Avenue at 1301 California Street.  Comment Period: 12/13/2023 - 1/29/2024 Public Hearing: N/A	Site Plan	City of Redlands	Under review, may submit comments
<i>Retail</i> <b>LAC231201-03</b> 20401 Ventura Boulevard Project	The project consists of demolishing an existing building and constructing a 158,317 square foot building that includes a 156,917 square foot climate-controlled storage for household goods, a 1,015 square foot office space, 1,400 square foot commercial and retail spaces, and a parking lot. The project is located at 20401 Ventura Boulevard in Woodland Hills.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-03.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-03.pdf</a>  Comment Period: 11/22/2023 - 12/22/2023 Public Hearing: 12/12/2023	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Comment letter sent on 12/22/2023

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PROJECT TITLE				
<b><i>Retail</i></b> <b>LAC231206-10</b> 1811 Sacramento Project	The project consists of demolishing 40,479 square feet of warehouses, and constructing 277,700 square feet of office space, 8,000 square feet of restaurant space, 5,200 square feet of retail space, and 41,500 square feet of outdoor areas on 1.71 acres. The project is located at the northwest corner of Wilson Street and Sacramento Street at 1727 to 1829 East Sacramento Street.  Comment Period: 11/30/2023- 12/20/2023 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent
<b><i>Retail</i></b> <b>LAC231221-08</b> ZA-2022-2222-ZV Project	The project consists of demolishing a duplex and constructing an 11,800 square foot auto body repair with spray-painted booth and office. The project is located southwest of Woodley Avenue and Cantlay Street at 16118 to 16122 West Cantlay Street in Van Nuys.  Comment Period: 12/21/2023- 1/22/2024 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Los Angeles	Under review, may submit comments
<b><i>Retail</i></b> <b>ORC231201-09</b> SCIND Batavia Point, LLC Batavia Self-Storage Project	The project consists of demolishing two light manufacturing buildings and a covered storage area to construct three self-storage buildings totaling 133,372 square feet on 3.22 acres. The project is located at 630 North Batavia Street.  Comment Period: 11/17/2023- 12/7/2023 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent
<b><i>Retail</i></b> <b>RVC231201-01</b> Richardson's RV PP2023-0573	The project consists of demolishing two buildings totaling 1,800 square feet and constructing a 6,204 square foot RV sales office building and 3,939 square foot maintenance building. The project is located southwest of East 6th Street and Xenia Avenue at 1451 and 1463 East 6th Street.  Comment Period: 11/28/2023- 12/7/2023 <span style="float: right;">Public Hearing: 12/7/2023</span>	Site Plan	City of Beaumont	Document reviewed - No comments sent

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<b>Retail</b> <b>RVC231201-05</b> PS Containers Development	The project consists of developing a 2.18-acre property into an outdoor storage yard for containerized and pod storage. The project is located on the northeast corner of Dillon Road and Cabot Road.  Comment Period: 11/22/2023- 12/12/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Desert Hot Springs	Document reviewed - No comments sent
<b>Retail</b> <b>RVC231201-13</b> Tentative Parcel Map (PEN20-0045), Master Plot Plan (PEN21-0074), Plot Plan (PEN20-0047), Conditional Use Permits (PEN20-0049, PEN20-0050, PEN20-0051, and PEN20-0053)	The project consists of constructing a 9.3-acre commercial center to be utilized with a combination of retail, restaurant, fueling station, car wash, and three drive thru restaurants. The project is located on the northwest corner of Nason Street and Fir Avenue.  Comment Period: 11/20/2023- 12/20/2023 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Moreno Valley	Document reviewed - No comments sent
<b>Retail</b> <b>RVC231212-02</b> Rubidoux Carwash/ Retail Complex MA23047 - SDP23044 & TPM38681	The project consists of constructing three retail buildings totaling 21,063 square feet and a 3,692 square foot car wash. The project is located northeast of 30th Street and Rubidoux Boulevard.  Comment Period: 12/8/2023- 12/22/2023 Public Hearing: N/A	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent
<b>Retail</b> <b>SBC231221-06</b> Bloomington Gas Station, Restaurant, and Commercial Center	The project consists of a zone change from rural living to general commercial and a conditional use permit for the construction of a convenience store, gas station, car wash, restaurant, and commercial center on 3.97 acres. The project is located on the northwest corner of Cedar Avenue and San Bernardino Avenue.  Comment Period: 12/18/2023- 1/18/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	County of San Bernardino	Document reviewed - No comments sent

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<b>General Land Use (residential, etc.)</b> <b>LAC231201-04</b> Tentative Tract Map No. 83733	The project consists of subdividing a property to construct two residential units. The project is located at 423 North McPherrin Avenue.   <p style="text-align: center;">Comment Period: 11/15/2023- 11/29/2023                                  Public Hearing: N/A</p>	Site Plan	City of Monterey Park	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231201-06</b> Foster Bridge and Bluff Community Residential Project	The project consists of constructing 33 residential units on 1.29 acres. The project is located at the northwest corner of Foster Bridge Boulevard and Suva Street at 7360 Foster Bridge Boulevard.   <p style="text-align: center;">Comment Period: 11/21/2023- 12/21/2023                                  Public Hearing: N/A</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Downey	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>LAC231201-14</b> 1000 North La Brea Avenue Project	The project consists of demolishing existing structures and constructing 514 residential units and 30,000 square feet of retail use on 0.99 acres. The project is located at the northwest corner of La Brea Avenue and Romaine Street at 1000 through 1028 North La Brea Avenue in West Hollywood.  <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-14.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/LAC231201-14.pdf</a>  <p style="text-align: center;">Comment Period: 11/23/2023- 12/23/2023                                  Public Hearing: 11/30/2023</p>	Notice of Preparation	City of West Hollywood	Comment letter sent on 12/22/2023
<b>General Land Use (residential, etc.)</b> <b>LAC231206-06</b> Monroe Specific Plan and Development Project	The project consists of demolishing existing commercial uses on 1.6 acres, and constructing a mixed-use building that includes 200 residential units and 5,143 square feet of commercial use. The project is located at the southwest corner of South Myrtle Avenue and Olive Avenue.   <p style="text-align: center;">Comment Period: 12/4/2023- 1/4/2024                                  Public Hearing: 1/3/2024</p>	Notice of Preparation	City of Monrovia	Document reviewed - No comments sent

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<b>General Land Use (residential, etc.)</b> <b>LAC231227-11</b> Tentative Tract Map No. 84058	The project consists of subdividing a property for air rights to construct four residential units. The project is located southwest of East Newmark Avenue and South Sefton Avenue at 345 South Sefton Avenue.  Comment Period: 12/27/2023 - 1/9/2024 Public Hearing: N/A	Site Plan	City of Monterey Park	Under review, may submit comments
<b>General Land Use (residential, etc.)</b> <b>ORC231201-17</b> General Plan Amendment No. 0004-22, Zone Change No. 1307-22, Tentative Tract Map No. 0051-22, Major Site Plan Review No. 1111-22, Design Review No. 5092-22, Administrative Adjustment No. 0293-23 - Intracorp Residential Project	The project consists of demolishing all site improvements to redevelop an existing 2.71-acre commercial site with 49 residential units. The project is located at the northeast corner of North Cambridge Street and East Katella Avenue. Reference ORC231115-03  Comment Period: 11/29/2023 - 12/6/2023 Public Hearing: 12/6/2023	Notice of Availability of a Draft Mitigated Negative Declaration	City of Orange	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>ORC231201-21</b> Orangethorpe/Placentia Mixed Use Project	The project consists of constructing 248 residential units, 3,000 square feet of retail use, and a parking structure on 2.72 acres. The project is located at 776 South Placentia Avenue and 777 West Orangethorpe Avenue.  Comment Period: 11/29/2023 - 1/4/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Placentia	Document reviewed - No comments sent
<b>General Land Use (residential, etc.)</b> <b>ORC231227-10</b> Craig Homes Project	The project consists of constructing 19,939 square feet of building space for 12 residential units. The project is located southwest of Beach Boulevard and Craig Avenue at 7682, 7692, 7712, and 7722 Craig Avenue.  Comment Period: 12/22/2023 - 1/16/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Buena Park	Document reviewed - No comments sent

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<i>General Land Use (residential, etc.)</i> <b>RVC231201-10</b> Golden Meadows	The project consists of amending the Zoning Code to support the increase in residential density and modifying the Tentative Tract Map No. 31194 to increase the number of residential lots from 161 to 240. The project is located southwest of Garbani Road and Kurt Street. Reference RVC231101-16, RVC230131-06 and RVC210525-02    Comment Period: 11/29/2023- 12/6/2023 Public Hearing: 12/6/2023	Final Environmental Impact Report	City of Menifee	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>RVC231201-18</b> General Plan Amendment (PEN20-0095), Change of Zone (PEN20-0096), Conditional Use Permit for a Planned Unit Development (PEN21-0066), and Tentative Tract Map No. 38459 (PEN22-0127)	The project consists of subdividing 32.56 acres into 16.59 acres for 108 residential units, 15.97 acres for an additional 108 residential units, and 0.89 acre for a park. The project is located near the northeast corner of Morton Road and Jennings Court. Reference RVC230901-03 and RVC230308-06    Comment Period: 11/29/2023- 12/5/2023 Public Hearing: 12/5/2023	Final Mitigated Negative Declaration	City of Moreno Valley	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>RVC231201-20</b> MA22246 - TTM38561	The project consists of subdividing 2.35 acres into 7 residential lots. The project is located at 7837 Galena Street.    Comment Period: 11/29/2023- 12/15/2023 Public Hearing: N/A	Site Plan	City of Jurupa Valley	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>RVC231226-01</b> 60 Palm Avenue Apartments	The project consists of constructing 42 residential units with a 20,362 square foot building area on 2.08 acres. The project is located on the southeast corner of Palm Avenue and 1st Street.    Comment Period: 12/21/2023- 1/11/2024 Public Hearing: N/A	Site Plan	City of Beaumont	Under review, may submit comments

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**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>RVC231226-02</b> Tentative Tract Map No. 38766 (PLN23-0246), Major Plot Plan No. PLN23-0247	The project consists of subdividing one parcel into 66 parcels and constructing 66 residential units on approximately 20 acres. The project is located at the northwest corner of Garbani Road and Evans Road.  Comment Period: 12/21/2023- 1/17/2024 Public Hearing: N/A	Site Plan	City of Menifee	Under review, may submit comments
<i>General Land Use (residential, etc.)</i> <b>RVC231227-01</b> Menifee Valley Specific Plan	The project consists of constructing 1,718 residential units, 275.5 acres of business park uses, 32.1 acres of commercial uses, 33.3 acres of public facilities, 19.6 acres of roadway improvements, and 44.5 acres of open space on 590.3 acres. The project is located on the northeast corner of Matthews Road and Menifee Road. Reference RVC231025-01, RVC220308-07, RVC211015-01, RVC190821-04, and RVC180823-02  Staff previously provided comments on the Draft Environmental Impact Report and the Notice of Preparation for the project, which can be accessed at: <a href="https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231025-01.pdf">https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/december-2023/RVC231025-01.pdf</a> and <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/march/RVC220308-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/march/RVC220308-07.pdf</a> .  Comment Period: 12/27/2023- 1/10/2024 Public Hearing: 1/10/2024	Final Environmental Impact Report	City of Menifee	Under review, may submit comments
<i>General Land Use (residential, etc.)</i> <b>RVC231227-07</b> Catana Specific Plan	The project consists of constructing 310 residential units on 36 acres. The project is located at the northwest corner of Ramon Road and Rattler Road.  Comment Period: 12/22/2023- 1/22/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Rancho Mirage	Under review, may submit comments

Key:

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

LAC = Los Angeles County, ORC = Orange County, RVC = Riverside County, and SBC = San Bernardino County

Notes:

1. Disposition may change prior to Governing Board Meeting
2. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>General Land Use (residential, etc.)</i> <b>RVC231227-08</b> 8-Lot Subdivision (Tentative Tract Map 38447)0	The project consists of subdividing 5.04 acres into eight residential lots and four lettered lots. The project is located on the southwest corner of Via Florencia and Via Josefina.  Comment Period: 12/22/2023- 1/22/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Rancho Mirage	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>SBC231206-05</b> The Neighborhoods at Lugonia Village Project	The project consists of subdividing the Project site into three parcels to facilitate the development of 541 residential units on 24.4 acres. The project is located on the northwest corner of West Lugonia Avenue and Karon Street.  Comment Period: 12/6/2023- 1/4/2024 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Redlands	Document reviewed - No comments sent
<i>General Land Use (residential, etc.)</i> <b>SBC231213-05</b> Yucaipa Valley Wine Country Specific Plan	The project consists of constructing 1,091 residential units and 465.5 acres of vineyards and wineries on a total of 1,093.6 acres. The project is bounded by the San Bernardino mountains to the north, Martell Avenue to the east, Oak Glen Road to the south, and Fremont Street to the west. Reference SBC220719-04  Comment Period: 12/8/2023- 1/22/2024 Public Hearing: N/A	Draft Supplemental Environmental Impact Report	City of Yucaipa	Document reviewed - No comments sent
<i>Plans and Regulations</i> <b>LAC231205-01</b> Section 368 Energy Corridors	The project consists of amending the Resource Management Plan for seven designated Section 368 energy corridors that include Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. The project is located in various locations including a portion that is bordered by Battle Mountain District to the north, Arizona Strip District to the east, Phoenix District to the south, and Los Padres National Forest to the west.  Comment Period: 12/1/2023- 2/2/2024 Public Hearing: 1/9/2024	Notice of Availability of a Draft Environmental Impact Statement	Bureau of Land Management	Under review, may submit comments

Key:

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Notes:

1. Disposition may change prior to Governing Board Meeting
2. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A  
ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW  
December 1, 2023 to December 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<i>Plans and Regulations</i>	The project consists of updating the City’s General Plan and the Downtown Montebello Specific Plan to develop policies, goals, and guidelines for housing, land use, transportation, and economic development elements. The project encompasses 8.37 square miles and is bounded by State Route 60 to the north, Rosemead Boulevard to the east, Interstate 5 to the south, and Commerce to the west. The project is also located in the designated AB 617 East Los Angeles, Boyle Heights, and West Commerce community. Reference LAC230613-05	Notice of Availability of a Draft Environmental Impact Report	City of Montebello	Document reviewed - No comments sent
<b>LAC231206-01</b> City of Montebello General Plan and Downtown Montebello Specific Plan#	Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/LAC230613-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/july-2023/LAC230613-05.pdf</a> .			
	Comment Period: 12/4/2023- 1/17/2024    Public Hearing: N/A			
<i>Plans and Regulations</i>	The project consists of updating the Lomita General Plan by including land use, circulation, housing, conservation, open space, noise, safety, and environmental justice elements. The project is bounded by the City of Torrance to the north and west, the City of Los Angeles to the east, the City of Rolling Hills Estates on the southwest, and the City of Rancho Palos Verdes on the southeast.	Notice of Preparation	City of Lomita	Under review, may submit comments
<b>LAC231219-02</b> Lomita General Plan Update				
	Comment Period: 12/13/2023- 1/26/2024    Public Hearing: 1/11/2024			
<i>Plans and Regulations</i>	The project consists of updating the Housing and Safety Elements and adding a new Environmental Justice Element into the General Plan. The project is generally bounded by Duarte to the north, Azusa to the east, Baldwin Park to the south, and Monrovia to the west.	Notice of Preparation	City of Irwindale	Under review, may submit comments
<b>LAC231219-03</b> City of Irwindale Housing Element and General Plan Update				
	Comment Period: 12/14/2023- 1/13/2024    Public Hearing: N/A			
<i>Plans and Regulations</i>	The project consists of amending the La Habra 2035 General Plan that includes the Community Development Element, Community Safety Element, and a new Environmental Justice component. The project is located throughout La Habra.	Other	City of La Habra	Document reviewed - No comments sent
<b>ORC231212-07</b> La Habra 2035 General Plan Amendments				
	Comment Period: 10/6/2023 - 12/11/2023    Public Hearing: 12/11/2023			

Key:

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Notes:

- Disposition may change prior to Governing Board Meeting
- Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**DRAFT**

**ATTACHMENT B**

**ACTIVE PROJECTS WITH CONTINUED REVIEW OF ENVIRONMENTAL DOCUMENTS PREPARED BY  
OTHER PUBLIC AGENCIES**

<u>SOUTH COAST AQMD LOG-IN NUMBER</u> PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> <b>ORC231121-01</b> 1500 S. Raymond Avenue Industrial Project	The project consists of removing existing structures and constructing a 138,419 square foot warehouse. The project is located at 1500 S. Raymond Avenue near the northeast corner of South Raymond Avenue and State Route 91. Reference ORC230927-07  Comment Period: N/A Public Hearing: N/A	Final Initial Study/Mitigated Negative Declaration	City of Fullerton	Document reviewed - No comments sent
<b>Warehouse &amp; Distribution Centers</b> <b>RVC231122-11</b> The Orchard Logistics Center Project	The project consists of constructing a 610,000 square foot warehouse on 30.91 acres. The project is located at 38021 State Route 60 on the southeast corner of State Route 60 and Western Knolls Avenue. Reference RVC220726-06, RVC220628-04 and RVC220316-01  Staff previously provided comments on the Notice of Preparation for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/august/RVC220726-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment- letters/2022/august/RVC220726-06.pdf</a> .  Comment Period: 11/14/2023 - 12/28/2023 Public Hearing: N/A	Draft Environmental Impact Report	City of Beaumont	Under review, may submit comments
<b>Transportation</b> <b>ALL231107-01</b> Connect SoCal 2024#	The project consists of Southern California's 2024-2050 Regional Transportation Plan, Sustainable Communities Strategy, and associated draft transportation conformity analysis. The project is located within six counties: Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The project is also located within six designated AB 617 communities: 1) East Los Angeles, Boyle Heights, and West Commerce; 2) Eastern Coachella Valley; 3) San Bernardino, and Muscoy; 4) Southeast Los Angeles; 5) South Los Angeles; and 6) Wilmington, Carson, and West Long Beach.  Comment Period: 11/2/2023 - 1/12/2024 Public Hearing: N/A	Other	Southern California Association of Governments	Under review, may submit comments
<b>Transportation</b> <b>ALL231109-01</b> Connect SoCal 2024#	The project consists of addressing transportation and land use challenges, leveraging opportunities to support attainment of applicable federal air quality standards, and achieving emissions reduction targets. The project is located within six counties: Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The project is also located within six designated AB 617 communities: 1) East Los Angeles, Boyle Heights, and West Commerce; 2) Eastern Coachella Valley; 3) San Bernardino and Muscoy; 4) Southeast Los Angeles; 5) South Los Angeles; and 6) Wilmington, Carson, and West Long Beach. Reference ODP231107-01  Comment Period: 11/9/2023 - 1/12/2024 Public Hearing: N/A	Draft Program Environmental Impact Report	Southern California Association of Governments	Under review, may submit comments

Key:

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Notes:

1. Disposition may change prior to Governing Board Meeting
2. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**DRAFT**

**ATTACHMENT C  
PROPOSED AIR PERMIT PROJECTS FOR  
WHICH SOUTH COAST AQMD IS CEQA LEAD  
AGENCY THROUGH DECEMBER 31, 2023**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>The Draft EIR was released for a 124-day public review and comment period from October 14, 2021 to February 15, 2022 and approximately 200 comment letters were received.</p> <p>Staff held two community meetings, on November 10, 2021 and February 9, 2022, 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 community meetings, along with responses will be included in the Final EIR which is currently being prepared by the consultant.</p> <p>After the Draft EIR public comment and review period closed, Quemetco submitted additional applications for other permit modifications which are also being evaluated by staff.</p>	<p>Trinity Consultants</p>
<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 emission flares with two additional 300-horsepower 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, health risk assessment (HRA), and Preliminary Draft SEIR which are currently being addressed by the consultant.</p>	<p>SCS Engineers</p>
<p>Tesoro is proposing to modify its Title V permit to: 1) add gas oil as a commodity that can be stored in three of the six new crude oil storage tanks at the Carson Crude Terminal (previously assessed in the May 2017 Final EIR); and 2) drain, clean and decommission Reservoir 502, a 1.5 million barrel concrete lined, wooden-roof topped reservoir used to store gas oil.</p>	<p>Tesoro Refining &amp; Marketing Company, LLC (Tesoro)</p>	<p>Addendum to the Final Environmental Impact Report (EIR) for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC)</p>	<p>South Coast AQMD staff reviewed and provided comments on the Preliminary Draft Addendum, which are currently being addressed by the consultant.</p>	<p>Environmental Audit, Inc.</p>

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 22

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a hybrid meeting on Friday, January 19, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Mayor Pro Tem Larry McCallon, Chair  
Stationary Source Committee

JA:cr

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### **Committee Members**

Present: Mayor Pro Tem Larry McCallon, Committee Chair  
Supervisor Holly J. Mitchell, Committee Vice Chair  
Chair Vanessa Delgado  
Vice Chair Michael A. Cacciotti  
Board Member Veronica Padilla-Campos

Absent: Mayor José Luis Solache

### **Call to Order**

Chair McCallon called the meeting to order at 10:39 a.m.

For additional information of the Stationary Source Committee Meeting, please refer to the [Webcast](#).

### **Roll Call**

#### **Action Item:**

#### **1. Issue RFP and Execute Contracts for the Green Space Program Within the Assembly Bill 617 Community of Southeast Los Angeles**

Uyen-Uyen Vo, Diversity, Equity and Inclusion Manager of Community Air Programs, presented an overview of the Assembly Bill 617 (AB 617) Southeast Los Angeles (SELA) Green Space Program RFP and recommended approval for Board consideration in February. For additional details, please refer to the [Webcast](#) beginning at 8:35.

Committee Chair McCallon asked about the number of awards and the areas where trees would be planted. Ms. Vo responded that one main contractor comprised of multiple entities is preferred and that the applicant would propose locations that are within the SELA community boundary. Executive Officer Wayne Nastri added that there is a possibility for multiple awards. For additional details, please refer to the [Webcast](#) beginning at 12:19.

Board Member Padilla-Campos asked about the process to apply for the grant and staff's expectations for the number of proposals. Ms. Vo confirmed that anyone can submit a proposal and that TreePeople and Gateway Cities Council of Governments have been involved in green space projects. Ms. Vo explained that if the RFP is released in February, then it would close on May 3<sup>rd</sup>, 2024 and explained that the panel to review the RFP has not yet been established. For additional details, please refer to the [Webcast](#) beginning at 14:10.

Chair Delgado asked if school districts are eligible to apply. Ms. Vo clarified private schools are not eligible due to CARB guidelines, however public schools are eligible. For additional details, please refer to the [Webcast](#) beginning at 15:42.

Vice Chair Cacciotti suggested reaching out to the Santa Monica Mountains Conservancy to inquire about which contractor(s) they utilize for such projects. For additional details, please refer to the [Webcast](#) beginning at 16:15.

Committee Vice Chair Mitchell informed staff that the California Conservation Corps would be another potential contractor as many of them may come from AB 617 communities. For additional details, please refer to the [Webcast](#) beginning at 17:07.

Harvey Eder, Public Solar Power Coalition, commented about funding to address climate change. For additional details, please refer to the [Webcast](#) beginning at 17:57.

Committee Chair McCallon requested the list of low-VOC trees. Mr. Nastri responded that the list would be distributed to Board Members. For additional details, please refer to the [Webcast](#) beginning at 21:14.

Moved by Cacciotti, seconded by Padilla-Campos, unanimously approved.

Ayes: Cacciotti, Delgado, Mitchell, Padilla-Campos, McCallon

Noes: None

Absent: Solache



## 2. Proposed Clean Air Appliances Rebate Program

Heather Farr, Planning and Rules Manager/Planning, Rule Development and Implementation, provided a summary of a proposed Clean Air Appliance Rebate Program, including recommended funding levels and the issuance of a request for proposal of third-party implementation of the program. For additional details please refer to the [Webcast](#) beginning at 22:20

Committee Chair McCallon expressed support for the rebate program, but questioned whether the proposed rebate would cover the increased cost of zero-emission units and if it was possible to prevent multifamily building owners from passing the cost onto tenants. Michael Krause, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation, responded it could be a condition of the rebate but acknowledged it would be challenging to enforce. For additional details please refer to the [Webcast](#) beginning at 31:22.

Committee Vice Chair Mitchell inquired whether the program was in lieu of, or in concert with, zero-emission regulations, if the proposed funding amount was sufficient, and why multifamily was defined as 5 units or more. Mr. Krause confirmed the incentives would be in concert with zero-emission regulations, and Ms. Farr noted funding could be increased in subsequent phases of the program and that the multifamily definition was to align with a successful state rebate program. Committee Vice Chair Mitchell and Chair Delgado expressed support for the program with Committee Vice Chair Mitchell adding support for automatic sign-ups with other rebate programs. For additional details please refer to the [Webcast](#) beginning at 33:08.

Board Member Padilla-Campos emphasized that third parties implementing the program should not only guide applicants through this application process, but also assist with other rebate opportunities. For additional details please refer to the [Webcast](#) beginning at 38:04.

Vice Chair Cacciotti questioned whether the rebate amount for HVAC heat pumps was sufficient but believed it was good practice to begin with smaller rebate amounts and increase as necessary. For additional details please refer to the [Webcast](#) beginning at 39:36.

Committee Chair McCallon also inquired what emission reductions would be achieved as a result of this program and Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, responded that overall emissions from building appliances was 10 tons of NOx per day and the rebate program was designed to incentivize the transition to zero emissions from those sources. For additional details please refer to the [Webcast](#) beginning at 43:34.



Adrian Martinez, Earthjustice, expressed support for the project but suggested to increase the initial phase funding from \$10 million to \$35 million and he highlighted the need for future incentives for industrial sources and small businesses. For additional details please refer to the [Webcast](#) beginning at 44:49.

Jed Holtzman, Rocky Mountain Institute, expressed support for the project and echoed Earthjustice's suggestion to increase initial funding, and, in addition, suggested the rebate program be part of a "one-stop shop" clearinghouse for all available rebates for residential customers. For additional details please refer to the [Webcast](#) beginning at 47:24.

### **3. Status Report on Reg. XIII – New Source Review**

Jason Aspell, Deputy Executive Officer/Engineering and Permitting, gave a status report on Regulation XIII, New Source Review Equivalency for Calendar Year 2022. For additional details please refer to the [Webcast](#) beginning at 53:16.

There were no comments received from Committee members and from the public.

### **4. Summary of the Proposed Amendments to BACT Guidelines**

Bhaskar Chandan, Senior Engineering Manager/Engineering and Permitting presented the proposed amendments to the BACT Guidelines. For additional details please refer to the [Webcast](#) beginning at 59:11.

Ramine Cromartie, Western States Petroleum Association, commented on the proposed Part B listing for Fugitive Emissions Sources at Petroleum Refineries and requested staff to include a categorical exemption for critical components from the 200 ppm limit for leaking components. Staff provided information about this LAER determination and Rule 1173 and explained that the proposed BACT/LAER limit applies to new installation or modifications to the existing equipment with an emission increase. It will not apply to equipment currently operating at previous thresholds unless modified or replaced. For additional details please refer to the [Webcast](#) beginning at 1:09:05.

There were no comments received from Committee members.

## **WRITTEN REPORTS:**

### **5. Monthly Update of Staff's Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command-and-Control Regulatory Program**

The report was acknowledged by the committee.

### **6. Twelve-month and Three-month Rolling Average Price of Compliance Years 2022 and 2023 NO<sub>x</sub> and SO<sub>x</sub> RTCs (October – December 2023)**

The report was acknowledged by the committee.

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

The report was acknowledged by the committee.

### **OTHER MATTERS:**

#### **8. Other Business**

There was no other business to report.

#### **9. Public Comment Period**

Mr. Eder stated his difficulties making public comments. He expressed his concerns about climate change and methane gas emissions causing global warming citing Nate Higgins's podcast episode 95 with Dr. David King, the head of Physics Department at University of Cambridge. For additional details please refer to the [Webcast](#) beginning at 1:11:17.

#### **9. Next Meeting Date**

The next Stationary Source Committee meeting is scheduled for Friday, February 16, 2024 at 10:30 a.m.

### **Adjournment**

The meeting was adjourned at 11:53 a.m.

### **Attachments**

1. Attendance Record
2. Monthly Update of Staff's Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command-and-Control Regulatory Program
3. Twelve-month and Three-month Rolling Average Price of Compliance Years 2022 and 2023 NOx and SOx RTCs (October – December 2023)
4. Notice of Violation Penalty Summary

**ATTACHMENT 1**

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

**Attendance –January 19, 2024**

Councilmember Michael A. Cacciotti .....	South Coast AQMD Board Member
Senator Vanessa Delgado (Ret).....	South Coast AQMD Board Member
Mayor Pro Tem Larry McCallon.....	South Coast AQMD Board Member
Supervisor Holly J. Mitchell .....	South Coast AQMD Board Member
Board Member Veronica Padilla-Campos .....	South Coast AQMD Board Member
William Kelly .....	Board Consultant (Cacciotti)
Uduak-Joe Ntuk.....	Board Consultant (Solache)
Debra Mendelsohn.....	Debra Mendelsohn (McCallon)
Andrew Silva.....	Board Consultant (Dawson)
Mark Taylor.....	Board Consultant (Rodriguez)
Mark Abramowitz.....	Community Environmental Services
Ramine Cromartie.....	WSPA
Harvey Eder.....	Public Solar Power Coalition
Jed Holtzman .....	Rocky Mountain Institute
Bill LaMarr .....	California Alliance of Small Business Associations
Adrian Martinez.....	Earthjustice
Derrick Alatorre.....	South Coast AQMD staff
Jason Aspell.....	South Coast AQMD staff
Barbara Baird .....	South Coast AQMD staff
Cindy Bustillos .....	South Coast AQMD staff
Bhaskar Chandan .....	South Coast AQMD staff
Heather Farr.....	South Coast AQMD staff
Bayron Gilchrist .....	South Coast AQMD staff
Sheri Hanizavareh.....	South Coast AQMD staff
Anissa Heard-Johnson .....	South Coast AQMD staff
Aaron Katzenstein .....	South Coast AQMD staff
Michael Krause.....	South Coast AQMD staff
Howard Lee .....	South Coast AQMD staff
Jason Low.....	South Coast AQMD staff
Terrence Mann.....	South Coast AQMD staff
Ian MacMillian .....	South Coast AQMD staff
Ron Moskowitz .....	South Coast AQMD staff
Susan Nakamura .....	South Coast AQMD staff
Wayne Nastri.....	South Coast AQMD staff
Sarah Rees .....	South Coast AQMD staff
Catherine Rodriguez .....	South Coast AQMD staff
Lisa Tanaka O’Malley .....	South Coast AQMD staff
Brian Tomasovic.....	South Coast AQMD staff
Uyen-Uyen Vo.....	South Coast AQMD staff
Mei Wang .....	South Coast AQMD staff
Jillian Wong .....	South Coast AQMD staff
Paul Wright .....	South Coast AQMD staff
Victor Yip.....	South Coast AQMD staff

## **January 2024 Update on Work with U.S. EPA and CARB on New Source Review Issues for the RECLAIM Transition**

At the October 5, 2018 Board meeting, the Board directed staff to provide the Stationary Source Committee with a monthly update of staff's work with U.S. EPA regarding resolving NSR issues for the transition of facilities from RECLAIM to a command-and-control regulatory structure. Key activities with U.S. EPA and CARB since the last report are summarized below.

- RECLAIM/NSR Working Group meeting was not held in January
- Next meeting planned for first quarter 2024 to discuss the latest considerations for proposed amendments to Regulation XIII and XX



# South Coast Air Quality Management District

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

## Twelve-Month and Three-Month Rolling Average Price of Compliance Years 2023 and 2024 NOx and SOx RTCs (October – December 2023)

January 2024 Report to Stationary Source Committee

**Table I**

Twelve-Month Rolling Average Price Data for Compliance Year 2023 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$22,500/ton)<sup>1</sup>

Twelve-Month Rolling Average Price Data for Compliance Year 2023 NOx RTC					
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)
Jan-23	Jan-22 to Dec-22	40.8	\$1,954,673	5	\$47,864
Feb-23	Feb-22 to Jan-23	40.9	\$1,956,548	6	\$47,866
Mar-23	Mar-22 to Feb-23	40.9	\$1,956,548	6	\$47,866
Apr-23	Apr-22 to Mar-23	40.9	\$1,956,548	6	\$47,866
May-23	May-22 to Apr-23	60.7	\$2,386,163	10	\$39,311
Jun-23	Jun-22 to May-23	51.7	\$1,468,779	11	\$28,422
Jul-23	Jul-22 to Jun-23	72.8	\$2,130,599	14	\$29,269
Aug-23	Aug-22 to Jul-23	73.8	\$2,152,599	15	\$29,171
Sep-23	Sep-22 to Aug-23	82.7	\$2,290,774	20	\$27,711
Oct-23	Oct-22 to Sep-23	73.7	\$1,931,554	19	\$26,213
Nov-23	Nov-22 to Oct-23	181.6	\$3,574,020	42	\$19,676
Dec-23	Dec-22 to Nov-23	188.0	\$3,652,720	46	\$19,425
Jan-24	Jan-23 to Dec-23	179.4	\$3,173,637	46	\$17,686

**Table II**

Twelve-Month Rolling Average Price Data for Compliance Year 2024 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$22,500/ton)<sup>1</sup>

Twelve-Month Rolling Average Price Data for Compliance Year 2024 NOx RTC					
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)
Jan-24	Jan-23 to Dec-23	27.9	\$700,760	4	\$25,126

**Table III**

Three-Month Rolling Average Price Data for Compliance Year 2023 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$35,000/ton)<sup>1</sup>

Three-Month Rolling Average Price Data for Compliance Year 2023 NOx RTC					
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3-month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)
Jan-23	Oct-22 to Dec-22	14.4	\$545,813	3	\$38,000
Feb-23	Nov-22 to Jan-23	14.4	\$547,688	4	\$38,031
Mar-23	Dec-22 to Feb-23	14.4	\$547,688	4	\$38,031
Apr-23	Jan-23 to Mar-23	0.04	\$1,875	1	\$50,000
May-23	Feb-23 to Apr-23	19.82	\$429,615	4	\$21,671
Jun-23	Mar-23 to May-23	28.3	\$561,871	6	\$19,857
Jul-23	Apr-23 to Jun-23	49.4	\$1,223,691	9	\$24,765
Aug-23	May-23 to Jul-23	30.6	\$816,076	6	\$26,680
Sep-23	Jun-23 to Aug-23	31.0	\$821,995	9	\$26,524
Oct-23	Jul-23 to Sep-23	9.9	\$160,175	6	\$16,221
Nov-23	Aug-23 to Oct-23	116.8	\$1,780,641	28	\$15,241
Dec-23	Sep-23 to Nov-23	114.4	\$1,721,166	27	\$15,051
Jan-24	Oct-23 to Dec-23	120.1	\$1,787,896	30	\$14,885

**Table IV**

Three-Month Rolling Average Price Data for Compliance Year 2024 NOx RTCs  
(Report to Governing Board if rolling average price greater than \$35,000/ton)<sup>1</sup>

Three-Month Rolling Average Price Data for Compliance Year 2024 NOx RTC					
Reporting Month	3-Month Period	Total Volume Traded with Price During Past 3-month (tons)	Total Price of Volume Traded During Past 3-month (\$)	Number of Trades with Price	Rolling Average Price <sup>2</sup> (\$/ton)
Jan-24	Oct-23 to Dec-23	11.6	\$395,760	2	\$34,000

<sup>1</sup> District Rule 2002 (f)(1)(H) requires that any rolling average price greater than the threshold triggers a report to the Governing Board. The Governing Board determined at the March 3, 2023 meeting that the requirements of Rule 2002 (f)(1)(H) are no longer applicable to the RECLAIM program, therefore this information is provided as a courtesy.

<sup>2</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average annual RTC price reported in the RECLAIM Annual Audit Report exceeds \$15,000 per ton. The average annual RTC price is reported to the Governing Board in March of each year. The Governing Board determined at the March 3, 2023 meeting that no additional analysis or action was required in response to the price threshold exceedance from the most recent report.

**Table V**

Twelve-Month Rolling Average Price Data for Compliance Year 2023 SOx RTCs  
(Report to Governing Board if rolling average price greater than \$50,000/ton)<sup>3</sup>

Twelve-Month Rolling Average Price Data for Compliance Year 2023 SOx RTC					
Reporting Month	12-Month Period	Total Volume Traded with Price During Past 12-month (tons)	Total Price of Volume Traded During Past 12-month (\$)	Number of Trades with Price	Rolling Average Price <sup>4</sup> (\$/ton)
Jan-23	Jan-22 to Dec-22	None	-	-	-
Feb-23	Feb-22 to Jan-23	None	-	-	-
Mar-23	Mar-22 to Feb-23	None	-	-	-
Apr-23	Apr-22 to Mar-23	None	-	-	-
May-23	May-22 to Apr-23	None	-	-	-
Jun-23	Jun-22 to May-23	None	-	-	-
Jul-23	Jul-22 to Jun-23	None	-	-	-
Aug-23	Aug-22 to Jul-23	None	-	-	-
Sep-23	Sep-22 to Aug-23	None	-	-	-
Oct-23	Oct-22 to Sep-23	None	-	-	-
Nov-23	Nov-22 to Oct-23	8.0	\$20,000	1	\$2,500
Dec-23	Dec-22 to Nov-23	8.0	\$20,000	1	\$2,500
Jan-24	Jan-23 to Dec-23	8.0	\$20,000	1	\$2,500

**Table VI**

Twelve-Month Rolling Average Price Data for Compliance Year 2024 SOx RTCs  
(Report to Governing Board if rolling average price greater than \$50,000/ton)<sup>3</sup>

<b>Twelve-Month Rolling Average Price Data for Compliance Year 2024 SOx RTC</b>					
<b>Reporting Month</b>	<b>12-Month Period</b>	<b>Total Volume Traded with Price During Past 12-month (tons)</b>	<b>Total Price of Volume Traded During Past 12-month (\$)</b>	<b>Number of Trades with Price</b>	<b>Rolling Average Price<sup>4</sup> (\$/ton)</b>
Jan-24	Jan-23 to Dec-23	None	-	-	-

<sup>3</sup> Pursuant to District Rule 2002(f)(1)(Q), the requirement to report 12-month rolling average SOx RTC price ended February 1, 2020. This table is provided as a courtesy.

<sup>4</sup> District Rule 2015(b)(6) - Backstop Provisions provides additional "evaluation and review of the compliance and enforcement aspects of the RECLAIM program" if the average annual RTC price reported in the RECLAIM Annual Audit Report exceeds \$15,000 per ton. The average annual RTC price is reported to the Governing Board in March of each year.



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

**Settlement Penalty Report (12/01/2023 - 12/31/2023)**

**Total Penalties**

Civil Settlement: \$208,302.00

MSPAP Settlement: \$122,488.00

**Total Cash Settlements: \$330,790.00**

**Fiscal Year through 12/31/2023 Cash Total: \$2,447,526.28**

**Fiscal Year through 12/31/2023 SEP Value Only Total: \$628,125.00**

<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>						
800088	3M COMPANY	1155, 2004, 3002	12/20/2023	DH	P66079, P66091	\$18,326.00
193536	BRETT MURDOCK	1403	12/19/2023	EC	P73612, P73613, P73619	\$175.00
185600	BRIDGE ENERGY, LLC	463, 2004	12/06/2023	JL	P73321	\$4,700.00
195742	CLASSIC REFRIGERATION SOCIAL	1415.1	12/13/2023	JL	P70478	\$600.00
19194	EPPINK OF CALIFORNIA	3003	12/01/2023	RM	P65292	\$550.00
22196	GENERAL MILLS, INC.	201, 203	12/20/2023	JL	P65289	\$4,700.00
175942	JONES COVEY GROUP, INC.	1166	12/01/2023	SH	P70178, P70200, P76168	\$2,000.00
194804	KB HOME	403	12/06/2023	JL	P73709	\$3,500.00
160130	PACIFIC COAST BUILDERS	1403	12/06/2023	JL	P74232, P74233, P74234	\$5,300.00
82657	QUEST DIAGNOSTICS, INC.	3002	12/07/2023	NS	P63997, P68778, P77807	\$10,539.00
20061	RAINBOW ENVIRONMENTAL SERVICES	203	12/06/2023	KCM	P74704	\$1,072.00
117227	SHCI SM BCH HOTEL, LLC	2004, 2012	12/20/2023	RM	P68328, P74267	\$8,200.00
49111	SUNSHINE CYN LANDFILL REPUBLIC SERV, INC.	402, H&S 41700	12/20/2023	JL	P76212, P76236, P76238, P76246	\$46,840.00
125780	TOLL BROTHERS, INC.	403	12/01/2023	SH	P63474, P63476, P63479, P64599	\$4,000.00
138103	TRANSCONTINENTAL ONTARIO, INC.	203, 3002	12/14/2023	JL	P74182, P74676, P75427	\$11,100.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
197702	TRIPOINTE HOMES	403	12/13/2023	JL	P73930, P74117, P74118, P75208, P75212, P75215, P75223, P75235, P75243, P75245, P75248, P75249, P76464, P79301, P79312	\$73,200.00
169515	UCLA HEALTH SYSTEM	203	12/15/2023	RL	P75357	\$10,000.00
42775	WEST NEWPORT OIL ,CO.	2004	12/06/2023	JL	P74605	\$3,500.00
<b>Total Civil Settlements: \$208,302.00</b>						

<b>MSPAP</b>						
145994	6753 HOLLYWOOD ASSOCIATES, LLC.	203	12/22/2023	VA	P76533	\$937.00
150408	ABZ, INC. (DBA ARCO AM/PM)	461	12/22/2023	CL	P74842	\$1,237.00
130091	AKM OIL CO., INC.	461	12/08/2023	VA	P66046	\$2,781.00
152948	AMERICAN DOCK BOX	3002	12/22/2023	CL	P75236	\$3,210.00
181299	ANGELS BASEBALL LP	203, 461	12/22/2023	VA	P75614	\$1,927.00
192464	ARROWHEAD OPERATING, INC.	203	12/22/2023	CL	P74390	\$971.00
200589	AUTLAN AUTO REPAIR & BODY SHOP	109, 203	12/22/2023	CL	P76270	\$1,456.00
180430	BIRCH HILLS GOLF MANAGEMENT, LLC	461	12/22/2023	CL	P75618	\$1,071.00
3185	CEMEX CONSTRUCTION MATERIALS PACIFIC	203, 403	12/22/2023	CL	P73244	\$3,884.00
154034	CENTINELA HOSPITAL MEDICAL CENTER	1146	12/01/2023	CL	P78409	\$4,594.00
157471	CITRUS PETROLEUM, INC.	203	12/08/2023	VA	P76186	\$937.00
187445	CMJ BROTHERS	203	12/22/2023	VA	P75312	\$937.00
1464	COACHELLA VALLEY WATER DIST (WRP 10)	13 CCR 2453	12/22/2023	CL	P63274	\$1,456.00
155156	COASTLINE COLLISION CENTER	203	12/08/2023	VA	P77812	\$937.00
191651	DAD MILLER GOLF COURSE	203, 461	12/01/2023	CL	P77615	\$921.00
178067	DUARTE FUEL, INC. (DBA TUSTIN MOBIL)	461	12/01/2023	CL	P69899	\$1,234.00
147770	EAGLE PETRO LA, INC.	461	12/08/2023	VA	P78665	\$4,210.00
74060	ENGINEERED POLYMER SOLUTIONS INC.	3002	12/08/2023	CL	P67126	\$1,021.00
134713	ENVIRONMENTAL CONSTRUCTION GROUP, INC.	1403, 40 CFR 61.145	12/22/2023	CL	P79153	\$6,123.00
178341	GRAND PETROLEUM, INC.	203, 461, H&S 41960.2	12/22/2023	VA	P70497	\$6,440.00
138938	HAMID KIANIPUR (DBA CORONA DEL MAR 76)	461	12/22/2023	CL	P78771	\$1,162.00
172125	IMPERIAL DEVELOPMENT	203	12/08/2023	CL	P74475	\$971.00
12264	J.F. SHEA CO., INC.	1403, 40 CFR 61.145	12/22/2023	CL	P79155	\$1,456.00
178895	JOHAL OIL CORPORATION, INC.	203, 461	12/22/2023	CL	P78671	\$3,495.00
171250	JOHN BEAN TECHNOLOGIES CORPORATION	1146	12/08/2023	CL	P75437	\$2,427.00
11811	LA CO, DPW ROAD MAINTENANCE DIVISION	461	12/22/2023	CL	P74472	\$3,048.00
200476	LAUNDRY BY JULIA INC.	203	12/08/2023	VA	P76307	\$937.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
174260	LOS AMIGOS GOLF COURSE	461	12/01/2023	CL	P75315	\$510.00
168436	MEDLIN & SON ENGINEERING SERVICE, INC.	203	12/08/2023	CL	P80101	\$1,942.00
186046	MELROSE OIL, INC.	203, 461, H&S 41960	12/08/2023	CL	P74849, P75707	\$9,682.00
800207	METRO ST HOSP (EIS USE)	2004	12/01/2023	CL	P76089	\$510.00
800207	METRO ST HOSP (EIS USE)	1146	12/22/2023	CL	P76063	\$6,891.00
151786	MMK ENTERPRISES, INC.	461	12/22/2023	CL	P77734	\$1,990.00
177384	MOLLER RETAIL, INC. (DBA CONSERV FUEL, #61)	461	12/01/2023	CL	P77746	\$1,301.00
117441	ORI'S SERVICE CTR (DBA J. MASSACHI)	203, 461	12/22/2023	VA	P77715	\$2,108.00
139879	PASADENA MEDICAL BUILDING	1415	12/15/2023	CL	P78028	\$971.00
194573	PULTE HOMES	403	12/22/2023	VA	P75426, P75428	\$7,026.00
177052	RUBENS BODY SHOP	203	12/01/2023	CL	P79404	\$1,071.00
7371	SAN BER CNTY SOLID WASTE MGMT	3002	12/01/2023	CL	P76117	\$2,552.00
182888	SECURITY PAVING	403	12/22/2023	CL	P73886	\$1,707.00
51132	SOUTH COAST WATER DISTRICT	461	12/08/2023	CL	P78569	\$2,140.00
195680	SUKUT CONSTRUCTION, LLC	403	12/15/2023	CL	P76460	\$5,605.00
175016	SUNSET OIL CORP, BAHMAN NATANZI	461, H&S 41960	12/01/2023	CL	P74839	\$1,301.00
135965	SUNSTATE EQUIPMENT CO., LLC	203	12/08/2023	VA	P75309	\$2,108.00
136341	TAN INVESTMENTS INC. (HACIENDA HGTS CHEVRON)	203, 461	12/08/2023	CL	P78655	\$2,603.00
82063	TOYOTA OF RIVERSIDE	461	12/08/2023	CL	P75417	\$1,456.00
192525	UNITED PACIFIC #0677	461, H&S 41960.2	12/01/2023	CL	P78761	\$1,456.00
124523	WALMART NO. 2609	203	12/01/2023	CL	P74844	\$971.00
154248	WASTE RESOURCE RECOVERY, INC.	403	12/08/2023	VA	P79104	\$1,686.00
121048	WESTERN GAS	461	12/01/2023	CL	P76160	\$1,237.00
197780	WOODSIDE HOMES	403	12/01/2023	CL	P75210	\$3,884.00
<b>Total MSPAP Settlements: \$122,488.00</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR DECEMBER 2023 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

**REGULATION IV - PROHIBITIONS**

Rule 402 Nuisance

Rule 403 Fugitive Dust

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1155 Particulate Matter Control Devices

Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil

**REGULATION XIV - TOXICS**

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems

Rule 1415.1 Reduction of Refrigerant Emissions from Stationary Refrigeration Systems

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

Rule 2004 Requirements

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

**REGULATION XXX- TITLE V PERMITS**

Rule 3002 Requirements

Rule 3003 Applications

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145 Standard for Demolition and Renovation

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR DECEMBER 2023 PENALTY REPORT**

**CALIFORNIA HEALTH AND SAFETY CODE**

41700 Prohibited Discharges  
41960 Certification of Gasoline Vapor Recovery System  
41960.2 Gasoline Vapor Recovery

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2453 Portable Equipment Application Process

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 23

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a hybrid meeting on Friday, January 24, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Larry McCallon, Acting Chair  
Technology Committee

AK:psc

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### **Committee Members**

Present: Vice Chair Michael Cacciotti  
Supervisor Curt Hagman  
Mayor Pro Tem Larry McCallon

Absent: Mayor Patricia Lock Dawson  
Supervisor Andrew Do  
Councilmember Carlos Rodriguez, Committee Chair  
Board Member Veronica Padilla-Campos

### **Call to Order**

Acting Committee Chair Larry McCallon called the meeting to order at 12:00 p.m.

Due to a needed quorum, Vice Chair Michael Cacciotti was appointed to the Committee by Acting Committee Chair Larry McCallon.

For additional details of the Technology Committee Meeting, please refer to the [Webcast](#).

**ACTION ITEMS:**

**1. Execute Contracts, Adopt Resolutions to Recognize Funds and Reimburse General Fund to Implement Year 25 & 26 Carl Moyer, SOON, FARMER and Community Air Protection Programs, and Appropriate Funds for Development of Carl Moyer Program Grant Management System**

In December 2022, Program Announcements for the Carl Moyer and Surplus Off-Road Opt-In for NOx (SOON) Programs were released and closed in May 2023. Over \$400M in grant applications were received. For FY 2023-24 CARB has tentatively allocated funds for the Carl Moyer Program, the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) and Community Air Protection Program (CAPP) to South Coast AQMD. These actions are to: 1) execute contracts for Carl Moyer, SOON, FARMER and CAPP in the amount of \$196,687,460; 2) authorize the Executive Officer to redistribute the source of funds for the various incentive program grants to ensure program liquidation targets are met; 3) adopt Resolutions, accept terms and conditions and recognize up to \$47,229,407 in Carl Moyer Program, up to \$706,800 in FARMER, and up to \$88,919,808 in CAPP funds from CARB for FY 2023-24; 4) reimburse General Fund for administrative costs up to \$2,951,838, \$44,175, and \$5,557,488, from the Carl Moyer, FARMER, CAPP Programs, respectively; and 5) transfer and appropriate up to \$200,000 comprised of \$100,000 from the administrative portions of each of the Community Air Protection AB 134 Fund (77) and the Carl Moyer Program Fund (32), into Information Management's FY 2023-24 and/or 2024-25 Budget, Services and Supplies and/or Capital Outlays Major Objects for the final phase of the grant management system development.

Acting Committee Chair McCallon commented that he does not have a financial interest but is required to identify for the record that he is the Chair of the Southern California Regional Rail Authority, which is involved in this item.

Acting Committee Chair McCallon inquired about the prioritization of funds for projects on the backup list. Staff replied the funding is based on a cost-effectiveness threshold, the amount of NOx emissions reduced, and location in disadvantaged communities.

Ruby Laity, Principal Deputy District Counsel, announced that the following grant recipients have been withdrawn from the funding list at this time, for failure to submit a Campaign Contribution Disclosure: Jose Abel Beltran, Juan Manuel, Magana, Alright Already, LLC, California Steel Industries, Inc. and EV Charging Solutions, Inc. Ms. Laity explained if the Campaign Disclosures are submitted, these projects will be further considered at the February Board meeting.

Harvey Eder, Public Solar Power Coalition, expressed the importance of zero-emission and suggested further connection with local governments, co-ops and municipalities. For additional details, please refer to the [Webcast](#) beginning at 4:00.

Moved by Hagman; seconded by Cacciotti; unanimously approved.

Ayes: Cacciotti, Hagman, McCallon  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, Padilla-Campos, Rodriguez

**2. Recognize Funds and Execute MOU with City of Irvine for Lawn and Garden Equipment Projects**

South Coast AQMD administers and implements both the Residential Electric Lawn Mower Rebate and the Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program. The City of Irvine would like to partner with South Coast AQMD to fund zero-emission lawn and garden equipment replacement for residents and businesses operating within the City of Irvine. These actions are to: 1) recognize funds from the City of Irvine up to \$18,750 into the General Fund for administrative costs and 2) authorize the Executive Officer to execute an MOU with the City of Irvine to fund lawn and garden equipment replacement in the City of Irvine.

Acting Committee Chair McCallon thanked staff for their work in the Commercial eL&G program and expressed support for the item.

Vice Chair Cacciotti requested clarification if funding is coming from the City of Irvine directly and inquired about the remaining funds in the current Commercial eL&G Program. Staff clarified that the funding will be supplied by the City of Irvine and added that there is currently over \$3.4 million left in the program. For additional details, please refer to the [Webcast](#) beginning at 17:07.

Moved by Cacciotti; seconded by Hagman; unanimously approved.

Ayes: Cacciotti, Hagman, McCallon  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, Padilla-Campos, Rodriguez

**3. Execute Contract to Demonstrate Off-Grid Electrical Fast Charging Solution to Support UCLA's Electric Fleet**

The University of California Los Angeles (UCLA) is committed to a sustainability goal and has a comprehensive transportation plan to reduce its environmental impact, including electrifying its fleet. However, upgrading the electrical infrastructure will take some time. To address the infrastructure challenge, UCLA



plans to demonstrate an interim off-grid charging solution in partnership with GenCell, Inc. This action is to execute a contract with GenCell, Inc. to develop and demonstrate an off-grid fast charging solution to support UCLA's electric fleet in an amount not to exceed \$200,000 from the Clean Fuels Program Fund (31).

Acting Committee Chair McCallon inquired about the interaction with the grid and Maryam Hajbabaei, Program Supervisor, Technology Advancement Office explained that the Gencell EVOX charging solution would be connected to the grid, and the fuel cell would kick in to produce backup power during grid loss.

Councilmember Cacciotti asked whether the hydrogen is stored on the EVOX unit. Ms. Hajbabaei clarified that the hydrogen will be brought to the site in a separate trailer to feed the EVOX unit when needed. Supervisor Hagman pointed out that he fully supports this project. For additional details, please refer to the [Webcast](#) beginning at 21:04.

Moved by Cacciotti; seconded by Hagman; unanimously approved.

Ayes: Cacciotti, Hagman, McCallon  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, Padilla-Campos, Rodriguez

**4. Execute Contract to Replace and Expand Existing Hydrogen Refueling Station at South Coast AQMD Headquarters**

For over a decade, South Coast AQMD hosted a hydrogen refueling station at its headquarters that is part of a CEC award to Air Products and Chemicals, Inc. The current station's capacity to provide hydrogen refueling is limited. Recently, FirstElement Fuel, Inc. received a CEC grant in the amount of \$42.6 million to develop publicly accessible advanced hydrogen refueling stations. Additional funding is sought to clean up the site and expedite the replacement of the existing station. This action is to execute a contract with FirstElement to replace and expand the existing hydrogen refueling station at South Coast AQMD headquarters in an amount not to exceed \$750,000 from the Clean Fuels Program Fund (31). For additional details, please refer to the [Webcast](#) beginning at 25:50.

Moved by Hagman; seconded by Cacciotti; unanimously approved.

Ayes: Cacciotti, Hagman, McCallon  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, Padilla-Campos, Rodriguez

**OTHER MATTERS:**

**5. Other Business**

There was no other business to report.

**6. Public Comment Period**

Mr. Eder expressed concern for equality amongst communities.

Rita Loof, RadTech International, encouraged the Committee and the South Coast AQMD to incentivize green technologies related to ultraviolet coatings. For additional details, please refer to the [Webcast](#) beginning at 29:20

**7. Next Meeting Date**

The next regular Technology Committee meeting is scheduled for Friday, February 16, 2024, at noon.

**Adjournment**

The meeting adjourned at 12:35 p.m.

**Attachment**

Attendance Record

**ATTACHMENT**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
TECHNOLOGY COMMITTEE MEETING  
Attendance Record – January 19, 2024**

Councilmember Michael Cacciotti ..... South Coast AQMD Board Member  
Supervisor Curt Hagman ..... South Coast AQMD Board Member  
Mayor Pro Tem Larry McCallon ..... South Coast AQMD Board Member

Debra Mendelsohn ..... Board Consultant (McCallon)  
Fred Minassian ..... Board Consultant (Padilla-Campos)  
Andy Silva ..... Board Consultant (Lock Dawson)  
Mark Taylor ..... Board Consultant (Rodriguez)

Mark Abramowitz ..... Public Member  
Naveen Berry ..... Public Member  
Harvey Eder ..... Public Solar Power Coalition  
Fred Ellingson ..... Public Member  
Riley & Devon ..... Public Member  
Kristy Monji ..... Public Member  
Matt Miyasato ..... FirstElement Fuel, Inc.  
Tom Schamber ..... Public Member  
Tony Stephen ..... Public Member  
Michelle Stewart ..... Metrolink

Derrick Alatorre ..... South Coast AQMD Staff  
Barbara Baird ..... South Coast AQMD Staff  
Cindy Bustillos ..... South Coast AQMD Staff  
Philip Crabbe III ..... South Coast AQMD Staff  
Christian Fielding ..... South Coast AQMD Staff  
Scott Gallegos ..... South Coast AQMD Staff  
Maryam Hajbabaei ..... South Coast AQMD Staff  
Sheri Hanizavareh ..... South Coast AQMD Staff  
Lauren Henninger ..... South Coast AQMD Staff  
Aaron Katzenstein ..... South Coast AQMD Staff  
Angela Kim ..... South Coast AQMD Staff  
Ruby Laity ..... South Coast AQMD Staff  
Howard Lee ..... South Coast AQMD Staff  
Tom Lee ..... South Coast AQMD Staff  
Ron Moskowitz ..... South Coast AQMD Staff  
Pami Mukherjee ..... South Coast AQMD Staff

Susan Nakamura..... South Coast AQMD Staff  
Wayne Nastro..... South Coast AQMD Staff  
Kevin Orellana ..... South Coast AQMD Staff  
Vasileios Papapostolou..... South Coast AQMD Staff  
Sarah Rees..... South Coast AQMD Staff  
Kristin Remy ..... South Coast AQMD Staff  
Brian Roberts ..... South Coast AQMD Staff  
Paul Rodriguez ..... South Coast AQMD Staff  
Valeria Rivera ..... South Coast AQMD Staff  
Penny Shaw Cedillo ..... South Coast AQMD Staff  
Walter Shen..... South Coast AQMD Staff  
Lisa Tanaka..... South Coast AQMD Staff  
Yuh Juin Tan..... South Coast AQMD Staff  
Donna Vernon ..... South Coast AQMD Staff  
Kristina Voorhees..... South Coast AQMD Staff  
Mei Wang..... South Coast AQMD Staff  
Michelle White..... South Coast AQMD Staff  
Vicki White..... South Coast AQMD Staff  
Paul Wright..... South Coast AQMD Staff

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BOARD MEETING DATE: February 2, 2024

AGENDA NO. 24

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a hybrid meeting on Thursday, January 18, 2024. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Curt Hagman  
South Coast AQMD Representative  
to MSRC

AK:CR.me

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#### Carl Moyer Zero-Emission Infrastructure Program

MSRC Request for Information (RFI) 2023-01 was released on September 2, 2022, requesting submittal of Information Packages seeking partnerships to facilitate investment in zero-emission infrastructure to support the transition of goods movement trucks to zero-emissions within the South Coast AQMD region. A total of \$50,000,000 was allocated by the MSRC for this Work Program category. The RFI closing date was November 30, 2022. To date, multiple projects have been reviewed and approved by the MSRC under this RFI.

On December 1, 2023, South Coast AQMD issued Program Announcement PA2024-02 under the Carl Moyer Memorial Air Quality Standards Attainment Program. This funding opportunity seeks applications for the implementation of zero-emission fueling infrastructure, including electric charging infrastructure and hydrogen refueling, to support medium and heavy-duty zero emission trucks. A total of up to \$200 million is potentially available under the Carl Moyer Zero-Emission Infrastructure Program. The application period opened on December 5, 2023, and will close at 1:00 pm on February 6, 2024.

Three respondents to MSRC RFI 2023-01 that, to date, have not received MSRC funding, seek to partner with the MSRC and pursue funding under the Carl Moyer Program Announcement. The MSRC considered this opportunity and approved allocations in a total amount not to exceed \$26,980,000 to augment the partners' contributions as an element of the FYs 2021-24 Work Program, as follows:

- a. A partnership with Southern California Gas Company in an amount not to exceed \$6,000,000 in an application to install a public-access hydrogen station in Pico Rivera;
- b. A partnership with Penske Truck Leasing Co., L.P. in an amount not to exceed \$17,980,000 in an application to install Level III charging stations at 20 facilities dispersed throughout the region; and
- c. A partnership with Pilot Travel Center, LLC in an amount not to exceed \$3,000,000 in an application to install a public-access hydrogen fueling station in Rialto.

If South Coast AQMD does not select one or more of these applications for funding, the relevant portion of the MSRC allocation would revert to the unallocated AB 2766 Discretionary Fund balance.

#### Cooperative Agreement with Metro

Both MSRC and Metro are interested in the deployment of zero emission trucks on the Interstate 710 corridor as soon as possible. As part of MSRC's FYs 2021-24 Work Program, MSRC is seeking partners to help facilitate investment in publicly accessible infrastructure to support the transition of goods movement trucks to zero emissions. Metro is interested in funding projects identified in response to MSRC's RFI 2023-01 for Publicly Accessible Goods Movement Zero-Emission Infrastructure. A proposed cooperative agreement with Metro has been prepared to facilitate the pursuit of shared objectives. The cooperative agreement specifies that the parties would jointly pursue funding opportunities and proposals regarding electrified and alternative fuel transportation systems for heavy duty commercial vehicles in Los Angeles County. The MSRC considered and approved the proposed cooperative agreement. This agreement does not commit any MSRC funding; any follow-on funding commitments would require future MSRC and South Coast AQMD Board consideration and approval.

#### **Contract Modification Requests**

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

1. City of Gardena, Contract #MS18027 to install new limited access CNG station, modify maintenance facility and train mechanics, approval of 9-month term extension; and
2. MHX, LLC, Contract #MS21010 to deploy one zero-emission overhead crane, approval of 18-month 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 2011-12 to the present. The Contracts Administrator’s Report for September 28, 2023 through January 3, 2024 is attached (*Attachment 1*).

**Attachment**

September 28 through January 3, 2024 Contracts Administrator’s Report

MSRC Agenda Item No. 4

**DATE:** January 18, 2024

**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 September 28, 2023 to January 3, 2024.

**RECOMMENDATION:** Receive and file report

**WORK PROGRAM IMPACT:** None

**Contract Execution Status**

**2021-24 Work Program**

On September 2, 2022, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On February 3, 2023, the SCAQMD Governing Board approved an award under the Transformative Transportation Strategies & Mobility Solutions Program. This contract is with the prospective contractor for signature.

On June 2, 2023, the SCAQMD Governing Board approved six awards under the Microtransit Service RFP, for zero-emission shared mobility service. These contracts are under development, under internal review, with the prospective contractor for signature, with the SCAQMD Governing Board Chair for signature, or executed.

On September 1, 2023, the SCAQMD Governing Board approved two awards under the Publicly Accessible Goods Movement Zero Emission Infrastructure Request for Information. One of these contracts will be administered by SCAQMD on behalf of the MSRC, and the other award is conditional upon successful selection of a site developer and operator and securing co-funding commitments.

On November 3, 2023, the SCAQMD Governing Board approved an allocation for partnership with SCAQMD and other partners in proposals seeking funding under the CARB "Advanced Technology Demonstration and Pilot Projects" solicitation. If proposal(s) are awarded funding, contract(s) will be administered by SCAQMD on behalf of the MSRC.

**Work Program Status**

Contract Status Reports for Work Program years with open and/or pending contracts are attached.



***FY 2011-12 Work Program Contracts***

2 contracts are in “Open/Complete” status, having completed all obligations except operations. One contract closed during this period: City of West Covina, Contract #ML12018 – Expansion of Existing CNG Station.

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

No invoices were paid during this period.

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

3 contracts from this Work Program year are open, and 9 are in “Open/Complete” status. 3 contracts closed during this period: Fullerton Joint Union High School District, Contract #MS14075 – Expansion of Existing CNG Infrastructure/Mechanic Training; Hacienda La Puente Unified School District, Contract #MS14083 – New Limited Access CNG Station; and Riverside County Transportation Commission, Contract #MS14059 – Implement Various Signal Synchronization Projects. One contract was cancelled during this period: Riverside County Regional Park & Open Space District, Contract #ML14021 – Bicycle Trail Improvements. \$250,000 reverted to the AB2766 Discretionary Fund from this contract.

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

No invoices were paid during this period.

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

10 contracts from this Work Program year are open, and 13 are in “Open/Complete” status. 3 contracts passed into “Open/Complete” status during this period: Omnitrans, Contract #MS16120 – Repower 63 Existing Buses; City of Eastvale, Contract #ML16040 – Install EV Charging Infrastructure; and City of Riverside, Contract #MS16110 – Expansion of CNG Station and Maintenance Facility Modifications. 5 contracts closed during this period: City of Cathedral City, Contract #ML16006 – Bicycle Outreach; City of Beverly Hills, Contract #ML16070 – Purchase 3 Heavy-duty Natural Gas Vehicles; Omnitrans, Contract #MS16117 – Expansion of CNG Infrastructure in San Bernardino; Omnitrans, Contract #MS16118 – Expansion of CNG Infrastructure in Montclair; and Orange County Transportation Authority, Contract #MS16123 – Install La Habra Union Pacific Bikeway.

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

2 invoices totaling \$252,131.56 were paid during this period.

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

47 contracts from this Work Program year are open, and 57 are in “Open/Complete” status. 8 contracts passed into “Open/Complete” status during this period: Los Angeles County MTA, Contract #MS18073 – Purchase 40 Zero-emission Transit Buses; Capistrano Unified School District, Contract #MS18108 – Expansion of Existing Infrastructure; City of Glendale, Contract #ML18059 – Install EV Charging Infrastructure; City of Fontana, Contract #ML18144 – Install EV Charging Infrastructure; Mountain View Unified School District, Contract #MS18110 – Install New Limited-Access CNG Infrastructure; City of Indian Wells, Contract #ML18036 – Install EV Charging Infrastructure; City of Rolling Hills Estates, Contract #ML18141 – Purchase One Light-duty ZEV and Install EV Charging Infrastructure; and City of Rialto, Contract #ML18159 – Purchase 9 Light-duty ZEVs and Install EV Charging Infrastructure. 6 contracts closed during this

period: City of La Quinta, Contract #ML18142 – Install EV Charging Infrastructure; Riverside County Transportation Commission, Contract #MS18023 – Weekend Freeway Service Patrols; City of Chino, Contract #ML18056 – Install EV Charging Infrastructure; City of Culver City, Contract #ML18076 – Purchase One Light-duty ZEV; City of Aliso Viejo, Contract #ML18128 – Purchase 2 Light-duty ZEVs and Install EV Charging Infrastructure; and City of La Monterey Park, Contract #ML18093 – Purchase Heavy-duty Near-zero emission vehicle. #ML18093 was closed as an incomplete contract because the City was not able to take delivery and the MSRC had specified that the contract could not receive any further extensions. \$25,000 reverted to the AB 2766 Discretionary Fund.

*FYs 2016-18 Invoices Paid*

7 invoices totaling \$283,148.75 were paid during this period.

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

13 contracts from this Work Program year are open, and 2 are in “Open/Complete” status. 2 contracts passed into “Open/Complete” status during this period: Penske Truck Leasing, Contract #MS21007 – Deploy 5 Zero Emission Yard Tractors; and Green Fleet Systems, Contract #MS21014 – Deploy 3 Near Zero Emission Trucks.

*FYs 2018-21 Invoices Paid*

11 invoices totaling \$2,253,505.25 were paid during this period.

***FYs 2021-24 Work Program Contracts***

2 contracts from this Work Program year are open.

*FYs 2021-24 Invoices Paid*

No invoices were paid during this period.

***Administrative Scope Changes***

2 administrative scope changes were initiated during the period from September 28, 2023 to January 3, 2024.

- Pac Anchor Transportation, Contract #MS21018 (Purchase 23 Near-Zero Emission Class 8 Trucks) – Reduce scope from 23 trucks to 21 trucks and reduce value from \$2,300,000 to \$2,100,000
- County of Los Angeles, Contract #ML18060 (Purchase 29 Light-Duty Zero Emission Vehicles, 1 Med/Heavy Duty ZEV, 6 Heavy-Duty Near-Zero Vehicles and Install EV Charging Stations) – Remove tasks and funding associated with heavy-duty ZEV and change completion deadline for EV charging station installations (no change to contract term)

**Attachments**

- FY 2011-12 through FYs 2021-24 Contract Status Reports



## AB2766 Discretionary Fund Program Invoices

November 30, 2023 to January 3, 2024

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2016-2018 Work Program</i>							
12/28/2023				ML18047	City of Whittier	8020000877	\$22,782.00
12/28/2023				ML18047	City of Whittier	8020000863	\$22,782.00
12/12/2023	12/14/2023	12/15/2023		ML18089	City of Glendora	Final	\$50,760.00
<b>Total: \$96,324.00</b>							
<i>2018-2021 Work Program</i>							
12/13/2023	12/14/2023	12/15/2023		MS21006	Geographics	23-23472	\$373.00
12/7/2023	12/14/2023	12/15/2023		MS21002	Better World Group Advisors	WG-MSRC4	\$6,659.55
12/7/2023	12/14/2023	12/15/2023		MS21002	Better World Group Advisors	WG-MSRC4	\$2,591.60

**Total: \$9,624.15**

**Total This Period: \$105,948.15**



## FYs 2011-12 Through 2021-24 AB2766 Contract Status Report

1/4/2024

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b><i>FY 2011-2012 Contracts</i></b>									
<b><i>Declined/Cancelled Contracts</i></b>									
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
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
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Access CNG Station	\$100,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No
<b>Total: 13</b>									
<b><i>Closed Contracts</i></b>									
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
ML12014	City of Santa Ana - Public Works Ag	11/8/2013	8/7/2020	2/7/2022	\$338,000.00	\$255,977.50	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$82,022.50	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
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
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
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
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML12091	City of Bellflower	10/5/2018	10/4/2019	6/30/2022	\$100,000.00	\$49,230.44	EV Charging Infrastructure	\$50,769.56	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadium	\$88,830.00	Yes
MS12002	Orange County Transportation Autho	9/7/2012	4/30/2013		\$342,340.00	\$333,185.13	Express Bus Service to Orange County Fair	\$9,154.87	Yes
MS12003	Orange County Transportation Autho	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadium	\$67,003.88	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12008	Bonita Unified School District	7/12/2013	12/11/2019	4/11/2021	\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$150,000.00	Construct New Public-Access LNG Station	\$0.00	Yes
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$242,786.00	\$242,786.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	5/28/2021	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12012	Rim of the World Unified School Dist	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12024	Southern California Gas Company	6/13/2013	12/12/2019	11/12/2020	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	Yes
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12029	Community Action Partnership of Or	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	Yes
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018	6/21/2021	\$148,900.00	\$148,900.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018	5/1/2022	\$133,070.00	\$133,070.00	Purchase 8 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	Yes
MS12036	Jim & Doug Carter's Automotive/VSP	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	Yes
MS12060	City of Santa Monica	4/4/2014	8/3/2017	8/3/2019	\$500,000.00	\$434,202.57	Implement Westside Bikeshare Program	\$65,797.43	Yes
MS12061	Orange County Transportation Autho	3/14/2014	3/13/2017		\$224,000.00	\$114,240.00	Transit-Oriented Bicycle Sharing Program	\$109,760.00	Yes
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$989,218.49	Develop & Implement "Rideshare Thursday"	\$9,450.51	Yes
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$100,000.00	Install New Limited Access CNG Station	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$56,443.92	Implement Anaheim Circulator Service	\$70,852.08	Yes
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	Yes
MS12068	Southern California Regional Rail Aut	3/1/2013	9/30/2013		\$57,363.00	\$47,587.10	Implement Metrolink Service to Autoclub Sp	\$9,775.90	Yes
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$26,649.41	Implement Special Transit Service to Solar	\$18,350.59	Yes
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$21,250.00	Expansion of Existing CNG Station	\$0.00	Yes
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$100,000.00	Construct New CNG Station	\$0.00	Yes
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$150,000.00	Construct New CNG Station	\$0.00	Yes
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
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
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
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
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
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
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: 73**

**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**

ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	12/13/2026	\$400,000.00	\$400,000.00	Install New CNG Station	\$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: 2**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### FY 2012-2014 Contracts

#### Open Contracts

ML14027	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	8/1/2028	\$492,000.00	\$0.00	Construct New CNG Station in Canyon Coun	\$492,000.00	No
MS14057	Los Angeles County MTA	11/7/2014	10/6/2019	10/31/2026	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14072	San Bernardino County Transportatio	3/27/2015	3/26/2018	3/26/2024	\$1,237,500.00	\$1,148,376.17	Implement Various Signal Synchronization P	\$89,123.83	No

**Total: 3**

#### Declined/Cancelled Contracts

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
ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$32,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	1/11/2020	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
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: 12**

#### 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
ML14012	City of Santa Ana - Public Works Ag	2/13/2015	10/12/2021	10/12/2022	\$41,220.00	\$41,220.00	EV Charging and 1 H.D. CNG Vehicle	\$0.00	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
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
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
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Existing CNG Infrastructure	\$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
ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infras., Bicycle L	\$9,639.37	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14033	City of Irvine	7/11/2014	2/10/2021	2/10/2022	\$60,000.00	\$60,000.00	Purchase 2 H.D. CNG Vehicles	\$0.00	Yes
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$56,700.00	EV Charging Stations	\$0.00	Yes
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$101,976.09	One HD Nat Gas Vehicle, EV Charging, Bicy	\$3,023.91	Yes
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
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
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
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$41,000.00	\$41,000.00	Install Bicycle Racks & Implement Bicycle E	\$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
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	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
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
MS14047	Southern California Regional Rail Aut	3/7/2014	9/30/2014		\$49,203.00	\$32,067.04	Special Metrolink Service to Autoclub Speed	\$17,135.96	Yes
MS14048	BusWest	3/14/2014	12/31/2014	5/31/2015	\$940,850.00	\$847,850.00	Alternative Fuel School Bus Incentive Progra	\$93,000.00	Yes
MS14052	Arcadia Unified School District	6/13/2014	10/12/2020		\$78,000.00	\$78,000.00	Expansion of an Existing CNG Fueling Statio	\$0.00	Yes
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



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
MS14059	Riverside County Transportation Co	9/5/2014	3/4/2018	7/4/2023	\$1,250,000.00	\$1,209,969.08	Implement Various Signal Synchronization P	\$40,030.92	No
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
MS14076	Rialto Unified School District	6/17/2015	2/16/2022	6/25/2023	\$225,000.00	\$225,000.00	New Public Access CNG Station	\$0.00	Yes
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure/Ma	\$0.00	Yes
MS14081	CR&R Incorporated	6/1/2015	5/30/2021		\$175,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure/Ma	\$75,000.00	Yes
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
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
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$195,377.88	Implement Special Metrolink Service to Ang	\$44,267.12	Yes
MS14088	Southern California Regional Rail Aut	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes
MS14089	Top Shelf Consulting, LLC	1/18/2017	8/4/2016	3/31/2017	\$200,000.00	\$200,000.00	Enhanced Fleet Modernization Program	\$0.00	Yes
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: 66**

#### 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
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
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
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
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
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

**Total: 9**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### **FY 2014-2016 Contracts**

#### **Open Contracts**

ML16017	City of Long Beach	2/5/2016	8/4/2023	5/4/2029	\$1,445,400.00	\$1,415,400.00	Purchase 50 Medium-Duty, 17 H.D. Nat. Ga	\$30,000.00	No
ML16022	Los Angeles Department of Water an	5/5/2017	3/4/2024	6/4/2028	\$240,000.00	\$240,000.00	Purchase 8 H.D. Nat. Gas Vehicles	\$0.00	No
ML16025	City of South Pasadena	6/22/2016	4/21/2023	2/21/2025	\$130,000.00	\$0.00	Expand Existing CNG Infrastructure	\$130,000.00	No
ML16039	City of Torrance Transit Department	1/6/2017	9/5/2022	3/27/2026	\$32,000.00	\$0.00	Install Eight Level II EV Chargers	\$32,000.00	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2024	\$500,000.00	\$0.00	Enhance an Existing Class 1 Bikeway	\$500,000.00	No
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2024	\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16075	City of San Fernando	10/27/2016	2/26/2019	8/26/2024	\$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	\$218,708.00	Pedestrian Access Improvements, Bicycle L	\$244,508.00	No
MS16094	Riverside County Transportation Co	1/25/2017	1/24/2022	2/24/2024	\$1,909,241.00	\$0.00	MetroLink First Mile/Last Mile Mobility Strate	\$1,909,241.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2028	\$600,000.00	\$570,000.00	Repower 39 and Purchase 1 New Transit Bu	\$30,000.00	No

**Total: 10**

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

ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16074	City of La Verne	7/22/2016	1/21/2023		\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside County Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16098	Long Beach Transit				\$198,957.00	\$0.00	Provide Special Bus Service to Stub Hub Ce	\$198,957.00	No
MS16104	City of Perris				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16106	City of Lawndale	3/1/2019	11/30/2025		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16107	Athens Services				\$100,000.00	\$0.00	Construct a Limited-Access CNG Station	\$100,000.00	No
MS16108	VNG 5703 Gage Avenue, LLC				\$150,000.00	\$0.00	Construct Public-Access CNG Station in Bell	\$150,000.00	No
MS16109	Sanitation Districts of Los Angeles C				\$275,000.00	\$0.00	Expansion of an Existing L/CNG Station	\$275,000.00	No
MS16111	VNG 925 Lakeview Avenue, LLC				\$150,000.00	\$0.00	Construct Public Access CNG Station in Pla	\$150,000.00	No

**Total: 13**

#### **Closed Contracts**

ML16006	City of Cathedral City	4/27/2016	4/26/2022	4/26/2023	\$25,000.00	\$25,000.00	Bicycle Outreach	\$0.00	Yes
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	Yes
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
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
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$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?
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	Yes
ML16019	City of Los Angeles, Dept of General	1/25/2017	3/24/2023		\$102,955.00	\$102,955.00	Install EV Charging Infrastructure	\$0.00	Yes
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
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
ML16026	City of Downey	5/6/2016	9/5/2017		\$40,000.00	\$40,000.00	Install EV Charging Infrastructure	\$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
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	Yes
ML16033	Coachella Valley Association of Gov	4/27/2016	4/26/2018		\$250,000.00	\$250,000.00	Street Sweeping Operations in Coachella Va	\$0.00	Yes
ML16034	City of Riverside	3/11/2016	10/10/2018	7/10/2020	\$500,000.00	\$500,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16036	City of Brea	3/4/2016	12/3/2018		\$500,000.00	\$500,000.00	Install a Class 1 Bikeway	\$0.00	Yes
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
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	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
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	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
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
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	Yes
ML16053	City of Claremont	3/11/2016	7/10/2018	12/10/2020	\$498,750.00	\$498,750.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16054	City of Yucaipa	3/26/2016	7/26/2018	10/25/2019	\$120,000.00	\$120,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16055	City of Ontario	5/6/2016	5/5/2022		\$270,000.00	\$270,000.00	Purchase Nine Heavy-Duty Natural-Gas Veh	\$0.00	Yes
ML16056	City of Ontario	3/23/2016	9/22/2020	9/22/2021	\$106,565.00	\$106,565.00	Expansion of an Existing CNG Station	\$0.00	Yes
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
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
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
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
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
ML16071	City of Highland	5/5/2017	1/4/2020	1/4/2023	\$264,500.00	\$264,500.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML16073	City of Long Beach Public Works	1/13/2017	7/12/2017		\$50,000.00	\$50,000.00	Implement an "Open Streets" Event	\$0.00	Yes
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$0.00	Yes
ML16078	City of Moreno Valley	5/6/2016	11/5/2017	5/5/2018	\$32,800.00	\$31,604.72	Install Bicycle Infrastructure & Implement Bi	\$1,195.28	Yes
ML16079	City of Yucaipa	4/1/2016	3/31/2020		\$5,000.00	\$5,000.00	Purchase Electric Lawnmower	\$0.00	Yes
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	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
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
MS16084	Transit Systems Unlimited, Inc.	5/6/2016	2/28/2018		\$565,600.00	\$396,930.00	Implement Special Shuttle Service from Uni	\$168,670.00	Yes
MS16085	Southern California Regional Rail Aut	3/11/2016	9/30/2016		\$78,033.00	\$64,285.44	Special MetroLink Service to Autoclub Spee	\$13,747.56	Yes
MS16086	San Bernardino County Transportatio	9/3/2016	10/2/2021		\$800,625.00	\$769,021.95	Freeway Service Patrols	\$31,603.05	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
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
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
MS16099	Foothill Transit	3/3/2017	3/31/2017		\$50,000.00	\$50,000.00	Provide Special Bus Service to the Los Ange	\$0.00	Yes
MS16100	Southern California Regional Rail Aut	5/5/2017	9/30/2017		\$80,455.00	\$66,169.43	Provide Metrolink Service to Autoclub Speed	\$14,285.57	Yes
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
MS16116	Riverside Transit Agency	3/3/2017	1/2/2023		\$10,000.00	\$9,793.00	Purchase One Transit Bus	\$207.00	Yes
MS16117	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16118	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16119	Omnitrans	4/21/2017	8/20/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
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
MS16127	Los Angeles County MTA	6/29/2021		6/28/2022	\$2,500,000.00	\$2,500,000.00	Expansion of the Willowbrook/Rosa Parks Tr	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>Total: 81</b>									
<b>Closed/Incomplete Contracts</b>									
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
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
<b>Total: 6</b>									
<b>Open/Complete Contracts</b>									
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	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
ML16021	City of Santa Clarita	10/7/2016	6/6/2024		\$49,400.00	\$49,399.00	Install EV Charging Infrastructure	\$1.00	Yes
ML16040	City of Eastvale	1/6/2017	7/5/2022	11/5/2026	\$66,409.00	\$66,040.41	Install EV Charging Infrastructure	\$368.59	Yes
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	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
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
MS16110	City of Riverside	10/6/2017	2/5/2025	10/5/2026	\$270,000.00	\$256,500.00	Expansion of Existing CNG Station and Main	\$13,500.00	No
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		\$32,170.00	\$32,170.00	Purchase 3 Transit Buses	\$0.00	Yes
MS16115	City of Santa Monica	4/14/2017	7/13/2025		\$450,000.00	\$450,000.00	Repower 30 Transit Buses	\$0.00	Yes
MS16120	Omnitrans	4/7/2017	5/6/2025		\$945,000.00	\$870,000.00	Repower 63 Existing Buses	\$75,000.00	Yes
<b>Total: 13</b>									
<b>Terminated Contracts</b>									
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	Yes
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	Yes
<b>Total: 2</b>									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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## FY 2016-2018 Contracts

### Open Contracts

ML18031	City of Diamond Bar	9/7/2018	11/6/2025	11/6/2027	\$58,930.00	\$38,930.00	Install EVSE, Purchase up to 2-LD Vehicles	\$20,000.00	No
ML18046	City of Santa Ana - Public Works Ag	11/9/2018	7/8/2026		\$385,000.00	\$359,590.75	Purchase 6 Light-Duty ZEVs, 9 Heavy-Duty	\$25,409.25	No
ML18047	City of Whittier	8/8/2018	4/7/2026	1/7/2029	\$113,910.00	\$113,910.00	Purchase 5 Heavy-Duty Near-Zero Emission	\$0.00	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	4/30/2027	\$91,500.00	\$72,500.00	Purchase 6 Light-Duty ZEVs, Install 3 Limite	\$19,000.00	No
ML18055	City of Long Beach	11/29/2018	11/28/2026		\$622,220.00	\$302,401.53	Install EV Charging Stations	\$319,818.47	No
ML18057	City of Carson	10/5/2018	7/4/2023	12/15/2026	\$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	11/11/2028	\$94,624.00	\$0.00	Purchase 1 Medium-Duty ZEV and EV Char	\$94,624.00	No
ML18060	County of Los Angeles Internal Servi	10/5/2018	8/4/2026	8/4/2028	\$1,367,610.00	\$724,868.96	Purchase 29 Light-Duty Zero Emission Vehi	\$642,741.04	No
ML18063	City of Riverside	6/7/2019	1/6/2027	3/6/2028	\$50,000.00	\$0.00	Expand Existing CNG Station	\$50,000.00	No
ML18064	City of Eastvale	11/29/2018	4/28/2026	4/28/2029	\$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	12/6/2027	\$83,500.00	\$0.00	Install EVSE	\$83,500.00	No
ML18068	City of Mission Viejo	7/31/2019	6/30/2027		\$86,940.00	\$10,000.00	Purchase 2 Light-Duty ZEVs & Install EVSE	\$76,940.00	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
ML18082	City of Los Angeles Bureau of Sanita	8/30/2019	8/29/2028	8/29/2029	\$900,000.00	\$0.00	Purchase Medium-Duty Vehicles and EV Ch	\$900,000.00	No
ML18084	City of South El Monte	10/18/2019	9/17/2023	3/30/2028	\$30,000.00	\$0.00	EV Charging Infrastructure	\$30,000.00	No
ML18089	City of Glendora	7/19/2019	4/18/2025	10/18/2028	\$50,760.00	\$50,760.00	Purchase a Heavy-Duty ZEV	\$0.00	No
ML18091	City of Temecula	1/19/2019	7/18/2023	3/18/2026	\$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
ML18094	City of Laguna Woods	7/12/2019	12/11/2024	10/11/2026	\$50,000.00	\$0.00	Install Two EV Charging Stations	\$50,000.00	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	9/13/2027	\$63,097.00	\$0.00	Install Six EV Charging Stations	\$63,097.00	No
ML18132	City of Montclair	4/5/2019	9/4/2023	9/4/2026	\$40,000.00	\$40,000.00	Install Eight EVSEs	\$0.00	Yes
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
ML18145	City of Los Angeles Dept of Transpor	1/10/2020	4/9/2027	4/9/2028	\$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	11/30/2026	\$127,400.00	\$50,000.00	Purchase Five Light-Duty ZEVs and Install S	\$77,400.00	No
ML18147	City of Palm Springs	1/10/2019	1/9/2024	7/9/2026	\$60,000.00	\$0.00	Install Eighteen EV Charging Stations	\$60,000.00	No
ML18148	City of San Dimas	1/21/2022	5/20/2023	5/20/2024	\$50,000.00	\$0.00	Implement Bicycle Detection Measures	\$50,000.00	No
ML18151	County of San Bernardino Departme	8/25/2020	10/24/2029		\$200,000.00	\$150,000.00	Purchase Eight Heavy-Duty Near Zero Emis	\$50,000.00	No
ML18152	County of San Bernardino Flood Con	8/11/2020	10/10/2029		\$108,990.00	\$75,000.00	Purchase Five Heavy-Duty Near Zero Emissi	\$33,990.00	No
ML18163	City of San Clemente	3/8/2019	12/7/2024	12/7/2025	\$75,000.00	\$70,533.75	Purchase Three Light-Duty ZEVs and EV Ch	\$4,466.25	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18177	City of San Bernardino	6/7/2019	12/6/2026	12/6/2028	\$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	11/30/2028	\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
ML18185	City of Wildomar	10/19/2023	10/18/2024		\$25,000.00	\$0.00	Install Bicycle Trail	\$25,000.00	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	11/30/2023	\$2,000,000.00	\$612,771.52	Southern California Future Communities Par	\$1,387,228.48	No
MS18024	Riverside County Transportation Co	6/28/2018	8/27/2021	8/31/2024	\$1,500,000.00	\$973,160.00	Vanpool Incentive Program	\$526,840.00	No
MS18027	City of Gardena	11/2/2018	9/1/2026	1/1/2029	\$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	1/7/2029	\$185,000.00	\$0.00	Install New Limited Access CNG Station & T	\$185,000.00	No
MS18065	San Bernardino County Transportatio	3/29/2019	8/28/2023	3/28/2024	\$2,000,000.00	\$2,000,000.00	Implement Metrolink Line Fare Discount Pro	\$0.00	Yes
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
MS18180	Omnitrans	8/4/2022	8/3/2023		\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	No
MS18181	San Bernardino County Transportatio	4/10/2023	9/9/2030		\$1,662,000.00	\$0.00	Construct Hydrogen Fueling Station	\$1,662,000.00	No
MS18182	Air Products and Chemicals Inc.	3/8/2023	2/7/2031		\$1,000,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,000,000.00	No
MS18183	Nikola-TA HRS 1, LLC	9/28/2022	1/27/2030		\$1,660,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,660,000.00	No

**Total: 47**

**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
ML18053	City of Paramount	9/7/2018	3/6/2023		\$64,675.00	\$0.00	Install EV Charging Infrastructure	\$64,675.00	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
ML18165	City of Baldwin Park	2/1/2019	1/30/2024		\$49,030.00	\$0.00	Expand CNG Station	\$49,030.00	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 Near-Zero Emiss	\$25,000.00	No
MS18009	Penske Truck Leasing Co., L.P.	8/8/2018	12/7/2020		\$82,500.00	\$0.00	Modify Maintenance Facility & Train Technici	\$82,500.00	No
MS18013	California Energy Commission				\$3,000,000.00	\$0.00	Advise MSRC and Administer Hydrogen Infr	\$3,000,000.00	No
MS18017	City of Banning				\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS18018	City of Norwalk	6/8/2018	9/7/2019		\$75,000.00	\$0.00	Vehicle Maintenance Facility Modifications	\$75,000.00	No
MS18107	Huntington Beach Union High School				\$225,000.00	\$0.00	Expansion of Existing Infrastructure	\$225,000.00	No
MS18109	City of South Gate				\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18111	Newport-Mesa Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS18112	Banning Unified School District	11/29/2018	11/28/2024	11/28/2025	\$275,000.00	\$0.00	Install New CNG Infrastructure	\$275,000.00	No
MS18113	City of Torrance				\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
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



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS18116	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
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
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
MS18184	Clean Energy				\$1,000,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,000,000.00	No
<b>Total: 27</b>									
<b>Closed Contracts</b>									
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 Stations	\$3,581.69	Yes
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
ML18034	City of Calabasas	6/8/2018	3/7/2022	3/7/2023	\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18035	City of Westlake Village	8/8/2018	11/7/2022		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18040	City of Agoura Hills	7/13/2018	6/12/2022		\$17,914.00	\$17,914.00	Install EV Charging Infrastructure	\$0.00	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
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$103,868.00	Install EV Charging Infrastructure	\$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
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
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
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
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
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
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	Yes
ML18130	City of Lake Forest	3/1/2019	9/30/2022		\$106,480.00	\$106,480.00	Install Twenty-One EVSEs	\$0.00	Yes
ML18131	City of Los Angeles, Police Departm	5/3/2019	12/2/2022		\$19,294.00	\$19,294.00	Purchase Three Light-Duty ZEVs	\$0.00	Yes
ML18138	City of La Canada Flintridge	2/8/2019	5/7/2023		\$32,589.00	\$32,588.07	Install Four EVSEs and Install Bicycle Racks	\$0.93	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	Yes
ML18142	City of La Quinta	4/24/2019	2/23/2023	8/23/2023	\$51,780.00	\$51,780.00	Install Two EV Charging Stations	\$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
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
ML18179	City of Rancho Mirage	8/20/2021	2/19/2022		\$50,000.00	\$50,000.00	Traffic Signal Synchronization	\$0.00	Yes
MS18001	Los Angeles County MTA	6/29/2017	4/30/2018		\$807,945.00	\$652,737.07	Provide Clean Fuel Transit Service to Dodge	\$155,207.93	Yes
MS18002	Southern California Association of G	6/9/2017	11/30/2018	12/30/2021	\$2,500,000.00	\$2,276,272.46	Regional Active Transportation Partnership	\$223,727.54	Yes



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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 Aut	12/28/2017	7/31/2019		\$351,186.00	\$275,490.61	Implement Special Metrolink Service to Unio	\$75,695.39	Yes
MS18011	Southern California Regional Rail Aut	2/9/2018	6/30/2018		\$239,565.00	\$221,725.12	Special Train Service to Festival of Lights	\$17,839.88	Yes
MS18014	Regents of the University of Californi	10/5/2018	12/4/2019	3/4/2020	\$254,795.00	\$251,455.59	Planning for EV Charging Infrastructure Inve	\$3,339.41	Yes
MS18016	Southern California Regional Rail Aut	1/10/2019	3/31/2019		\$87,764.00	\$73,140.89	Special Train Service to Auto Club Speedwa	\$14,623.11	Yes
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021	3/31/2023	\$500,000.00	\$500,000.00	Weekend Freeway Service Patrols	\$0.00	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
MS18104	Orange County Transportation Autho	2/21/2020	3/31/2021	3/31/2022	\$212,000.00	\$165,235.92	Implement College Pass Transit Fare Subsid	\$46,764.08	Yes
MS18105	Southern California Regional Rail Aut	1/10/2019	6/30/2019		\$252,696.00	\$186,830.04	Special Train Service to the Festival of Light	\$65,865.96	Yes

**Total: 45**

**Closed/Incomplete Contracts**

ML18083	City of San Fernando	11/2/2018	11/1/2022		\$20,000.00	\$0.00	Implement Traffic Signal Synchronization	\$20,000.00	No
ML18093	City of Monterey Park	2/1/2019	2/28/2026	10/31/2028	\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
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
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$50,000.00	No
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
MS18026	Omnitrans	10/5/2018	1/4/2020		\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	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

**Total: 8**

**Open/Complete Contracts**

ML18020	City of Colton	5/3/2018	4/2/2024	4/2/2027	\$67,881.00	\$67,881.00	Purchase One Medium-Duty and One Heavy	\$0.00	Yes
ML18028	City of Artesia	6/28/2018	3/27/2025		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18030	City of Grand Terrace	6/28/2018	3/27/2022	3/27/2025	\$45,000.00	\$45,000.00	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
ML18036	City of Indian Wells	8/8/2018	5/7/2023	5/7/2026	\$50,000.00	\$50,000.00	Install EV Charging Stations	\$0.00	No
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	\$63,191.00	\$63,190.33	Purchase 1 Medium/Heavy-Duty ZEV and In	\$0.67	Yes
ML18041	City of West Hollywood	8/8/2018	12/7/2023	6/7/2024	\$50,000.00	\$50,000.00	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?
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
ML18043	City of Yorba Linda	9/7/2018	12/6/2023	12/6/2024	\$87,990.00	\$87,990.00	Install EV Charging Infrastructure	\$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
ML18059	City of Glendale Water & Power	2/1/2019	7/31/2026	1/31/2028	\$260,500.00	\$232,315.70	Install Electric Vehicle Charging Infrastructur	\$28,184.30	No
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
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
ML18079	City of Pasadena	12/7/2018	11/6/2023		\$183,670.00	\$183,670.00	EV Charging Infrastructure	\$0.00	Yes
ML18080	City of Santa Monica	1/10/2019	12/9/2023	9/9/2025	\$44,289.00	\$44,288.92	Install EV Charging Stations	\$0.08	Yes
ML18081	City of Beaumont	10/5/2018	10/4/2022	10/4/2025	\$31,870.00	\$31,870.00	EV Charging Infrastructure	\$0.00	Yes
ML18085	City of Orange	4/12/2019	10/11/2026		\$50,000.00	\$50,000.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$0.00	Yes
ML18087	City of Murrieta	3/29/2019	3/28/2025		\$143,520.00	\$143,520.00	Install Four 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
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2025	\$89,400.00	\$89,400.00	Install Six EV Charging Stations	\$0.00	Yes
ML18099	City of Laguna Hills	3/1/2019	5/31/2023	9/30/2024	\$32,250.00	\$32,250.00	Install EV Charging Stations	\$0.00	Yes
ML18100	City of Brea	10/29/2020	12/28/2024	12/31/2025	\$56,500.00	\$56,500.00	Install Twenty-Four Level II EV Charging Sta	\$0.00	Yes
ML18136	City of Orange	4/12/2019	8/11/2024		\$40,000.00	\$40,000.00	Purchase Four Light-Duty Zero Emission Ve	\$0.00	Yes
ML18141	City of Rolling Hills Estates	2/14/2020	1/13/2024	4/13/2026	\$40,000.00	\$40,000.00	Purchase One Light-Duty ZEV and Install Se	\$0.00	Yes
ML18143	City of La Habra	10/18/2019	9/17/2025	9/17/2027	\$80,700.00	\$80,700.00	Install Two EV Charging Stations	\$0.00	Yes
ML18144	City of Fontana Public Works	10/4/2019	12/3/2023	12/31/2025	\$269,090.00	\$269,090.00	Install Twelve EVSEs	\$0.00	No
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		\$35,609.00	\$35,608.86	Install EV Charging Infrastructure	\$0.14	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
ML18159	City of Rialto	12/13/2019	5/12/2024	9/19/2025	\$135,980.00	\$106,597.86	Purchase Nine Light-Duty ZEVs and EV Cha	\$29,382.14	No
ML18161	City of Indio	5/3/2019	10/2/2025		\$25,000.00	\$25,000.00	Purchase 1 Light-Duty Zero Emission and E	\$0.00	Yes
ML18162	City of Costa Mesa	1/10/2020	7/9/2026		\$148,210.00	\$148,210.00	Purchase Three Light-Duty ZEVs and EV Ch	\$0.00	Yes
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$111,980.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$75,100.00	\$75,100.00	Purchase One Light-Duty ZEV and EV Char	\$0.00	No
ML18171	City of El Monte	3/1/2019	4/30/2025		\$68,079.00	\$68,077.81	Purchase One Heavy-Duty ZEVs and EV Ch	\$1.19	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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	Yes
MS18108	Capistrano Unified School District	2/1/2019	5/30/2025	9/30/2026	\$111,750.00	\$111,750.00	Expansion of Existing Infrastructure	\$0.00	Yes
MS18110	Mountain View Unified School Distric	2/1/2019	3/31/2025		\$275,000.00	\$61,747.29	Install New Limited-Access CNG Infrastructu	\$213,252.71	No
MS18115	City of Commerce	6/7/2019	12/6/2025	7/6/2026	\$275,000.00	\$275,000.00	Expansion of Existing L/CNG Infrastructure	\$0.00	No
MS18117	City of San Bernardino	6/7/2019	11/6/2025		\$240,000.00	\$240,000.00	Expansion of Existing CNG Infrastructure/Me	\$0.00	Yes
MS18120	City of Redondo Beach	2/1/2019	9/30/2025		\$275,000.00	\$275,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	7/31/2027	\$195,000.00	\$195,000.00	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	Yes
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

**Total: 57**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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### **FY 2018-2021 Contracts**

#### **Open Contracts**

MS21002	Better World Group Advisors	11/1/2019	12/31/2022	12/31/2024	\$448,154.00	\$205,868.60	Programmatic Outreach Services	\$242,285.40	No
MS21005	Southern California Association of G	5/5/2021	1/31/2024	7/31/2025	\$16,751,000.00	\$53,504.51	Implement Last Mile Goods Movement Progr	\$16,697,495.49	No
MS21006	Geographics	4/1/2021	6/20/2023	6/20/2025	\$20,152.00	\$11,665.00	Hosting & Maintenance of the MSRC Websit	\$8,487.00	No
MS21009	ITS Technologies & Logistics, LLC	7/15/2022	7/14/2028		\$1,686,900.00	\$0.00	Deploy 12 Zero-Emission Yard Tractors	\$1,686,900.00	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
MS21013	4 Gen Logistics	3/27/2022	5/26/2028		\$7,000,000.00	\$0.00	Deploy 40 Zero Emssion Trucks	\$7,000,000.00	No
MS21015	Premium Transportation Services, In	9/22/2021	5/21/2027	1/2/2028	\$1,500,000.00	\$1,334,758.50	Deploy up to 15 Near-Zero Emissions Truck	\$165,241.50	No
MS21016	Ryder Integrated Logistics, Inc.	12/7/2022	4/6/2029		\$3,169,746.00	\$0.00	Procure Two Integrated Power Centers and	\$3,169,746.00	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	8/16/2028	\$2,300,000.00	\$1,440,000.00	Deploy up to 23 Near Zero Emission Trucks	\$860,000.00	No
MS21019	Volvo Financial Services	3/31/2022	3/30/2030		\$3,930,270.00	\$1,295,869.15	Lease up to 14 Zero-Emission Trucks and Pr	\$2,634,400.85	No
MS21023	BNSF Railway Company	4/22/2022	4/21/2028	4/21/2029	\$1,313,100.00	\$0.00	Install EV Charging Infrastructure	\$1,313,100.00	No
MS21025	Costco Wholesale Corporation	12/9/2022	12/8/2028		\$160,000.00	\$144,000.00	Install Five EV Charging Units	\$16,000.00	No

**Total: 13**

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

MS21008	CMA CGM (America) LLC				\$3,000,000.00	\$0.00	Deploy 2 Zero-Emission Rubber Tire Gantry	\$3,000,000.00	No
MS21011	RDS Logistics Group	1/21/2022	7/20/2028		\$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
MS21020	Sea-Logix, LLC				\$2,300,000.00	\$0.00	Deploy up to 23 Near-Zero Emssions Trucks	\$2,300,000.00	No
MS21021	CMA CGM (America) LLC				\$1,946,463.00	\$0.00	Deploy up to 13 Near Zero Emission Trucks	\$1,946,463.00	No
MS21022	Orange County Transportation Autho				\$289,054.00	\$0.00	Implement Special Transit Service to the Or	\$289,054.00	No

**Total: 6**

#### **Closed Contracts**

MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$613,752.87	\$613,752.87	Implement Special Transit Service to Dodger	\$0.00	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
MS21004	Los Angeles County MTA	1/7/2021	5/31/2023		\$814,822.00	\$326,899.00	Clean Fuel Bus Service to Dodger Stadium	\$487,923.00	Yes

**Total: 3**

#### **Open/Complete Contracts**

MS21007	Penske Truck Leasing Co., L.P.	4/1/2022	3/31/2028		\$957,813.00	\$957,812.40	Deploy 5 Zero-Emission Yard Tractors	\$0.60	Yes
MS21014	Green Fleet Systems, LLC	8/31/2021	8/30/2027	8/30/2028	\$300,000.00	\$300,000.00	Deploy up to 3 Near Zero Emission Trucks	\$0.00	Yes

**Total: 2**

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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**FY 2021-2024 Contracts**

**Open Contracts**

MS24001	Los Angeles County MTA	1/26/2023	5/31/2028		\$1,200,248.00	\$0.00	Provide Clean Fuel Bus Service to Dodger S	\$1,200,248.00	No
MS24006	Anaheim Transportation Network	10/12/2023	5/31/2025		\$322,000.00	\$0.00	Old Towne Orange Microtransit Service	\$322,000.00	No

**Total: 2**

**Pending Execution Contracts**

MS24002	South Pasadena Police Department				\$499,789.00	\$0.00	Procure Zero-Emission Vehicles and Infrastr	\$499,789.00	No
MS24003	Omnitrans				\$315,278.00	\$0.00	Bloomington Microtransit Service Expansion	\$315,278.00	No
MS24004	City of Seal Beach				\$162,891.00	\$0.00	Circuit Transit Shared Mobility	\$162,891.00	No
MS24005	City of Huntington Beach				\$279,186.00	\$0.00	Circuit Transit Rideshare Program	\$279,186.00	No
MS24007	City of Gardena				\$475,312.00	\$0.00	Gtrans Microtransit Service	\$475,312.00	No
MS24008	City of Long Beach				\$410,734.00	\$0.00	Circuit Transit Mobility Transit Expansion Pr	\$410,734.00	No

**Total: 6**

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 25

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a public Board meeting on January 25, 2024. 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 January 2024 Board meeting of the California Air Resources Board (CARB or Board) was held on January 25, 2024 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

### **DISCUSSION ITEMS**

#### **24-1-1: Public Hearing to Consider Proposed 2023 Amendments to Area Designations for State Ambient Air Quality Standards**

The Board approved CARB staff's proposed amendments to the State area designations regulations to reflect current air quality data. Area designations are labels that describe the healthfulness of the air quality in the area. CARB is required to annually review and designate areas of California with respect to the State ambient air quality standards and amend the designations if appropriate. Based on a review of air quality data collected during 2020 through 2022, CARB staff recommended the Board change the designations of several areas for the State ozone, hydrogen sulfide and fine particulate matter air quality standards. These recommendations were developed with public input.

**24-1-2: Public Meeting to Consider Electrify America’s Proposed Cycle 4 Zero Emission Vehicle Investment Plan**

The Board approved Electrify America’s Cycle 4 Zero Emission Vehicle (ZEV) Investment Plan (Cycle 4 Plan) submitted to CARB pursuant to Appendix C of the 2.0-liter Partial Consent Decree (Appendix C). Appendix C is one component of Volkswagen’s (VW) settlement agreement with CARB resulting from the use of illegal defeat devices in VW’s 2.0- and 3.0-liter diesel engines and requires VW to invest \$800 million over four consecutive 30-month periods to promote the availability and use of ZEVs in California. Electrify America, the subsidiary established by VW to implement the ZEV Investment Plan, proposed the Cycle 4 Plan for the final 30-month period. The Board heard an update from CARB staff on Electrify America’s progress implementing the ZEV investment plans for Cycles 1, 2, and 3, in addition to an overview and assessment of the Cycle 4 Plan. The Board also heard a presentation from the CEO and president of Electrify America.

**24-1-3: Public Meeting to Hear a Report on the California Air Resources Board’s Established and Expected Priorities for 2024**

The Board heard a presentation from the CARB Executive Officer on priorities that CARB expects to undertake for 2024. The presentation included key implementation activities from 2023 and an outlook on what CARB plans to undertake in 2024 to achieve air quality, carbon neutrality, racial equity, and environmental justice goals.

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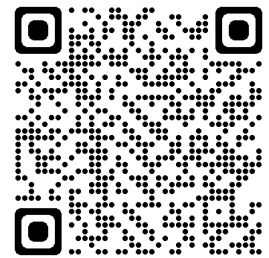
**Attachment**  
CARB January 25, 2024 Meeting Agenda

# Revised 1/19/24 - Public Meeting Agenda

Thursday, January 25, 2024 @ 9:00 a.m.

Zoom Webinar: [Register](#)  
Phone Number: (669) 900-6833  
Webinar ID: 816 4477 1036

**California Environmental Protection Agency**  
1001 I Street, Sacramento, California 95814  
Byron Sher Auditorium, 2nd Floor  
[Webcast](#) (Livestream/Watch Only)



[arb.ca.gov/ma012524](http://arb.ca.gov/ma012524)

The January 25, 2024, meeting of the California Air Resources Board (CARB or Board) will be held at 1001 I Street in Sacramento, with remote participation also available. This facility is accessible to persons with disabilities and by public transit. For transit information, call (916) 321-BUSS (2877) or visit <http://sacrt.com/>.

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). If you do not wish to provide oral comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing oral comments. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

## Public Comment Guidelines and Information

- [In-Person Public Testimony](#)
- [Remote Public Participation](#)

The Board will set a two-minute time limit on oral comments; however, the amount of time could change at the Chair's discretion.

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

The Chair may close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

Please note that under the California Public Records Act (Gov. Code, § 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.



## Spanish interpretation will be available for the January 25 Board Meeting.

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

**Thursday, January 25, 2024 @ 9:00 a.m.**

### Discussion Items:

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

Hard copies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; copies of all other documents linked below will only be available upon request.

#### **24-1-1: Public Hearing to Consider Proposed 2023 Amendments to Area Designations for State Ambient Air Quality Standards**

The Board will consider the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants for the State ambient air quality standards. Based on 2020 to 2022 air quality data, amended area designations are proposed for ozone, hydrogen sulfide, and fine particulate matter (PM2.5) air quality standards.

- [Formal Rulemaking Page](#)
  - [Public Hearing Notice](#)
  - [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

#### **24-1-2: Public Meeting to Consider Electrify America's Proposed Cycle 4 Zero Emission Vehicle Investment Plan**

The Board will hear a staff assessment of Electrify America's Cycle 4 Zero Emission Vehicle Investment Plan and decide whether to approve or disapprove it, in whole or in part.

- [More Information](#)
- [Staff Plan Analysis](#)
- [Item Summary](#)
- [Staff Presentation](#)
- [Guest Presentation - Electrify America](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### ~~24-1-3: Public Hearing to Consider Proposed Amendments to On-Road Motorcycle Emission Standards and Test Procedures and Adoption of New On-Board Diagnostics and Zero-Emission Motorcycle Requirements~~

*\*\*\*This Board Item has been postponed and removed from the January 25, 2024, Agenda. More information can be found [here](#).\*\*\**

### 24-1-3: Public Meeting to Hear a Report on the California Air Resources Board's Established and Expected Priorities for 2024

Executive Officer Dr. Steven Cliff will provide the Board with an overview of the priorities that the California Air Resources Board expects to undertake for 2024.

- [Item Summary](#)
- [Meeting Presentation](#)
- [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:

*Association of American Railroads et al. v. Randolph et al.* United States District Court, Eastern District of California, Sacramento, Case No. 2:23-cv-01154-JAM-JDP.

*Bobby Harris v. Nissan North America, Inc.* United States District Court, Central District of California, Case No. 2:20 cv 06021 CJC GJS.

*California Air Resources Board v. Best Energy Solutions & Technology Corp.* Los Angeles County Superior Court, Case No. 22STCV32487.

*California Air Resources Board v. Daimler AG and Mercedes-Benz USA, LLC.* United States District Court, District of Columbia, Civil Action No. 1:20 cv 2565.

*California Air Resources Board v. Key Disposal, Inc. and John Katangian* Los Angeles County Superior Court, Case No. BC650014.

*California Natural Gas Vehicle Coalition v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 20CECG02250; industry appeal California Court of Appeal, Fifth District, Case No. F084229.

*California Trucking Association v. California Air Resources Board, et al.* Fresno County Superior Court, Case No. 22CECG00919.

*California Trucking Association v. California Air Resources Board et al.*, United States District Court for the Eastern District of California, Case No. 2:23-at-01044.

*California Trucking Association v. California Air Resources Board et al.* United States District Court, Eastern District of California, Sacramento, Case No. 2:23-cv-02333-TLN-CKD.

*California Trucking Association v. South Coast Air Quality Mgmt. District* United States District Court, Central District of California, Case No. 2:21 cv 6341.

*Central California Environmental Justice Network, et al. v. Randolph, et al.*, United States District Court, Eastern District of California, Case No. 2:22 cv 01714 TLN CKD.

*Competitive Enterprise Inst. v. NHTSA*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145, and consolidated cases *State of California v. Wheeler, et al.*, No. 20-1167, and Nos. 20 1168, 20-1169, 20-1173, 20-1174, 20-1176, and 20-1177.

*East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, et al.* United States District Court, Central District of California, Los Angeles County, Case 2:23-cv-06682.

*Environmental Defense Fund, et al., v. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20 1360.

Federal Energy Regulatory Commission Order 719, Docket No. RM21-14-000.

*Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* San Luis Obispo County Superior Court, Case No. 17CV-0576 and *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.*, United States District Court for the Central District of California, Case No. 2:17-cv-0-8733.

*GreenPower Motor Company, Inc. v. California Air Resources Board*, Sacramento County Superior Court, Case No. 23WM000083

*Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al.*, United States Court of Appeal, District of Columbia Circuit, Case No. 22 1080, consolidated with Nos. 22 1144, 22 1145.

*People ex rel. California Air Resources Board v. Noil Energy Group, Inc. & Speedy Fuel, Inc.* Los Angeles Superior Court Case Nos. 20STCV30142/20STCV30292.

*People ex rel. California Air Resources Board v. Wholesale Harvest Supply, Inc.* Mendocino County Superior Court, Case No. 22CV00491.

*People v. Southern California Gas Company.* Los Angeles Superior Court, Case No. BC602973.

*South Coast Air Quality Management District v. City of Los Angeles, et al.*, Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL.

*State of California v. Andrew Wheeler et. al.*, District of Columbia Circuit, Case No. 19 1239, consolidated under No. 19 1230 along with other cases.

*State of California v. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167.

*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 for the District of Columbia Circuit – Case No. 21-1034, consolidated with *California Communities Against Toxics et al. v. EPA*, Case No. 21-1024.

*State of California, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

*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 California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 23-1020.

*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. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1026.

*State of New York, et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 21 1028.

*State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency*, United States District Court, District of Columbia, Case No. 1:18 cv 00773-RBW.

*State of North Dakota v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 15 1381.

*State of North Dakota, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 16 1242.

*State of Ohio, et al., v. Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 22 1081, consolidated with Case Nos. 22 1083, 22 1084, and 22 1085.

*State of Texas, et al., v. Environmental Protection Agency, et al.* United States Court of Appeals, District of Columbia Circuit, Case No. 22 1031.

*State of Wyoming, et al. v. United States Department of the Interior, et al.*, United States District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 2:16-cv-00285-SWS.

*The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al.* United States District Court, Eastern District of California, Fresno, Case No. 1:22 cv 01474-ADA-BAM.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG1494.

*Western States Petroleum Association v. California Air Resources Board, et al.*, Superior Court of the State of California for the County of Fresno, Case No. 22CECG03603.

*Western States Petroleum Association v. California Air Resources Board*, Los Angeles County Superior Court, Case No. 20STCP03138x.

*Western States Petroleum Association v. California Air Resources Board*, Fresno County Superior Court, Case No. 23CECG02976.

*Western States Trucking Association, Inc. v. California Air Resources Board*, Fresno County Superior Court, Case No. 23CECG02964.

*Western States Trucking Association, Inc., et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 23-1148.

*W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc. et al*, Case No. CV 20 00083726 0000, Ontario Canada Superior Court.

## 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 two 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.



# Permitting Enhancement Program Update

Board Meeting  
February 2, 2024





# Permitting Enhancement Program (PEP)

- April 2023 - Chair introduced PEP
  - Objective is to reduce the permit backlog and modernize permitting to improve processing and issuance timelines
- August 2023 - Comprehensive PEP Workplan
- Today - Six-month status update
  - Board requested update to ensure progress
  - Five PEP Elements - 21 Short and Long Term Enhancements
  - Actions in progress





# PEP Workplan Outline

## Presented at August 2023 Board Meeting



Staffing and Resources



Staff Development and Training



Modernization of Permitting System



Enhance Public Interface and Transparency



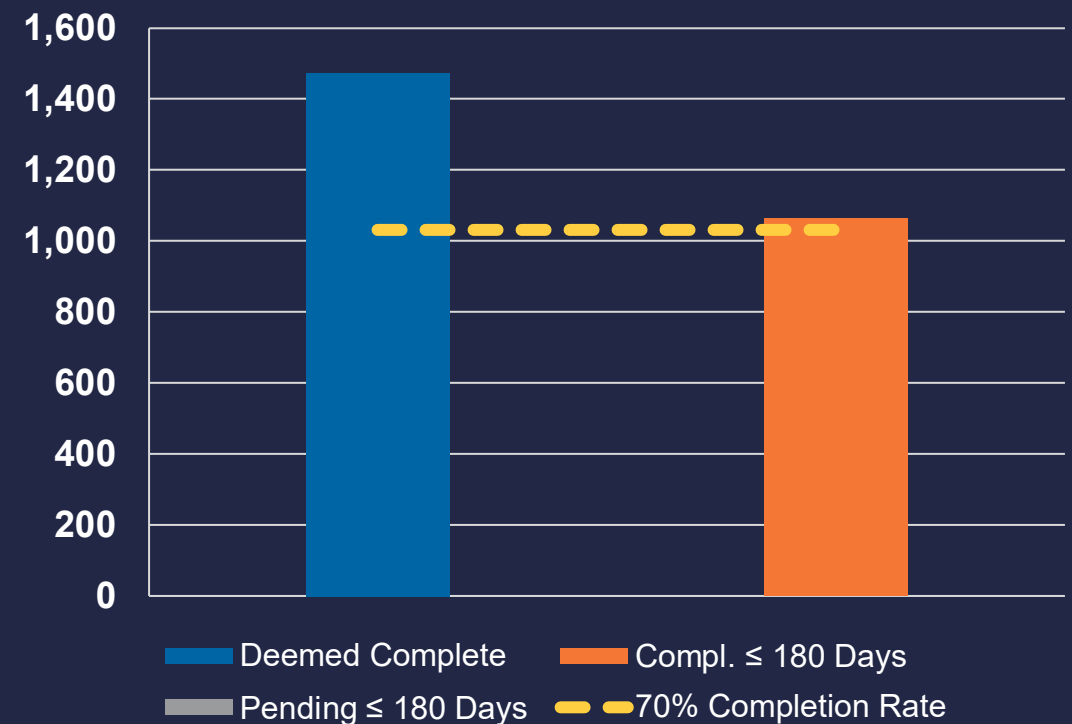
Streamlining and Efficiency Improvements

# Progress Report on Permit Processing Goals

Timely Processing Goal – On Target

- Progress Report - Met or exceeded target for recent quarters (FY 23/24 Q1 and Q2)
- Most permit actions occur within first month
- Factors that extend permitting timelines:
  - Incomplete permit applications
  - Non-compliance
  - Public noticing
  - Emission offsets
  - CEQA

Timely Processing Goal  
All Applications  
(Q2, FY 23/24)



Rule 210 and Health and Safety Code establish 180-day period

# Actions to Address Challenges in the Waste Management Team

- January 2024 Administrative Committee
  - Waste management facilities have unique permitting challenges – such as waste stream, CEQA and ongoing investigations
- Refocus on waste management team by moving Energy (Power Plant facilities) to a separate team
- Doubled Senior and Supervising Engineers
- Added contractor assistance
- Continuing to seek additional external resources
- Cross training to support Waste Management Team
- Based on comments from Clean Water SoCal and Permit Streamlining Task Force
  - Establishing a Waste Management Permitting Focus Group

Landfills

Wastewater

Organic Diversion  
and Composting

Site Remediation

Battery Recycling



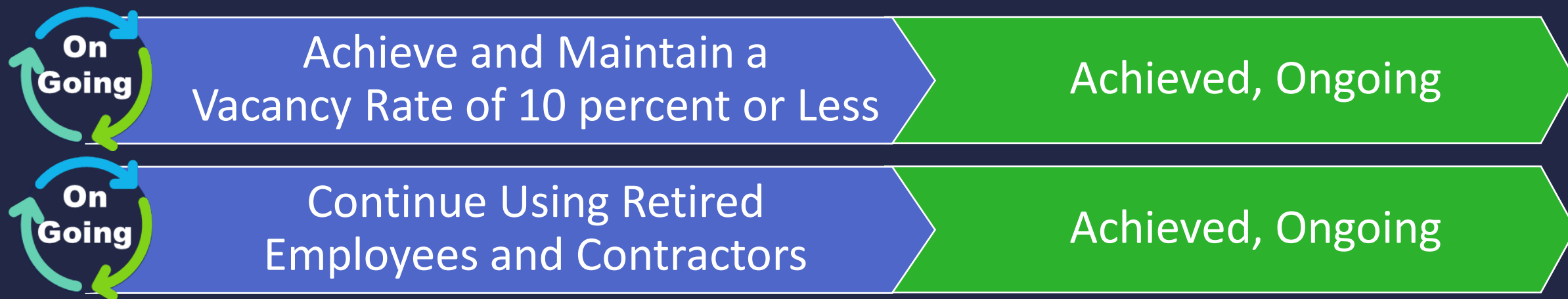
# Actions to Further Streamline Permit Process

- Created a Special Projects Team to address legacy and most complex permits
- Initiating industry-focused listening sessions (Suggested by Permit Streamlining Task Force)
- Using third party contractors to:
  - Develop permit templates
  - Process permits
- Extending retirees' services as contractors
- New permitting guidance documents
- Developing additional permitting advisories to communicate:
  - Key requirements for applicants
  - Ensure applications submitted are complete
  - Areas that can delay permit processing





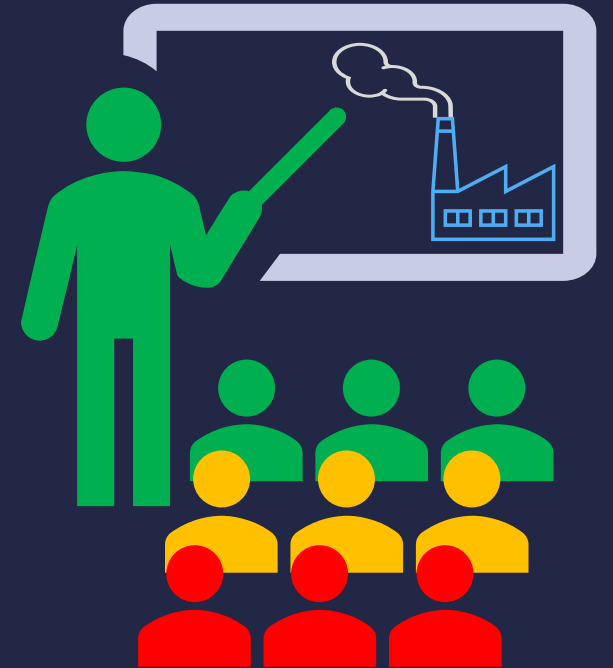
# Update on Staffing Goals





# Staff Development Actions

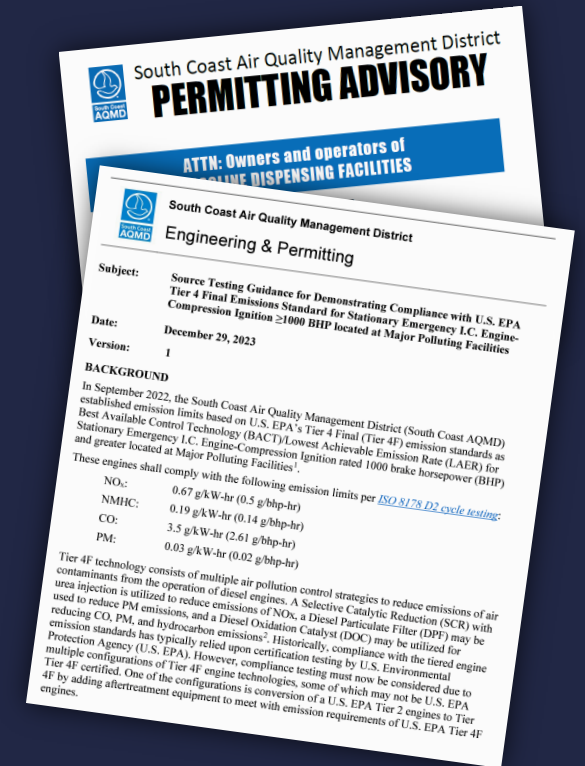
- Staged onboarding of new engineers
  - September and October 2023
  - Ongoing training sessions
- Increased training sessions for supervisory staff
  - Technical and supervisory training
- Industry-specific training
  - Outreach to Refineries, Wastewater Treatment, Landfill
  - Seeking additional opportunities
- Increased proposed training budget for FY 24/25





# Transparency Actions

- Posted new guidance documents online
  - Gas Station Advisory
    - Addresses several deficiencies in incoming permit applications causing delays
  - Source testing guidance and permit templates for emergency engines
    - Simplifies permitting
    - Uniform source testing approach
    - Permit condition templates
- New Permitting Sign-Up List
  - Increased communication with public and industry
  - Announce PEP tools, advisories, guidance
  - [www.aqmd.gov/sign-up](http://www.aqmd.gov/sign-up)





## Modernization Actions

NEW

### Modernized Health Risk Assessment (HRA) Tool

- Developed to address time intensive HRA process
- Added look up tables for E85 and mobile fuelers
  - Tables simplify permit process for applicants
- Full launch estimated 4Q 2024
  - Beta test volunteers

NEW

### Expand Online Application Filing

- New Automated Emergency IC Engine Permitting Module
- Launched in 2023
- Available for Certified Engine Permitting for smaller engines and certain locations
- Eligible permit applicants can apply, pay, and receive their permit in less than an hour

Screening Indices Tier II Screening Risk Assessment Tier III

Select type of facility and stack characteristics from drop down lists

Select Facility Type  
Gasoline Underground Storage Tanks

Hours of operation per day  
24

Days of operation per week  
7

Facility's maximum annual throughput, Millions of gallons/yr  
2

Distance to residential receptor, m  
100

Distance to school receptor, m  
250

Distance to worker receptor, m  
50

Submit selection

Click on the meteorological station most representative of the project location

Carcinogenic, Chronic and Chronic 8-Hour Impacts

Receptor	MICR, per million
Residential	0.782
School	0.187
Worker	0.194





## Next steps

- Next PEP Board Update: Q3 2024
- Reporting progress of PEP action items
  - Highlights on one year target action items
  - Status on longer term action items
- Utilize additional contractors
- Permit Streamlining Task Force
  - Q2 and Q4 2024
  - Additional Waste Management focused meetings

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 28

**PROPOSAL:** Determine That Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, Is Exempt from CEQA; and Amend Rule 461.1

**SYNOPSIS:** Rule 461.1 applies to an owner or operator of a Mobile Fueler that conducts retail or non-retail operations. Proposed Amended Rule 461.1 will clarify that aviation gasoline is exempt from the rule. The proposed amendments will also remove outdated rule language and clarify several provisions.

**COMMITTEE:** Stationary Source, November 17, 2023, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations, is exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations

Wayne Natri  
Executive Officer

SR:MK:HF:SK:ST

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**Background**

Rule 461 – Gasoline Transfer and Dispensing (Rule 461) was adopted in January 1976 and regulates stationary and mobile gasoline dispensing facilities that dispense gasoline into motor vehicles. Provisions for the transfer and dispensing of gasoline by mobile fuelers were included in Rule 461 since 1995 and relied on the same approach as stationary gasoline dispensing, which requires use of CARB certified Phase I and Phase II vapor recovery systems. However, the expansion of retail on-demand mobile fuelers within South Coast AQMD jurisdiction raised concerns that the requirements in Rule 461 did not adequately address retail mobile fueling operations.

On January 7, 2022, Rule 461 was amended concurrently with the adoption of Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations (Rule 461.1). Rule 461 was amended to remove provisions for mobile fuelers, as these activities would now be subject to Rule 461.1. The adoption of Rule 461.1 addressed the regulatory gap in Rule 461 that allowed mobile fuelers to dispense gasoline without controlling gasoline vapor emissions. Rule 461.1 applies to mobile fueling operations and applies to the transfer of gasoline from any source into or out of a mobile fueler as well as the dispensing of gasoline from the mobile fueler to any motor vehicle, fuel container, or equipment. The applicability of Rule 461.1 as written, applies to aviation gasoline because of the broad definition of Gasoline used in the rule. However, the original intent of the rule was not to regulate mobile fuelers dispensing aviation gasoline under this rule.

### **Public Process**

PAR 461.1 was developed through a public process. Staff presented PAR 461.1 at a Public Workshop on November 29, 2023.

### **Proposed Amendments**

PAR 461.1 seeks to clarify that aviation gasoline is exempt from the rule, aligning Rule 461.1 with Rule 461. The applicability of Rule 461.1 was expanded to include gasoline dispensed into equipment or containers; however, the intent was not to include aviation gasoline dispensed into aircraft. Although aviation gasoline fuelers are exempt from Rule 461.1, they are still evaluated during the permitting process where conditions can be established to limit emissions. The permit evaluation includes determining compliance with New Source Review rules for criteria and toxic air contaminants, including BACT, modeling and offsets, as well as other applicable South Coast AQMD, State and Federal rules and regulations.

### **Emission Reductions**

PAR 461.1 does 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.

### **Key Issues**

Staff is not aware of any key issues.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 461.1) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board letter. If PAR 461.1 is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino

counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

### **Socioeconomic Analysis**

The proposed amendments to Rule 461.1 are administrative in nature and do not significantly affect air quality or emission limitations. Therefore, a socioeconomic impact assessment is not required under Health and Safety Code Sections 40440.8 and 40728.5.

### **AQMP and Legal Mandates**

Health and Safety Code Section 40460(a) requires South Coast AQMD to adopt an AQMP to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the Health and Safety Code requires South Coast AQMD to adopt rules and regulations that carry out the objectives of the AQMP. The proposed amendments are not the result of an AQMP control measure .

### **Resource Impacts**

The proposed amendments are administrative in nature, clarify the original intent of Rule 461.1, and require no additional resource impacts to implement.

### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 461.1
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Presentation

**ATTACHMENT A**  
**SUMMARY OF PROPOSAL**

**Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueler Operations**

Applicability

- Added “Dispensing Gasoline” to clarify the rule is only applicable to gasoline and not other fuels, e.g., diesel

Recordkeeping

- Added “of” to Clause (k)(2)(G)(i) for clarification
- Removed “the records” and added “the records of” to Subparagraph (k)(10)(E) for clarification

Exemptions

- Added new exemption to the Transfer and Dispensing of aviation gasoline to align with the original intent of the rule
- Removed outdate rule language in paragraph (n)(3), (n)(4), and (n)(5)

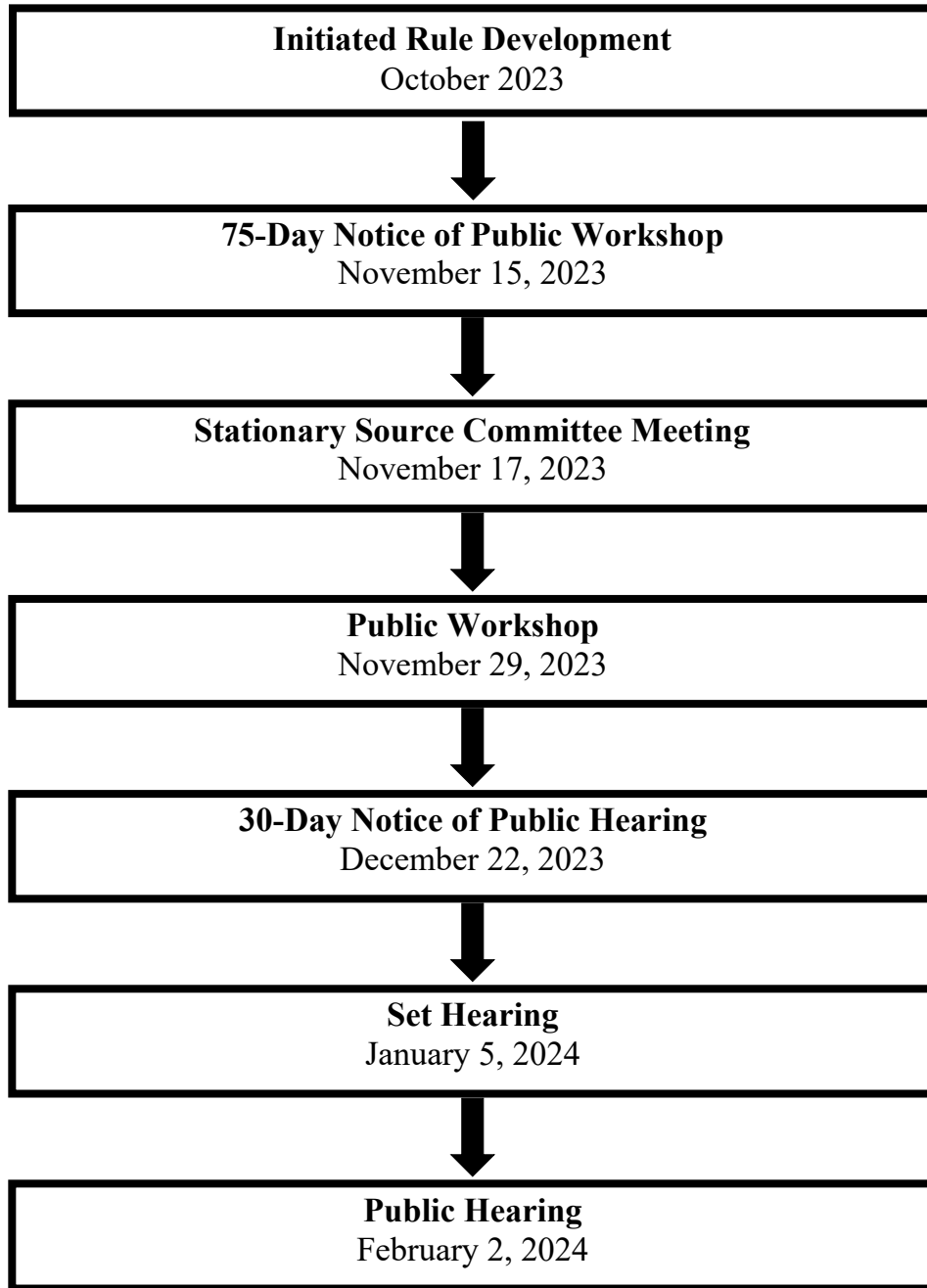
**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

**Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile  
Fueling Operations**

Staff is not aware of any key remaining issues.

**ATTACHMENT C  
RULE DEVELOPMENT PROCESS**

**Proposed Amended Rule 461.1 –  
Gasoline Transfer and Dispensing for Mobile Fueling Operations**



**Three (3) months spent in rule development  
One (1) Public Workshop  
One (1) Stationary Source Committee Meeting**

## **ATTACHMENT D**

### **KEY CONTACTS LIST**

#### **Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations**

- Aircraft Owners and Pilots Association (AOPA)
- Bob Hope Airport
- Booster Fuels, Inc
- Brackett Airfield
- Cable Airport
- Chino Airport
- Compton/Woodley Airport
- Flabob Airport
- General Wm. J. Fox Airfield
- Hawthorne Municipal Airport
- Los Angeles County Public Works
- Riverside Municipal Airport
- San Gabriel Valley Airport
- Signature Flight Support
- Transfer Flow, Inc.
- Whiteman Airport
- Zamperini Field



## ATTACHMENT E

RESOLUTION NO. 24-\_\_\_\_\_

**A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations is exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board amending Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 461.1 is considered a "project" as defined by 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 finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that because the proposed exemption of the transfer and dispensing of aviation gasoline is a clarification which memorializes the original intent and existing practice of excluding aviation gasoline from the rule's applicability without requiring physical modifications, it can be seen with certainty that implementing Proposed Amended Rule 461.1 would not cause a significant adverse effect on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

**WHEREAS**, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project, that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

**WHEREAS**, Proposed Amended Rule 461.1 and supporting documentation, including but not limited to, the Notice of Exemption and 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 project; and

**WHEREAS**, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that the modifications to Proposed Amended Rule 461.1 since the Notice of Public Hearing was published are clarifications that meet the same air quality objective and are not so substantial as to significantly affect the meaning of Proposed Amended Rule 461.1 within the meaning of Health and Safety Code Section 40726 because removing the phrase “the records” and adding the phrase “the records of” to subparagraph (k)(10)(E) is to provide clarification; adding “of” to clause (k)(2)(G)(i) is to provide clarification; and: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the notice of public hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

**WHEREAS**, Proposed Amended Rule 461.1 will be submitted for inclusion in 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 461.1 to address the original intent of the rule, which was to expand requirements for mobile fueler operations, but did not intend to have the same requirements for mobile fuelers that transfer or dispense aviation gasoline; 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, 40000, 40001, 40440, 40441, 40702, 40725 through 40728, 41508, 41700 and 42300 et seq., and Federal Clean Air Act Section 116; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461.1 is written or displayed so that its meaning can be easily understood by the persons directly affected by it; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461.1 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decision, or state or federal regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 461.1 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

**WHEREAS**, the South Coast AQMD Governing Board, in amending Rule 461.1, references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 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 to carry out plan), 41700 (nuisance), 41510 (right of entry), 41511 (rules to require source to determine emissions), 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 (Hazard Air Pollutants), and Federal Clean Air Act Section 116 (Retention of State Authority); and

**WHEREAS**, the South Coast AQMD Governing Board finds that no comparative analysis pursuant to Health and Safety Code Section 40727.2 is required because Proposed Amended Rule 461.1 contains changes which are administrative in nature and 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; and

**WHEREAS**, the South Coast AQMD Governing Board finds that no socioeconomic impact assessment for Proposed Amended Rule 461.1 is required per Health and Safety Code Sections 40440.8 and 40728.5 because the proposed amendments are administrative in nature and will not significantly affect air quality or emissions limitations such that no adverse socioeconomic impacts are expected; and

**WHEREAS**, the South Coast AQMD staff conducted a Public Workshop regarding Proposed Amended Rule 461.1 on November 29, 2023; 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 provisions of state and federal law; and

**WHEREAS**, the South Coast AQMD Governing Board specifies the Planning, Rule Development and Implementation Manager overseeing the rule development for Proposed Amended Rule 461.1 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**NOW, THEREFORE, BE IT RESOLVED**, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the proposed project (Proposed Amended Rule 461.1) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgement and reviewed, considered, and approved the information therein prior to acting on the proposed project; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 461.1 as set forth in the attachment, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 461.1 be submitted for inclusion 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 461.1, and supporting documentation, to California Air Resources Board (CARB) for approval and subsequent submittal to United States Environmental Protection Agency (U.S. EPA) for inclusion in the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

(Adopted January 7, 2022) (Amended [*DATE OF RULE ADOPTION*])

**PROPOSED**                      **GASOLINE TRANSFER AND DISPENSING FOR**  
**AMENDED RULE**            **MOBILE FUELING OPERATIONS**  
**461.1**

*[RULE INDEX TO BE REFORMATTED AFTER RULE ADOPTION]*

(a) Purpose

The purpose of this rule is to reduce emissions of volatile organic compounds and toxic emissions from mobile fueling operations.

(b) Applicability

This rule applies to an owner or operator of a Mobile Fueler that conducts retail or non-retail operations Dispensing Gasoline. This rule also applies to any person that:

- (1) Conducts any test for a Mobile Fueler;
- (2) Installs, repairs, maintains, supplies, sells, or offers for sale components of a Mobile Fueler; or
- (3) Manufactures CARB Certified Control Equipment or the associated components thereof.

(c) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) **BREAKAWAY COUPLING** means a component attached to the hose, which allows the safe separation of the hose from the Mobile Fueler Cargo Tank or the hose from the nozzle in the event of a forced removal such as in the case of a drive-off.
- (2) **CARB CERTIFIED** means the California Air Resources Board (CARB) has evaluated performance of the referenced system or component and included them in a valid Executive Order pursuant to Health and Safety Code Section 41954.
- (3) **CARGO TANK** means a container and associated equipment that is used to store, Transfer, and Dispense Gasoline.
- (4) **COAXIAL HOSE** means a hose that contains two passages one within the other. One of the passages is for Dispensing the liquid Gasoline into the Motor Vehicle fuel tank while the other passage allows for the Gasoline Vapors from the Motor Vehicle fuel tank to travel to the Cargo Tank.

- (c) (5) CONTROL EQUIPMENT means a Phase I Vapor Recovery System, a Phase II Vapor Recovery System, or a Non-Vapor Recovery Components for Dispensing.
- (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.

- (c) (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.

- (c) (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:

- (d) (3) (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 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)(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 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”;

- (h) (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 Qualified Manufacturer, 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 Qualified Manufacturer's instructions and using only the applicable CARB Certified parts supplied by the Qualified Manufacturer; and
    - (E) Only allow a person who is authorized by CARB to Rebuild the CARB Certified component.

- (i) (2) The owner or operator of a Mobile Fueler equipped with CARB Certified Control Equipment shall not repair or replace Breakaways, 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 Mobile 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)(5)(B).

- (i) (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)(7)(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;



- (j) (1) (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;

- (k) (2) (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 of 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

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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

- (k) (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:

- (k) (5) (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

- (k) (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 contact;
    - (ii) Name of organization; 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;

- (k) (10) (B) (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)(5)(B)(i) through (i)(5)(B)(iv);
- (v) Each component that was installed as replacement, if applicable, including the required component identification information specified in clauses (i)(5)(B)(i) through (i)(5)(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 Fueller 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);

- (k) (10) (E) On days the Mobile Fueler does not Transfer or Dispense Gasoline ~~the records~~, in lieu of the records 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;



- (1) (1) (A) (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).

- (1) (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 (1)(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 (1)(8) for failed Reverification Tests, as specified in subparagraph (1)(7)(D) for rescheduled tests, and may not be required for Reverification Tests performed after drive-offs pursuant to clause

- (i)(7)(A)(ii), provided the person conducting the tests complies with all other applicable provisions of the rule;
- (1) (7) (D) In the event that a Performance or Reverification Test rescheduled pursuant to subparagraph (1)(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 (1)(7)(A) and (1)(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 (1)(7)(A) and (1)(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 (1)(7)(C) and (1)(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:

- (1) (8) (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 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:

- (m) (1) (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.

**Rule PAR 461.1 (Cont.)** (Adopted January 7, 2022) (Amended [Date of Adoption])

- (n) (2) The requirements of paragraph (d)(2) shall not apply to the fueling of Tournament of Roses parade floats.
- (3) The provisions of this rule shall not apply to the Transfer and Dispensing of aviation gasoline, which is intended for fueling smaller aircraft powered by reciprocating spark ignition engines.
- ~~(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**

- (B-3) (3.1) (e) Vapor Check Valve;
- (f) Insertion Interlock 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 Recovery System shall maintain records of the following during the daily maintenance inspections

- (5.1) Date maintenance Contractor was contacted;
- (5.2) Time maintenance Contractor was contacted;
- (5.3) Method of contact;
- (5.4) Date of maintenance;
- (5.5) Time of maintenance;
- (5.6) Maintenance Contractor name;
- (5.7) Maintenance Contractor 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 Repaired 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**

- (C-3) (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:

- (4.1) Each nozzle is the current CARB-Certified model;
- (4.2) Each nozzle is installed in accordance with the applicable CARB Executive Orders;
- (4.3) 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;
- (4.4) The hoses are not torn, punctured, flattened, or crimped and in good condition, as specified in CARB Executive Orders;
- (4.5) The vapor recovery hoses are the required size and length;
- (4.6) The vapor recovery nozzles are equipped with required hoses;
- (4.7) The bellows-equipped vapor recovery nozzles are equipped with CARB Certified Insertion Interlock Mechanisms;
- (4.8) If required, the flow limiter is not missing and is installed properly;
- (4.9) 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**

- (C-4) (4.10) If required, the liquid removal device, which are designed to remove trapped liquid from the vapor passages of a balance Coaxial Hose, comply with required CARB Certifications and are properly installed;  
and
- (4.11) 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**

- (D-2)    (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.

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

## **Final Staff Report**

### **Proposed Amended Rule 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations**

**February 2024**

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## **BACKGROUND**

Rule 461 was adopted 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 California Resource Air Board (CARB) certified Phase I and Phase II vapor recovery systems. However, the expansion of retail mobile fuelers within South Coast AQMD jurisdiction raised concerns that Rule 461 was not adequately addressing retail mobile fueler operations. Rule amendments were needed to address this regulatory gap. On January 7, 2022, Rule 461 was amended concurrently with the adoption of Rule 461.1. Rule 461 was amended to remove provisions for mobile fuelers, as these activities would now be subject to Rule 461.1. Rule 461 defined the term mobile fueler as any tank truck or trailer that is used to transport and dispense gasoline from an onboard storage tank into any motor vehicle and was not intended to apply to the dispensing of aviation gasoline into aircrafts. The adoption of Rule 461.1 addressed the regulatory gap in Rule 461 that allowed mobile fuelers to dispense gasoline without controlling gasoline vapor emissions. Rule 461.1 applies to mobile fueling operations and applies to the transfer of gasoline from any source into or out a mobile fueler as well as the dispensing of gasoline from the mobile fueler to any motor vehicle, fuel container, or equipment.

PAR 461.1 will clarify that aviation gasoline is exempt from the rule. This type of gasoline is used to fuel small aircraft powered by spark ignition engines. The purpose of this exemption is to align the applicability of Rule 461.1 with Rule 461. When Rule 461.1 was adopted, the applicability from Rule 461 was expanded to include gasoline dispensed from a mobile fueler into equipment or containers; however, the original intent was not to include aviation gasoline dispensed into an aircraft but to expand the requirements on retail mobile fueling operations.

## **PUBLIC PROCESS**

PAR 461.1 was developed through a public process. Staff presented PAR 461.1 during a Public Workshop on November 29, 2023, with the respective staff report released in advance. Proposed amended rule language was made available on November 17, 2023, and it included in the presentation for the Public Workshop.

## **AFFECTED FACILITIES**

Based on the South Coast AQMD permit database and a survey conducted during the original rulemaking process when Rule 461.1 was adopted, staff estimated that there are approximately 80 total mobile fuelers in operation. Among these, 37 mainly operate at small airports. The mobile fuelers affected by ~~this proposed rule amendment~~ PAR 461.1 are primarily stationed within the 38 airport locations under South Coast AQMD jurisdiction, but the amendment also exempts the dispensing of aviation gasoline into aircraft operated by military, law enforcement, and first responders independent of location. The affected mobile fuelers operating within these airport locations are only used to store and transport fuel for transfer into aircraft.

## **CONTROL TECHNOLOGY**

The proposed amendments do not include any requirements for air pollution control technologies.

## EXPECTED EMISSIONS REDUCTIONS

The proposed amendments are not expected to reduce emissions. PAR 461.1 does 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.

## SUMMARY OF PROPOSAL

PAR 461.1 adds an exemption for the transfer and dispensing of aviation gasoline to clarify the rule's original intention and removes outdated provisions.

### *Subdivision (b) – Applicability*

Staff is proposing to add a clarification to subdivision (b).

<p>(b) <b>Applicability</b>          This rule applies to an owner or operator of a Mobile Fueler that conducts retail or non-retail operations <u>Dispensing Gasoline</u>. This rule also applies to any person that:</p> <ol style="list-style-type: none"> <li>(1) Conducts any test for a Mobile Fueler;</li> <li>(2) Installs, repairs, maintains, supplies, sells, or offers for sale components of a Mobile Fueler; or</li> <li>(3) Manufactures CARB Certified Control Equipment or the associated components thereof.</li> </ol>
---

**Figure 1: PAR 461.1 – Subdivision (b)**

### *Subdivision (k) – Recordkeeping*

Moreover, staff is proposing to clarify the rule language in subparagraph (k)(10)(E) and clause (k)(10)(G)(i) in subdivision (k).

<p>(k) (10) (E) On days the Mobile Fueler does not Transfer or Dispense Gasoline <i>the records</i>, in lieu of <u>the records of</u> 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;</p>
--

**Figure 2: PAR 461.1 – Subparagraph (k)(10)(E)**

<p>(G) Documentation by the responsible fire department or fire authority to the owner or operator for either:</p> <ol style="list-style-type: none"> <li>(i) The written approval to conduct Transfer or Dispensing of <u>Gasoline</u> from a Retail Mobile Fueler at the specified Dispensing Location; or</li> </ol>
---

**Figure 3: PAR 461.1 – Clause (k)(10)(G)(i)**

***Subdivision (n) – Exemptions***

In addition, staff is proposing to amend subdivision (n) to include a provision to exempt aviation gasoline.

(3) [The provisions of this rule shall not apply to the Transfer and Dispensing of aviation gasoline, which is intended for fueling smaller aircraft powered by reciprocating spark ignition engines.](#)

**Figure 42: PAR 461.1 – Paragraph (n)(3)**

Furthermore, staff is proposing to remove rule language under paragraphs (n)(3), (n)(4), and (n)(5) that is now outdated.

- ~~(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.~~

**Figure 53: PAR 461.1 – Paragraphs (n)(3), (n)(4) & (n)(5)**

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 461.1) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption ~~will be~~ has been prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

## **SOCIOECONOMIC IMPACT ASSESSMENT**

The proposed amendments to Rule 461.1 are administrative in nature and do not significantly affect air quality or emission limitations. Therefore, a socioeconomic impact assessment is not required under Health and Safety Code Sections 40440.8 and 40728.5.

## **DRAFT FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 40727**

Before adopting, amending, or repealing a rule, the Health and Safety Code requires South Coast AQMD to adopt written findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined in Health and Safety Code Section 40727. The draft findings are as follows:

***Necessity*** – PAR 461.1 is needed to align with the original intent of the rule by exempting aviation gasoline, which is used to fuel small aircrafts.

***Authority*** – The South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40441, 40702, 40725 through 40728, 41508, 41700, and 42300 et seq. of the Health and Safety Code, and Federal Clean Air Act Section 116.

***Clarity*** – The South Coast AQMD Governing Board has determined that PAR 461.1 is written and displayed so that the meaning can be easily understood by persons directly affected by it.

***Consistency*** – The South Coast AQMD Governing Board has determined that PAR 461.1 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

***Non-Duplication*** – The South Coast AQMD Governing Board has determined that PAR 461.1 does not impose the same requirement as any existing state or federal regulation, and the proposed amendments are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

***Reference*** – In adopting PAR 461.1, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the Health and Safety Code Section 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 to carry out plan), 41700 (nuisance), 41510 (right of entry), 41511 (rules to require source to determine emissions), 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 (Hazard Air Pollutants), and Federal Clean Air Act Section 116 (Retention of State Authority).

### **COMPARATIVE ANALYSIS**

~~Health and Safety Code Section 40727.2(g) is not applicable because the~~ The proposed amended rule does 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, ~~and~~ Therefore, a comparative analysis is not required by Health and Safety Code Section 40727.2.

### **COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6 requires a cost-effectiveness analysis when establishing best available retrofit control technology (BARCT) requirements. PAR 461.1 is not establishing or imposing any BARCT requirements; therefore, a cost effectiveness analysis was not conducted. The amendments to Rule 461.1 are ~~is~~ administrative in nature and thus, are ~~it is~~ not expected to have any associated costs.

### **INCREMENTAL COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6(a)(3) states that an incremental cost-effectiveness assessment should be performed on identified potential control options that meet air quality objectives. PAR 461.1 is not establishing or imposing any BARCT requirements that require control options; therefore, an incremental cost-effectiveness analysis was not conducted.

**APPENDIX A - PUBLIC COMMENTS**

Staff held a Public Workshop on November 29, 2023, to provide a summary of PAR 461.1. One comment was made during the public comment period.

*Commenter: Laurel Moorhead – Transfer Flow*

Laurel Moorhead expressed concern regarding the proposed amendments and the potential impact on their existing mobile fueler business that dispenses gasoline into farm equipment.

*Staff's response to Commentor:*

Staff responded by clarifying that the proposed amendments will have no impact to Transfer Flow Inc.'s current business operations as the proposed changes only affect mobile fuelers dispensing aviation gasoline into small aircraft.

**COMMENT LETTERS****Comment Letter #1**

December 15<sup>th</sup>, 2023

Mr. Michael Krause  
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South Coast Air Quality Management District  
21865 Copley Dr., Diamond Bar, CA 91765

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21865 Copley Dr., Diamond Bar, CA 91765

Via: Electronic Submission

SUBJECT: Transfer Flow, Inc.'s public comment on the South Coast Air Quality Management District's proposed amended rule 461.1 Gasoline Transfer and Dispensing for Mobile Fueling Operations.

Dear Mr. Krause and Ms. Farr,

Transfer Flow, Inc. has been in business in beautiful Northern California for forty years, manufacturing high-quality liquid fuel systems and creating good-paying jobs contributing to our local economy. Transfer Flow refueling tanks are used in agriculture, construction, and public utilities operations. Equipment that is not certified for use on public roads cannot be driven to a gas station and, therefore, must have fuel brought to the equipment. This is the most common use for Transfer Flow refueling tanks and an essential component for many small businesses' operations.

SCAQMD rule 461.1 defines a "cargo tank" as "a container and associated equipment that is used to store, Transfer, and Dispense Gasoline." This definition is misaligned with both the California Code of Regulations definition of a cargo tank and the Code of Federal Regulations definition of a cargo tank.





13 CCR § 34003(a) defines Cargo Tanks as "any tank having a volumetric capacity in excess of 120 gallons that is used for the transportation of flammable liquids or combustible liquids."

Gasoline is a flammable liquid.

49 CFR § 171.8 defines a cargo tank as bulk packaging and bulk packaging is defined as having a maximum capacity greater than 119 gallons.

Rule 461.1 defines a "mobile fueler" as "a Motor Vehicle that has one or more Cargo Tanks on board or tows one or more Cargo Tanks," therefore making a vehicle with a Transfer Flow refueling tank properly and legally mounted in the bed a "mobile fueler."

Rule 461.1 then goes on to define a "Non-Retail Mobile Fueler" as "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" and a "Retail Mobile Fueler" as "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."

This leaves a truck mounted with a Transfer Flow refueling tank simply as a "Mobile Fueler." Not a "Retail Mobile Fueler" and not a "Non-Retail Mobile Fueler," just a "Mobile Fueler."

This misalignment of definitions between SCAQMD's definition of cargo tank and the California Code of Regulations and the Code of Federal Regulations is prone to cause confusion. Transfer Flow would like to suggest that for simplicity's sake, SCAQMD attempt to align definitions in rulemaking activities with other already established legal definitions.

Once someone engages in gasoline marketing operations, they are subjected to CARB's Vapor Recovery Program. In 2014, CARB conducted rulemaking activity and found that the best available control technology (BACT) for Transfer Flow refueling tanks is California's reduced Reid vapor pressure of gasoline and, therefore, chose not to regulate Transfer Flow refueling tanks.

This is the second time in only two years since this rule was created that the rulemaking activity has needed to be reopened. Every time SCAQMD reopens this rule, Transfer Flow must spend time reviewing the proposed changes. Transfer Flow hopes SCAQMD can create a robust rule that will not need to continually be re-opened.

In closing, Transfer Flow would like to thank SCAQMD staff for the opportunity to comment. We appreciate your consideration in this matter,

Sincerely,

Laurel Moorhead, E.I.T.

Regulatory Compliance Engineer

1444 Fortress Street, Chico, CA 95973 | (530) 893-5209 | (800) 442-0056 | fax (530) 893-0204 | [www.TransferFlow.com](http://www.TransferFlow.com)

Staff Response to Comment Letter #1

Staff appreciates Transfer Flow Inc. taking the time to submit the comment letter and the opportunity to provide further clarification. The original intent of Rule 461.1 was to address the regulatory gap for on demand retail mobile fueling operations that was a growing business and not adequately regulated by the gasoline dispensing regulation, Rule 461. The key requirements, e.g., the vapor recovery requirements, of Rule 461.1 impact:

1. “Retail” mobile fuelers with cumulative capacity greater than 10 gallons,
2. “Non-retail” mobile fuelers with cumulative capacity greater than 120 gallons,

In the unlikely circumstance a mobile fuel does not fit in those categories because their capacity is less, there are also requirements for:

3. Mobile fuelers with a Cargo Tank equipped with CARB Certified Control Equipment; and
4. Mobile fuelers with a Cargo Tank **not** equipped with CARB Certified Control Equipment.

As stated in the letter, Transfer Flow’s clients perform non-retail mobile fueling operations such as agriculture and construction. The letter also indicates the cumulative tank capacity is less than 120 gallons and their cargo tanks are not equipped with CARB certified control equipment. Transfer Flow is correct that they would be regulated as a “mobile fueler” and the only applicable requirements in Rule 461.1 are paragraphs (f)(2) and (f)(4), which include hose length limits and tagout procedures requirements for non-compliant equipment.

Regarding the comment on the misalignment of definition between the California Code of Regulations and the Code of Federal Regulations. The difference in definitions was intentional and important to address the previous regulatory gap in Rule 461. As stated during the adoption of Rule 461.1, staff believes it is important to include these smaller retail mobile fuelers in the rule to address the previous regulatory gap; therefore, is not proposing to change definitions and only regulate mobile fuelers with cargo tanks with a cumulative capacity greater than 120 gallons.

Regarding the California Air Resources Board’s decision not to regulate Transfer Flow, South Coast AQMD can have more stringent regulations than, and in many instances must have more stringent regulations than, state or federal requirements because the South Coast Air Basin is classified as an “extreme” non-attainment area.

Further, ~~California~~ Health and Safety Code Section§ 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.”

Rule 461.1 was adopted January 2022, and this is the first proposed ~~rule~~ amendment since adoption to make a minor changes to address mobile fuelers dispensing aviation gasoline into smaller aircraft at airports while also removing outdated rule language and making minor edits for consistency. No ~~other~~ changes are being proposed that affect requirements for other mobile fueling operations and ~~nor does~~ PAR 461.1 ~~it does not~~ impose any new requirements.

ATTACHMENT H



**South Coast  
Air Quality Management District**

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 461.1 – GASOLINE TRANSFER AND DISPENSING FOR MOBILE FUELING OPERATIONS**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be 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-notice/ceqa-notice/notices-of-exemption/noe---year-2024>.

**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 461.1 – Gasoline Transfer and Dispensing for Mobile Fueling Operations

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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 461.1 contains requirements applicable to retail on-demand mobile fueling operations, and applies to the transfer of gasoline into or out of a mobile fueler as well as the dispensing of gasoline from a mobile fueler to any motor vehicle, fuel container, or equipment. In general, the definition of “gasoline” applies to both types of gasoline blends for motor vehicle use and aviation use. However, at the time of adoption of Rule 461.1, the rule requirements were intended for and only focused on gasoline for motor vehicle use, though the rule language did not specify the type of gasoline. Thus, to memorialize the understanding that Rule 461.1 has a limited applicability to gasoline for motor vehicle use only, Proposed Amended Rule (PAR) 461.1 clarifies that aviation gasoline, which is used to fuel smaller aircraft powered by reciprocating spark ignition engines, is exempt from the rule’s requirements. PAR 461.1 also proposes to remove outdated rule language and clarifies certain provisions. While implementation of the proposed project will not result in any changes in emissions, the exemption for aviation gasoline in PAR 461.1 will benefit stakeholders by having improved clarity when implementing the applicable requirements.

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**Public Agency Approving Project:** South Coast Air Quality Management District  
**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 (PAR 461.1) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. The proposed exemption of the transfer and dispensing of aviation gasoline is a clarification which memorializes the original intent and existing practice of excluding aviation gasoline from the rule’s applicability without requiring physical modifications. Thus, 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: February 2, 2024

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<b>CEQA Contact Person:</b> Farzaneh Khalaj, Ph.D.	<b>Phone Number:</b> (909) 396-3022	<b>Email:</b> <a href="mailto:fkhalaj@aqmd.gov">fkhalaj@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
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<b>PAR 461.1 Contact Person:</b> Sergio Torres Callejas	<b>Phone Number:</b> (909) 396-2231	<b>Email:</b> <a href="mailto:scallejas@aqmd.gov">scallejas@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
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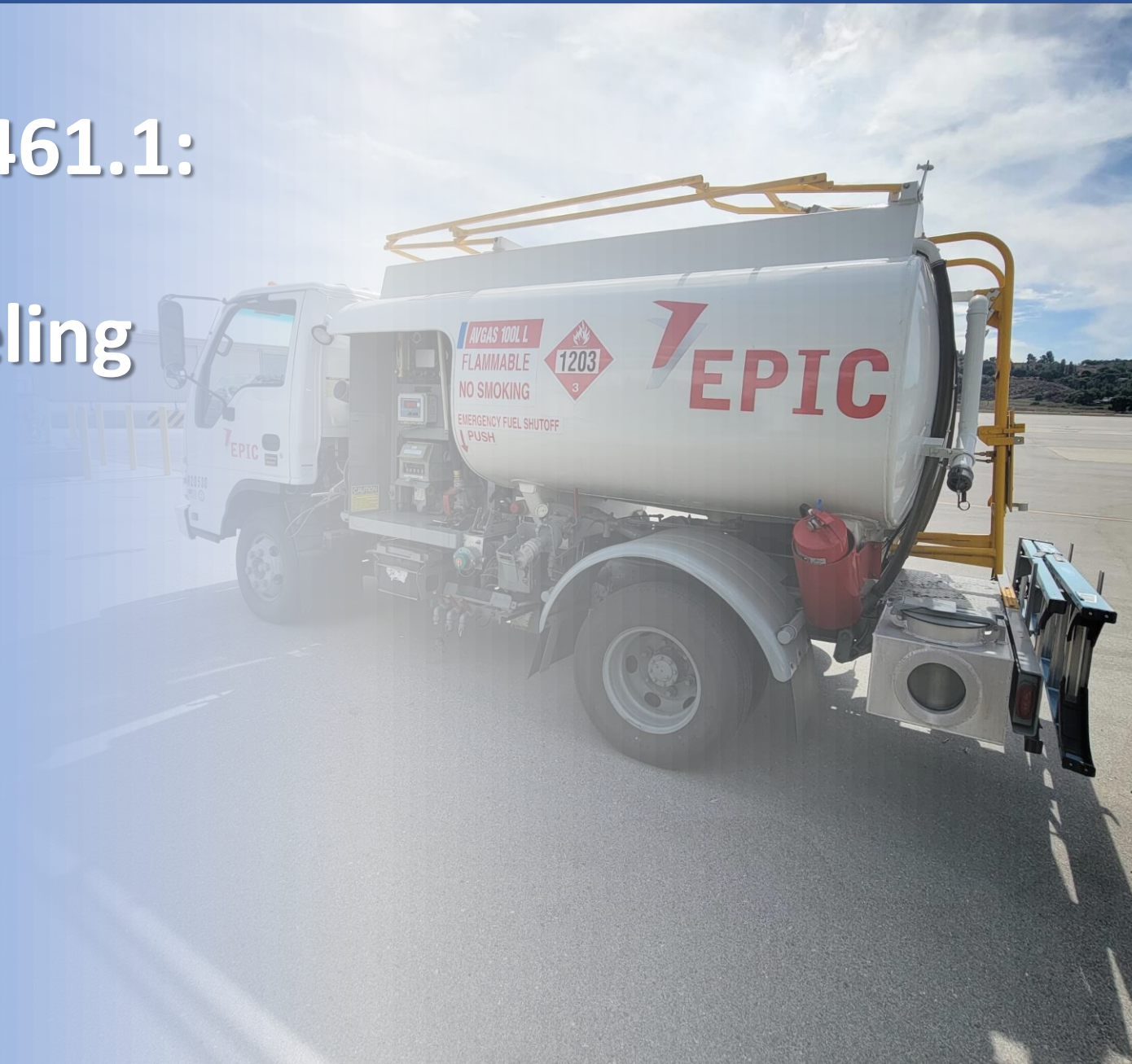
**Date Received for Filing:** \_\_\_\_\_ **Signature:** (Signed and Dated Upon Board Approval)  
Kevin Ni  
Acting Program Supervisor, CEQA  
Planning, Rule Development, and Implementation



# Proposed Amended Rule 461.1: Gasoline Transfer and Dispensing for Mobile Fueling Operations

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Board Meeting  
February 2, 2024



# BACKGROUND

- Rule 461 – Gasoline Transfer and Dispensing was adopted in January 1976
  - Regulates stationary and mobile gasoline dispensing operations
- Rule 461.1 – Gasoline Transfer and Dispensing for mobile fueling operations adopted January 7, 2022
  - Maintained and established new requirements specifically for mobile fuel dispensing operations
  - Addressed unregulated retail mobile fuelers dispensing gasoline into motor vehicles, containers, and equipment
- Public Workshop for PAR 461.1 held on November 29, 2023

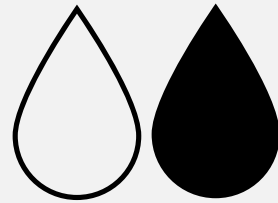


# Need for Rule Amendment



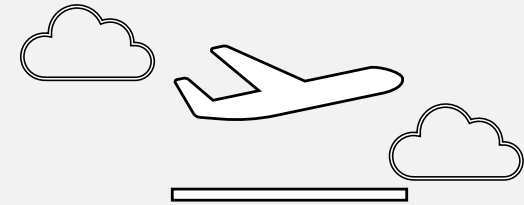
## Clarification

Rule 461 and 461.1 intended to apply to motor vehicle gasoline dispensing and fueling operations



## Definitions

Broad gasoline definition in Rule 461.1 would include both motor vehicle gasoline and aviation gasoline



## Clear and Consistent Applicability

Amending Rule 461.1 to be consistent with original intent of rule

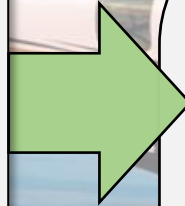


# Rule Applicability and Aviation Gasoline Regulation



## Rule 461.1

- Expanded applicability and broad definition of gasoline inadvertently applies to aviation gasoline
- Amending rule to exempt aviation gasoline from mobile fueling requirements



## Aviation Gasoline Regulation

- Aviation gas fuelers are regulated through permitting, where conditions can be established to limit emissions
- Permit evaluation includes:
  - Evaluating South Coast AQMD, State and Federal Rules
  - New Source Review analysis
    - Best Available Control Technology
    - Modeling
    - Offsets
  - Evaluating criteria and toxic air contaminant emissions specific to the location



# Staff Recommendation

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## Adopt Resolution

- Determine that Proposed Amended Rule 461.1 is exempt from the requirements of the California Environmental Quality Act; and

- Amend Rule 461.1

[↑ Back to Agenda](#)

BOARD MEETING DATE: February 2, 2024

AGENDA NO. 29

**PROPOSAL:** Determine That Proposed Amendments to BACT Guidelines Are Exempt from CEQA and Amend BACT Guidelines

**SYNOPSIS:** Periodically, after consultation with stakeholders through the BACT Scientific Review Committee, staff proposes amendments to the BACT Guidelines to reflect technological advancements in emissions controls and to maintain consistency with recent changes to South Coast AQMD rules and regulations as well as state requirements. Staff is proposing to add seven new listings and amend two existing listings in the following sections of the BACT Guidelines: Part B: Lowest Achievable Emission Rate Determinations for Major Polluting Facilities; and Part D: BACT Determinations for Non-Major Polluting Facilities. Staff is also proposing administrative and routine updates to the following sections of the BACT Guidelines: Overview; Part A: Policy and Procedures for Major Polluting Facilities; Part C: Policy and Procedures for Non-Major Polluting Facilities; and Part E: Policy and Procedures for Facilities Subject to Prevention of Significant Deterioration for GHGs.

**COMMITTEE:** Stationary Source, January 19, 2024; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Determine the proposed amendments to the BACT Guidelines are exempt from the requirements of the California Environmental Quality Act; and
2. Amend the BACT Guidelines.

Wayne Natri  
Executive Officer

## **Background**

South Coast AQMD's Regulation XIII – New Source Review requires facilities to implement BACT for new, relocated, and modified permitted sources that may result in an emission increase of any nonattainment air contaminant, any ozone depleting compound, or ammonia. Regulation XIII requires the Executive Officer to periodically publish updates to the BACT Guidelines to establish the procedures and the requirements for applying BACT to commonly permitted equipment.

The BACT Guidelines include an Overview section, which provides an introduction to the BACT Guidelines and a summary of how BACT and Lowest Achievable Emission Rate (LAER) are implemented in the South Coast AQMD, as well as a technical portion separated into three parts: Major Polluting Facilities (Parts A and B), Non-Major Polluting Facilities (Parts C and D), and facilities subject to prevention of significant deterioration (PSD) for GHGs (Parts E and F).

A facility is a Major Polluting Facility if it emits or has the potential to emit a criteria air pollutant that equals or exceeds the emission thresholds in South Coast AQMD's Regulation XXX – Title V Permits. Major Polluting Facilities that are subject to NSR are required by the federal Clean Air Act (CAA) to have LAER. South Coast AQMD implements the federal CAA requirement for LAER using BACT determinations that are incorporated in the BACT Guidelines. At the state level, Health and Safety Code Section 40405 defines BACT in a similar manner to federal LAER and requires the application of BACT for all new and modified permitted sources subject to NSR.

In accordance with Health and Safety Code Section 40440.11, in updating Part D of the BACT guidelines with new or more stringent Minor Source BACT (MSBACT), South Coast AQMD must follow a rigorous process including cost-effectiveness analysis, notification to the public, review by the Scientific Review Committee (SRC) at public meetings, and approval by the Governing Board.

GHG BACT applies to new or modified facilities subject to PSD requirements for GHG emissions. Requirements for determining applicability of new or modified sources are promulgated in Chapter 40 of the Code of Federal Regulations Section 52.21. In general, GHG BACT determinations are project-specific with a focus on options that improve energy efficiency.

## **Proposed Amendments to the BACT Guidelines**

The proposed amendments are to update the Overview section, and Parts A, B, C, D, and E of the BACT Guidelines to reflect technological advancements in emissions controls and to maintain consistency with recent changes to South Coast AQMD rules and regulations as well as state requirements. No amendments are proposed to Part F.

Staff is also proposing to update the Maximum Cost-Effectiveness values in Part C- Policy and Procedures for Non-Major Polluting Facilities, consistent with the third quarter 2023 Marshall and Swift equipment index.

A summary of the proposed amendments to the BACT Guidelines are included in Attachment A. Details of the proposed amendments to the BACT Guideline covering the Overview section, Parts A, B, C, D, and E are included in Attachments B through G.

The proposed new Part B LAER determinations for Major Polluting Facilities are summarized in Table 1 below with the complete proposed determinations included in Attachment D. The other portions of Part B are not included in this Board package because they are not being updated at this time.

**Table 1 - Summary of Proposed Part B LAER Determinations**

<b>Equipment Category</b>	<b>Current LAER Limit</b>	<b>Proposed LAER Limit</b>
Fugitive Emission Sources at Petroleum Refineries	VOC: 500 ppm*	VOC: 200 ppm
Heater, Other Process, Natural Draft Operation, Multiple Burners, Fired on Natural Gas/Process Gas, 12.5 MMBtu/hr	New Listing	NOx: 7 ppm @ 3% O <sub>2</sub> dry CO: 100 ppm @ 3% O <sub>2</sub> dry
Linear Generator, Non-Emergency Electrical Generator, Natural Gas Fired	New Listing	NOx: 2.5 ppm @ 15 % O <sub>2</sub> dry CO: 12 ppm @ 15 % O <sub>2</sub> dry VOC: 25 ppm @ 15 % O <sub>2</sub> dry
Sulfur Recovery Unit and Tail Gas Treatment Unit followed by a Tail Gas Incinerator and Caustic Scrubber	New Listing	NOx: 0.05 lb/MMBtu** natural gas CO: 0.03 lb/MMBtu natural gas SOx: 12 ppm @ 0% O <sub>2</sub> dry H <sub>2</sub> S***: 2.5 ppm @ 0% O <sub>2</sub> dry
Tank Truck Loading/Unloading Racks	New Listing	VOC: 0.02 lb/1000 gal
Boiler, Natural Gas Fired, > 20 MMBtu/hr	New Listing	NOx: 2.5 ppm @ 3% O <sub>2</sub> dry CO: 50 ppm @ 3% O <sub>2</sub> dry
Heater, Other Process, Natural Draft Operation, Single Burner, Fired on Natural Gas, 15 MMBtu/hr	New Listing	NOx: 6 ppm @ 3% O <sub>2</sub> dry CO: 50 ppm @ 3% O <sub>2</sub> dry
Simple Cycle Gas Turbine, Dry Low NOx Burners, Natural Gas Fired	CO: 4 ppm	CO: 2 ppm @ 15% O <sub>2</sub> dry

\* Part per million

\*\* Pound per million British thermal unit

\*\*\* Hydrogen sulfide

The proposed Part D BACT Determinations for Non-Major Polluting Facilities are summarized in Table 2 below with the complete proposed determinations included in Attachment F. The proposed amendments comply with the requirements of Health and Safety Code Section 40440.11, as explained below.

**Table 2 – Summary of Proposed Part D BACT Determinations**

<b>Equipment Category</b>	<b>Current BACT Limit</b>	<b>Proposed BACT Limit</b>
Crumb Rubber/Asphalt Oil Blending - Carbon Adsorber	New Listing	VOC: 90% Control Efficiency

**Compliance with Health and Safety Code Section 40440.11**

In amending the BACT Guidelines for Non-Major Polluting Facilities to be more stringent, South Coast AQMD must comply with Health and Safety Code Section 40440.11 for the proposed new BACT determination for Crumb Rubber/Asphalt Oil Blending. The proposed new BACT determination complies with the Health and Safety Code because:

- Installing a granulated activated carbon (GAC) unit which controls VOC emissions is a commercially viable achieved in practice control alternative that constitutes BACT;
- A Crumb Rubber/Asphalt Oil Blending with GAC unit that can meet 90 percent VOC control efficiency has been commercially available for several years; and
- The results of the cost-effectiveness analysis performed to assess the incremental equipment and operating cost of the two carbon canisters show that the proposed control technology is cost effective. More details are included in Attachment A and F, and cost-effectiveness calculations are included in Attachment H.

**Public Process**

The BACT SRC was established as a standing committee by the Board to enhance the public participation process with technical review and comments by a focused committee at periodic intervals, prior to updating the BACT Guidelines. The BACT SRC meetings includes affected facilities, industry associations, equipment vendors, public agencies, academia, and environmental/ community groups. The proposed amendments to the BACT Guidelines were presented to the BACT SRC on February 23, 2023 and July 25, 2023. A 30-day comment period was provided to the public to review and submit comments. As part of this BACT determination process, staff had individual meetings with affected stakeholders and industry groups.

**Key Issues**

Through the BACT determination process, staff has worked with stakeholders to address and resolve issues. Staff is not aware of any remaining key issues.

### **California Environmental Quality Act**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (Proposed Amendments to the BACT Guidelines) is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions set forth in CEQA Guidelines Section 15300.2 apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment J to this Board letter. If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

### **Socioeconomic Impact Assessment**

The proposed amendments seek to update the BACT Guidelines and to maintain consistency with recent changes to South Coast AQMD rules and state requirements. These proposed amendments represent achieved in practice emission control equipment and/or processes in addition to other amendments which are administrative in nature. No socioeconomic impact assessment is required under Health and Safety Code Sections 40440.8 and 40728.5, because this is not a rule or regulation in the meaning of those statutes.

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

Emission reductions realized through new, modified, and relocated permitted sources that apply the latest BACT ensures that these sources are using the cleanest technology available. In addition, the successful implementation of BACT for permitted stationary sources will contribute towards achieving state and federal air quality standards, which is consistent with the objectives of the Air Quality Management Plan.

### **Resource Impacts**

Existing South Coast AQMD resources will be sufficient to implement the proposed amendments to the BACT Guidelines.

### **Attachments**

- A. Summary of Proposed Amendments to BACT Guidelines
- B. Proposed Amended BACT Guidelines, Overview
- C. Proposed Amended BACT Guidelines, Part A
- D. Proposed Amended BACT Guidelines, Part B
- E. Proposed Amended BACT Guidelines, Part C
- F. Proposed Amended BACT Guidelines, Part D
- G. Proposed Amended BACT Guidelines, Part E
- H. Cost-Effectiveness Calculations
- I. Comments and Responses
- J. Notice of Exemption from CEQA
- K. Board Presentation

## ATTACHMENT A

### SUMMARY OF PROPOSED AMENDMENTS TO BACT GUIDELINES

The proposed amendments are to update the Overview section, and Parts A, B, C, D, and E of the BACT Guidelines to reflect technological advancements in emissions controls and to maintain consistency with recent changes to South Coast AQMD rules and regulations as well as state requirements. No amendments are proposed to Part F.

#### Overview

The Overview provides an introduction to the BACT Guidelines and a summary of how BACT and LAER are implemented at South Coast AQMD.

Consistent with Rule 1302, proposed amendments to Table 1 in the Overview include revising the VOC and NOx actual or potential emission threshold levels for major polluting facilities.

Adding a hyperlink to footnote 7 in order to include an Engineering Policy & Procedures dated 8/7/2019 to determine premodification Potential To Emit (PTE).

Administrative changes such as referring to United States Environmental Protection Agency or USEPA as “U.S. EPA”; and replacing “Engineering and Compliance” with “Engineering and Permitting” to be consistent with the organizational chart are also proposed.

The complete proposed amended Overview section is included in Attachment B.

#### Part A – Policy and Procedures for Major Polluting Facilities

Part A describes the policy and procedures for major polluting facilities and explains what LAER is, why it is required, when it is required, and how it is determined for major polluting facilities.

Other amendments include adding a hyperlink to South Coast AQMD’s protocol for determination of Volatile Organic Compounds (VOC) capture efficiency as well as adding clarifying language to Chapter 2.

Administrative changes such as referring to United States Environmental Protection Agency or USEPA as “U.S. EPA” are also proposed.

The complete proposed amended Part A is included in Attachment C.

## Part B – LAER Determinations for Major Polluting Facilities

Part B consists of three sections: Section I contains listings of LAER determinations made by South Coast AQMD; Section II contains listings of LAER determinations made by other air districts; and Section III contains listings of emerging technologies which have been in operation with an air quality permit but do not yet qualify as LAER. The proposed new and updated Part B LAER determinations of Sections I and II are summarized below with the complete proposed determinations included in Attachment D.

The other portions of Sections I, II, and III are not included in this Board package because they are not being updated at this time.

### *Section I – South Coast AQMD LAER/BACT Determinations*

Four new and one updated listing are proposed, as summarized below. All new listings were found to be achieved in practice, as defined in the BACT Guidelines.

#### *Fugitive Emission Sources at Petroleum Refineries (update)*

Facilities such as refineries store, transport, and use organic liquids that readily vaporize at relatively low temperature and lose some organic material as fugitive emissions wherever there is a leak at the connection between two pieces of equipment. Valves, pumps, and compressors can also leak organic material. The proposed LAER requires that the maximum fugitive leak detection limit be lowered from 500 ppm to 200 ppm based on the achieved in practice cases, for fugitive components in VOC service except for pumps, compressors, and drains.

#### *Heater, Other Process, Natural Draft Operation, Natural Gas/Process Gas Fired (new)*

This is a new listing to establish a new LAER/BACT determination for heaters. The natural draft heater is located at a terminal. The facility receives gasoline and diesel fuel via pipeline and operates bulk loading stations to transfer the product into tanker trucks. The gasoline/diesel blend is separated via flash distillation process where a gas-fired heater is used to provide the heat for the distillation process. The heater is rated at 12.5 MMBtu/hr and equipped with three ultra-low NO<sub>x</sub> burners which can achieve low NO<sub>x</sub> emissions without using post-combustion control technologies such as Selective Catalytic Reduction (SCR). The heater burns a combination of natural gas and process gas at 75% to 25% ratio. Source test results confirm compliance with 7 ppm NO<sub>x</sub> and 100 ppm CO limit corrected to 3 percent O<sub>2</sub> over 15 mins averaging time.

#### *Linear Generator, Non-Emergency Electrical Generator, Natural Gas Fired (new)*

This new listing is solely for linear generators fired on natural gas and used for non-emergency applications to produce electricity. Each system contains two linear generator cores, operating in tandem. Due to the low operating temperature, NO<sub>x</sub> emissions are low. Each core is equipped with oxidation catalyst for VOC and CO reduction. The achieved in practice cases are two linear generator systems rated at 240 kilowatts electric (kWe) each. Source test results



confirm compliance with 2.5 ppmv NO<sub>x</sub>, 12 ppmv CO, and 25 ppmv VOC limit corrected to 15 percent O<sub>2</sub>.

Rule 1110.3 - Emissions from Linear Generators, adopted on November 3, 2023, requires all units with a permit to operate issued on or after rule adoption comply with 2.5 ppmv NO<sub>x</sub>, 12 ppmv CO, and 10 ppmv VOC limits corrected to 15 percent O<sub>2</sub>. Rule 1110.3 is being submitted for inclusion in the State Implementation Plan.

*Sulfur Recovery (Claus) Unit (new)*

This listing is based on permitted equipment with a tail gas treatment unit (TGTU), tail gas incinerator, and caustic scrubber located at a refinery. Acid gas feeds into SRU where it enters the Claus unit to recover sulfur, then the TGTU. The TGTU vents to the tail gas incinerator and caustic scrubber to remove remaining H<sub>2</sub>S and SO<sub>x</sub>. The tail gas incinerator utilizes natural gas as the primary fuel to combust the tail gas from the TGTU and reduce the tail gas emissions to below the proposed limits. This new LAER listing is to establish a 0.05 lb/MMBtu NO<sub>x</sub>, 0.03 lb/MMBtu CO, as well as 12 ppmv SO<sub>x</sub> and 2.5 ppmv H<sub>2</sub>S limit at 0 percent O<sub>2</sub> for a sulfur recovery unit. The emissions limits have been shown to be achieved in practice since 2015 and source tests have demonstrated compliance with the permit limits.

*Tank Truck Loading/Unloading Racks (new)*

This listing is from a facility that receives gasoline and diesel fuel via pipeline from refineries and operates bulk loading stations to transfer the product into tanker trucks. The facility has a vapor recovery/collection and disposal system (VCDS) to control VOC. This VCDS is vented to a direct flame thermal oxidizer to control VOC from tanks degassing/refilling and loading rack operations. Current VCDS has a permit condition to limit the VOC to 0.02 lb /1000 gal of fuel loaded. It has been source tested in 2010 and has been operating in compliance.

*Section II – Other LAER/BACT Determinations*

Two new and one updated listing are proposed, as summarized below.

*Boiler, Natural Gas Fired > 20 MMBtu/hr (new)*

This new listing establishes a LAER/BACT determination based on a boiler at a corrugated container manufacturing plant located in the San Joaquin Valley Air Pollution Control District (SJVAPCD). The natural gas fire-tube boiler, permitted in 2018, is rated at 29.47 MMBtu/hr. It uses a low NO<sub>x</sub> burner system and a SCR system to meet the 2.5 ppm NO<sub>x</sub> and 50 ppm CO limits corrected to 3 percent O<sub>2</sub>. The source test performed in 2020 demonstrated compliance with the permit emission limits and established this boiler as an achieved in practice case.

*Heater, Other Process, Natural Draft Operation, Natural Gas Fired (new)*

This listing is to establish a new LAER/BACT determination based on a heater at a refinery located in SJVAPCD. The facility is a lube oil finishing plant. The heater provides heat for the plant's utility fractionator, which removes sulfur from various products by re-running crude and other off-spec stocks from other processes at the refinery. The heater, fired solely on natural gas, is rated at 15 MMBtu/hr and is equipped with one ultra-low NOx process burner which achieves low NOx without using post-combustion control technologies such as SCR. Results from two source tests performed in 2017 and 2020 confirm this heater as a successful achieved in practice case by meeting the permit emission limits of 6 ppm NOx and 50 ppm CO corrected to 3 percent O<sub>2</sub> over 30 minutes averaging time.

*Gas Turbine -Simple Cycle, Natural Gas Fired (update)*

This listing update is based on an achieved in practice case at a simple cycle power plant in Bay Area AQMD which was permitted in 2015. Source test results, at 15 percent O<sub>2</sub>, from 2019 and 2021 show compliance with permitted emissions limit of 2 ppmv CO. Combined, the four 190 megawatt (MW) dry low NOx burner natural gas fired combustion turbine generators generate a maximum of 760 MW of electrical power. Each turbine is equipped with an SCR system and an oxidation catalyst.

Part C – Policy and Procedures for Non-Major Polluting Facilities

Part C describes the policy and procedures for non-major polluting facilities and explains what BACT is, why it is required, when it is required and how it is determined for non-major polluting facilities.

Update the Maximum Cost-Effectiveness Values on Table 5 consistent with the third quarter 2023 Marshall and Swift equipment index in accordance with the BACT Guidelines policy.

Administrative changes such as referring to United States Environmental Protection Agency or USEPA as “U.S. EPA” are also proposed.

The complete proposed amended Part C is included in Attachment E.

Part D – BACT Determinations for Non-Major Polluting Facilities

Part D consists of BACT determinations for minor sources which are established in accordance with state law at the time an application is deemed complete.

The proposed new and updated amendments to Part D are for equipment and processes which have been achieved in practice and to maintain consistency with recent changes to South Coast AQMD rules and state requirements. All proposed Part D amendments and updates, except for the proposed new Crumb Rubber/Asphalt Blending listing, will not result in more stringent requirements than would otherwise occur through current

SIP-approved rule compliance, which constitutes Minor Source BACT (MSBACT) under Part C – Policy Guidance. In addition, staff has concluded through the implementation of these SIP-approved rules that these MSBACT determinations are achieved in practice and cost effective. The proposed amendments comply with the requirements of Health and Safety Code Section 40440.11.

Administrative changes such as referring to United States Environmental Protection Agency or USEPA as “U.S. EPA”; and correcting a footer for the Tire Buffer listing on Page 124 to replace “Thermal Oxidizer” with “Tire Buffer” are also proposed.

The proposed amended Part D BACT determinations are summarized below with the complete proposed amended Part D included in Attachment F.

#### *Crumb Rubber/Asphalt Oil Blending (new)*

The goal is to list the Crumb Rubber/Asphalt Oil Blending category and formalize the existing permitted VOC limit in the BACT Guidelines. The achieved in practice source is located at a facility which produces asphaltic concrete. Asphaltic concrete typically consists of asphalt oil and aggregate. This facility produces asphaltic concrete with the use of a mixture of asphalt oil and crumb rubber, in lieu of only asphalt oil. The benefits of using crumb rubber include reduced asphalt oil usage, increase of final product elasticity, and the recycling of rubber. A granulated activated carbon (GAC) unit controls VOC emissions from the tanks of the crumb rubber/asphalt blending system. VOC emissions from the tanks are vented to the primary carbon canister where VOC emissions are controlled by at least 90%. VOC leaving the primary canister vents to the secondary for further control. The facility has operated the GAC unit since 2020. Source test results confirm compliance with 90% control efficiency. The capital and operating cost data for the GAC unit with two carbon canisters was provided by the facility consultant. A cost-effectiveness analysis was done to assess the incremental capital and operating costs in accordance with Health and Safety Code 40440.11, which is further discussed in the “Compliance with the Health and Safety Code” section. The cost-effectiveness evaluation shows installing GAC unit downstream of the Crumb Rubber/Asphalt Oil Blending system is cost effective. Staff is proposing to add 90% control efficiency for Rubber/Asphalt Oil Blending system.

#### Part E – Policy and Procedures for Facilities Subject to Prevention of Significant Deterioration for Greenhouse Gases

Part E describes the policy and procedures for facilities subject to PSD for Greenhouse Gases and explains what BACT is, why it is required, when it is required and how it is determined for the subject facilities.

The only proposed changes to Part E are administrative in nature such as referring to United States Environmental Protection Agency or USEPA as “U.S. EPA”.

The complete proposed amended Part E is included in Attachment G.

Compliance with the Health and Safety Code Section 40440.11

In amending the BACT Guidelines for non-major polluting facilities to be more stringent, South Coast AQMD must comply with Health and Safety Code Section 40440.11. Staff is proposing a new BACT determination in Part D for Crumb Rubber/Asphalt Oil Blending System. The following paragraphs identify the applicable requirements in Health and Safety Code Section 40440.11 and demonstrate compliance with each requirement:

*(c)(1) Identify one or more potential control alternatives that may constitute the Best Available Control Technology as defined in Health and Safety Code Section 40405.*

*Crumb Rubber/Asphalt Oil Blending System*

Commercially viable achieved in practice control alternatives that may constitute BACT would be installing a GAC unit which reduces VOC emissions from a Crumb Rubber/Asphalt Oil Blending System. VOC emissions from the system are first vented to the primary canister where VOC are controlled by at least 90%. VOC leaving the primary canister vent to the secondary for further control.

*(c)(2) Determine that the proposed emission limitation has been met by production equipment, control equipment, or a process that is commercially available for sale, and has achieved the best available control technology in practice on a comparable commercial operation for at least one year, or a period longer than one year if a longer period is reasonably necessary to demonstrate the operating and maintenance reliability, and costs, for an operating cycle of the production or control equipment, or process.*

Crumb Rubber/Asphalt Oil Blending System equipped with GAC unit that can achieve 90% VOC overall control efficiency and has been commercially available for several years. Staff has included in Attachment F proposed BACT determinations. This equipment has been in commercial operation for over one year, source tested, and verified compliance with 90% overall control efficiency. The cost-effectiveness analysis has been conducted based on the cost data provided by the facility consultant.

*(c)(3) Review the information developed to assess the cost-effectiveness (annual cost of control divided by annual emission reduction potential) of each potential control alternative.*

A cost-effectiveness analysis was performed to assess the incremental equipment and operating cost of two carbon canisters to achieve 90% overall control efficiency versus no control. Staff reviewed source test data to calculate the VOC emission reduction and reviewed the cost data provided by the facility consultant to assess the cost-effectiveness of installing carbon canisters. See calculations spreadsheet in Attachment H.

*(c)(4) Calculate the incremental cost-effectiveness for each potential control option (difference in cost divided by difference in emissions for each progressively more stringent control option)*

The incremental cost-effectiveness analysis included calculations of incremental cost per ton of VOC reduced using two carbon canisters. The results show that the proposed control technology is cost effective. See calculations spreadsheet in Attachment H.

*(c)(5) Place the Best Available Control Technology revision proposed on the calendar of a regular meeting agenda of the South Coast AQMD Governing Board for its acceptance or further action as the board determines.*

The proposed revisions to the BACT Guidelines were placed on the agenda of the February 2, 2024 meeting of the South Coast AQMD Governing Board.

# **OVERVIEW**

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## Chapter 1 - Introduction

The South Coast Air Quality Management District (South Coast AQMD) Regulation XIII – New Source Review (NSR) and Regulation XX – RECLAIM, require applicants to use Best Available Control Technology (BACT) for new sources, relocated sources, and modifications to existing sources that may result in an emission increase of any nonattainment air contaminant, any ozone depleting compound (ODC), or ammonia. Regulation XIII requires the Executive Officer to periodically publish BACT Guidelines that establish the procedures and the BACT requirements for commonly permitted equipment.

South Coast AQMD Regulation XIV – Toxics and Other Non-Criteria Pollutants, requires applicants to use Best Available Control Technology for Toxics (T-BACT) for new, relocated or modified permit units that result in a cumulative increase in Maximum Individual Cancer Risk (MICR) of greater than one in a million ( $1.0 \times 10^{-6}$ ) at any receptor location. Additionally, Regulation XVII – Prevention of Significant Deterioration (PSD) also sets forth BACT requirements for new sources, relocated sources and modifications to existing sources that emit attainment air contaminants. PSD BACT is incorporated into these BACT Guidelines. As of the publication date of these guidelines, there is currently no requirement for South Coast AQMD to publish T-BACT guidelines and T-BACT must be established during the permitting process.

Historically, the BACT Guidelines were first published in May 1983, and later revised in October 1988. The Guidelines consisted of two parts: Part A – Policy and Procedures, and Part B – BACT Determinations. Part A provided an overview and general guidance while Part B contained specific BACT information by source category and pollutant. Since the October 1988 revision, Part A was amended once in 1995, and Part B was updated with six LAER determinations between 1997 and 1998.

On December 11, 1998, the Governing Board approved a new format for listing BACT determinations in Part B of the Guidelines. While the previous Part B of the BACT Guidelines specified BACT requirements and set out source category determinations which could be interpreted as definitive, the new format simply provides listings of recent BACT determinations by South Coast AQMD permitting staff and others as well as information on new and emerging technologies. Part B of the South Coast AQMD BACT Guidelines now follows the same outline as the permit listings in the California Air Resources Board State [BACT Technology](#) Clearinghouse Database, which is managed under the direction of the California Air Pollution Control Officers Association's (CAPCOA) Engineering Managers Committee. In addition, BACT determinations made by South Coast AQMD are submitted to the U.S. Environmental Protection Agency (U.S. EPA) RACT/BACT/LAER Clearinghouse by ARB staff. Further information on the format of the Guidelines, including reasons for the change in direction, may be found in Board Letters presented at the October 1998 Board Meeting, Agenda No. 41, and the December 1998 Board Meeting, Agenda No. 28.

The public participation process includes technical review and comments by a focused BACT Scientific Review Committee (BACT SRC) at periodic intervals, prior to the updates of the South Coast AQMD BACT Guidelines. The Board established a 30-day notice period for the BACT SRC and interested persons to review and comment

on South Coast AQMD BACT determinations that result in BACT requirements that are more stringent than previously imposed BACT.

As a result of amendments to South Coast AQMD's NSR regulations in September 2000, the BACT Guidelines were separated into two sections: one for major polluting facilities and another for non-major (minor) polluting facilities. (See Chapter 2 in the Overview for how to determine if a facility is major or minor).

The BACT Guidelines for major polluting facilities include:

- Part A: Policy and Procedures for Major Polluting facilities; and
- Part B: LAER/BACT Determinations for Major Polluting Facilities.

The BACT Guidelines for non-major polluting facilities include:

- Part C: Policy and Procedures for Non-Major Polluting Facilities; and
- Part D: BACT Guidelines for Non-Major Polluting Facilities.

Both the format of the guidelines and the process for determining BACT are significantly different between major and non-major polluting facilities. Major polluting facilities that are subject to NSR are required by the Clean Air Act to have the Lowest Achievable Emission Rate (LAER). LAER is determined at the time the permit is issued, with little regard for cost, and pursuant to U.S. EPA's LAER policy as to what is achieved in practice. The Part B BACT and LAER determinations for major polluting facilities are only examples of past determinations that help in determining LAER for new permit applications.

For non-major polluting facilities, BACT will be determined in accordance with state law at the time an application is deemed complete unless a more stringent rule requirement becomes applicable prior to permit issuance. For the most part, it will be as specified in Part D of the BACT Guidelines. Changes to Part D for minor source BACT (MSBACT) to make them more stringent will be subject to public review and South Coast AQMD Board approval, for consideration of cost.

For the 2016 amendment to the Guidelines, additional parts have been added to address PSD requirements for greenhouse gas (GHG) emissions established by U.S. EPA in 40 CFR 52.21 in 2011. The requirements are incorporated by reference in South Coast AQMD Rule 1714. The BACT Guidelines for GHG requirements include:

- Part E: Policy and Procedures for Facilities Subject to Prevention of Significant Deterioration for Greenhouse Gases; and
- Part F: BACT Determinations for Facilities Subject to Prevention of Significant Deterioration for Greenhouse Gases.

In order to distinguish between BACT for various sources, this document will use the following nomenclature for BACT:

LAER for BACT at major polluting facilities

MSBACT for BACT at non-major polluting facilities

PSD BACT for BACT at facilities subject to BACT requirements for criteria pollutants

Written comments about the BACT Guidelines are welcome at any time and will be evaluated by South Coast AQMD staff and included in the BACT Docket at the South Coast AQMD library. These comments should be addressed to:



South Coast Air Quality Management District  
BACT Team  
Engineering and Permitting  
21865 Copley Dr.  
Diamond Bar, CA 91765-0934

Comments may also be submitted via email to [BACTTeam@aqmd.gov](mailto:BACTTeam@aqmd.gov), and should include BACT Docket in the subject line.

The BACT Guidelines are available without charge from South Coast AQMD's web site at [www.aqmd.gov/home/permits/bact](http://www.aqmd.gov/home/permits/bact). A hardcopy of the BACT Guidelines may be obtained for a fee by submitting a request to Subscription Services at [www.aqmd.gov/contact/subscription-services](http://www.aqmd.gov/contact/subscription-services) or by calling (909) 396-3720. Revisions to the Guidelines will be mailed to all persons that have purchased annual updates to the BACT Guidelines.

## Chapter 2 – Applicability Determination

This chapter explains how to determine whether a facility is a major or minor polluting facility, and how a facility can become a minor polluting facility.

### **MAJOR POLLUTING FACILITY EMISSION THRESHOLDS**

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A facility is a major polluting facility (or a major stationary source as it is called in the federal Clean Air Act [CAA]) if it emits, or has the potential to emit (PTE), a criteria air pollutant at a level that equals or exceeds emission thresholds specified in the CAA<sup>1</sup> based on the attainment or nonattainment status. Table 1 presents those emission thresholds for each criteria air pollutant for each air basin in South Coast AQMD. The map in Figure 1 shows the location of the three air basins in South Coast AQMD. If a threshold for any one criteria pollutant is equaled or exceeded, the facility is a major polluting facility, and will be subject to LAER for all pollutants subject to NSR. Table 1 does not include emission thresholds that trigger GHG BACT for South Coast AQMD Rule 1714 and 40 CFR 52.21. Part E of the BACT Guidelines should be referenced for a detailed explanation of how GHG BACT emission thresholds are determined.

A facility includes all sources located within contiguous properties owned or operated by the same person, or persons under common control. Contiguous means in actual contact or separated only by a public roadway or other public right-of-way. However, on-shore crude oil and gas production facilities under the same ownership or use entitlement must be included with offshore crude oil and gas production facilities located in Southern California Coastal or Outer Continental Shelf waters.

The following mobile source emissions are also considered as part of the facility<sup>2</sup>:

1. Emissions from in-plant vehicles; and
2. All emissions from ships during the loading or unloading of cargo and while at berth where the cargo is loaded or unloaded; and
3. Non-propulsion ship emissions within Coastal Waters under South Coast AQMD jurisdiction.

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<sup>1</sup> The major source emission thresholds are higher for air basins that comply with the national ambient air quality standard and lower depending on how far an air basin is from compliance with the standard for a pollutant.

The lowest thresholds apply to extreme non-attainment air basins, the only ones which are the South Coast Air Basin and San Joaquin Valley Air Basin for ozone (VOC and NOx).

<sup>2</sup> In accordance with Rule 1306(g).

**Table 1**  
**Actual or Potential Emission Threshold Levels (Tons per Year)**  
**for Major Polluting Facilities**

Pollutant	South Coast Air Basin	Riverside County Portion of Salton Sea Air Basin	Non-Palo Verde, Riverside County Portion of Mojave Desert Air Basin
VOC	10	<del>25</del> 10	100
NOx	10	<del>25</del> 10	100
SOx <sup>3</sup>	70	70	100
CO	50	100	100
PM <sub>10</sub>	70	70	100
PM <sub>2.5</sub>	70	---	---

**Figure 1: Map of South Coast AQMD**



<sup>3</sup> The threshold for SOx, as a precursor for PM, is 70 tons per year for serious PM<sub>10</sub> areas, which the SCAB previously was, and 70 tons per year for serious PM<sub>2.5</sub> areas, which the SCAB currently is. Rule 1302 previously specified 100 tons per year, which was in error, and was changed at the November 2016 Board Meeting.

## POTENTIAL TO EMIT

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Potential to emit is based on permit conditions that limit emissions or throughput. If there are no such permit conditions, PTE is based on:

- the maximum rated capacity; and
- the maximum daily hours of operation; and
- physical characteristics of the materials processed.

The PTE must include fugitive emissions associated with the source. RECLAIM emission allocations are not considered emission limits because RECLAIM facilities may purchase RTCs and increase their emissions without modifying their permit. For PSD purposes, as well as Rule 1325 for PM<sub>2.5</sub>, which incorporates federal requirements, fugitive emissions are included only for major source categories specifically identified in 40 CFR 52.21.

## LIMITING POTENTIAL TO EMIT

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A facility's PTE can be capped by an enforceable permit condition that limits emissions. This condition will likely involve monitoring, recordkeeping and reporting to ensure that emissions remain below the permit limit.

## Chapter 3 - When is BACT Required?

This chapter explains when BACT is required by identifying the air pollutants subject to BACT, the permit actions that trigger BACT review, and the calculation procedures to determine emission increases.

### POLLUTANTS SUBJECT TO NSR, PSD AND BACT

The South Coast AQMD's New Source Review (NSR) programs include *Regulation XIII - New Source Review* and *Rule 2005 - New Source Review for RECLAIM*. Rule 2005 applies only to NO<sub>x</sub> and SO<sub>x</sub> emissions from RECLAIM facilities, while Regulation XIII applies to other non-attainment air pollutants from RECLAIM facilities, all non-attainment air pollutants from all other facilities, and ammonia and ozone-depleting compound (ODC) emissions from all facilities. ODCs are defined as Class I substances listed in 40 CFR, Part 82, Appendix A, Subpart A, and are listed in Table 2. Rule 1325 specifically applies to PM<sub>2.5</sub>.

Although the South Coast AQMD is in attainment with the ambient air quality standards for SO<sub>2</sub> and NO<sub>2</sub>, NO<sub>x</sub> is a precursor to ozone, and both SO<sub>x</sub> and NO<sub>x</sub> are precursors to PM<sub>10</sub> and PM<sub>2.5</sub>, which are non-attainment air pollutants. Therefore, SO<sub>x</sub> and NO<sub>x</sub> are treated as non-attainment air pollutants as well. The net result is that VOC, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> are subject to NSR in all of South Coast AQMD.

The South Coast Air Basin has historically been designated nonattainment for CO. However, there has been considerable improvement in CO air quality in the Basin from 1976 to 2005. In 2001, the Basin met both the federal and state 8-hour CO standards for the first time at all monitoring stations. The 2003 AQMP revision to the CO plan served a dual purpose; it replaced the 1997 attainment demonstration that lapsed at the end of 2000, and it provided the basis for a CO maintenance plan in the future. The Basin was designated as attainment for CO in 2007. Therefore, CO is in attainment with state and federal ambient air quality standards.

The South Coast AQMD's Regulation XVII – Prevention of Significant Deterioration sets forth BACT requirements for stationary sources that emit attainment air contaminants. The BACT requirement applies to any net emission increase of a criteria pollutant from a permit unit at any source. As explained in the South Coast AQMD Staff Report for Regulation XVII dated September 28, 1988 for the October 7, 1988 Board meeting, the PSD BACT requirement is applicable to all permit units regardless if the source is classified as a minor or major facility.

Lead (Pb) is a criteria air pollutant and is subject to BACT in areas of non-attainment, or is subject to PSD in areas of attainment. Pb can be a component of a source's PM<sub>10</sub> emissions and is therefore subject to BACT for PM<sub>10</sub>. BACT for Pb will be BACT for PM<sub>10</sub> or compliance with Rules 1420, 1420.1 or 1420.2, whichever is more stringent.

The applicability of the various pollutants to NSR in the various air basins is summarized in Table 3. See Figure 1 in the previous chapter for a map of South Coast AQMD that shows the location of the three air basins in South Coast AQMD.

**Table 2**  
**Class I Substances (ODCs)\***

<p>A. Group I:  <math>\text{CFCl}_3</math> Trichlorofluoromethane (CFC-11)  <math>\text{CF}_2\text{Cl}_2</math> Dichlorodifluoromethane (CFC-12)  <math>\text{C}_2\text{F}_3\text{Cl}_3</math> Trichlorotrifluoroethane (CFC-113)  <math>\text{C}_2\text{F}_4\text{Cl}_2</math> Dichlorotetrafluoroethane (CFC-114)  <math>\text{C}_2\text{F}_5\text{Cl}</math> Monochloropentafluoroethane (CFC-115)            All isomers of the above chemicals</p> <p>B. Group II:  <math>\text{CF}_2\text{ClBr}</math> Bromochlorodifluoromethane (Halon-1211)  <math>\text{CF}_3\text{Br}</math> Bromotrifluoromethane (Halon-1301)  <math>\text{C}_2\text{F}_4\text{Br}_2</math> Dibromotetrafluoroethane (Halon-2402)            All isomers of the above chemicals</p> <p>C. Group III:  <math>\text{CF}_3\text{Cl}</math> Chlorotrifluoromethane (CFC-13)  <math>\text{C}_2\text{FCl}_5</math> Pentachlorofluoroethane (CFC-111)  <math>\text{C}_2\text{F}_2\text{Cl}_4</math> Tetrachlorodifluoroethane (CFC-112)  <math>\text{C}_3\text{FCl}_7</math> Heptachlorofluoropropane (CFC-211)  <math>\text{C}_3\text{F}_2\text{Cl}_6</math> Hexachlorodifluoropropane (CFC-212)  <math>\text{C}_3\text{F}_3\text{Cl}_5</math> Pentachlorotrifluoropropane (CFC-213)  <math>\text{C}_3\text{F}_4\text{Cl}_4</math> Tetrachlorotetrafluoropropane (CFC-214)  <math>\text{C}_3\text{F}_5\text{Cl}_3</math> Trichloropentafluoropropane (CFC-215)  <math>\text{C}_3\text{F}_6\text{Cl}_2</math> Dichlorohexafluoropropane (CFC-216)  <math>\text{C}_3\text{F}_7\text{Cl}</math> Chloroheptafluoropropane (CFC-217)            All isomers of the above chemicals</p> <p>D. Group IV:  <math>\text{CCl}_4</math> Carbon Tetrachloride</p> <p>E. Group V:  <math>\text{C}_2\text{H}_3\text{Cl}_3</math> 1,1,1 Trichloroethane (Methyl chloroform)            All isomers of the above chemical except 1,1,2-trichloroethane</p> <p>F. Group VI:  <math>\text{CH}_3\text{Br}</math> Bromomethane (Methyl Bromide)</p> <p>H. Group VIII:  <math>\text{CH}_2\text{BrCl}</math> (Chlorobromomethane)</p>	<p>G. Group VII:  <math>\text{CHFBr}_2</math>  <math>\text{CHF}_2\text{Br}</math> (HBFC-2201)  <math>\text{CH}_2\text{FBr}</math>  <math>\text{C}_2\text{HFBr}_4</math>  <math>\text{C}_2\text{HF}_2\text{Br}_3</math>  <math>\text{C}_2\text{HF}_3\text{Br}_2</math>  <math>\text{C}_2\text{HF}_4\text{Br}</math>  <math>\text{C}_2\text{H}_2\text{FBr}_3</math>  <math>\text{C}_2\text{H}_2\text{F}_2\text{Br}_2</math>  <math>\text{C}_2\text{H}_2\text{F}_3\text{Br}</math>  <math>\text{C}_2\text{H}_2\text{FBr}_2</math>  <math>\text{C}_2\text{H}_3\text{F}_2\text{Br}</math>  <math>\text{C}_2\text{H}_4\text{FBr}</math>  <math>\text{C}_3\text{HFBr}_6</math>  <math>\text{C}_3\text{HF}_2\text{Br}_5</math>  <math>\text{C}_3\text{HF}_3\text{Br}_4</math>  <math>\text{C}_3\text{HF}_4\text{Br}_3</math>  <math>\text{C}_3\text{HF}_5\text{Br}_2</math>  <math>\text{C}_3\text{HF}_6\text{Br}</math>  <math>\text{C}_3\text{H}_2\text{FBr}_5</math>  <math>\text{C}_3\text{H}_2\text{F}_2\text{Br}_4</math>  <math>\text{C}_3\text{H}_2\text{F}_3\text{Br}_3</math>  <math>\text{C}_3\text{H}_2\text{F}_4\text{Br}_2</math>  <math>\text{C}_3\text{H}_2\text{F}_5\text{Br}</math>  <math>\text{C}_3\text{H}_3\text{FBr}_4</math>  <math>\text{C}_3\text{H}_3\text{F}_2\text{Br}_3</math>  <math>\text{C}_3\text{H}_3\text{F}_3\text{Br}_2</math>  <math>\text{C}_3\text{H}_3\text{F}_4\text{Br}</math>  <math>\text{C}_3\text{H}_4\text{FBr}_3</math>  <math>\text{C}_3\text{H}_4\text{F}_2\text{Br}_2</math>  <math>\text{C}_3\text{H}_4\text{F}_3\text{Br}</math>  <math>\text{C}_3\text{H}_5\text{FBr}_2</math>  <math>\text{C}_3\text{H}_5\text{F}_2\text{Br}</math>  <math>\text{C}_3\text{H}_6\text{FBr}</math></p>
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\* 40 CFR, Part 82, Appendix A, Subpart A

**Table 3**  
**Applicability of NSR to Various Pollutants in**  
**South Coast Air Basin (SOCAB), Salton Sea Air Basin (SSAB),**  
**and Mojave Desert Air Basin (MDAB)**

<u>Air Basin</u>	<u>VOC</u>	<u>NO<sub>x</sub></u>	<u>SO<sub>x</sub></u>	<u>CO</u>	<u>PM<sub>10</sub></u>	<u>PM<sub>2.5</sub></u>	<u>NH<sub>3</sub></u>	<u>Pb</u>	<u>ODC</u>
SOCAB	√	√	√		√	√	√	√	√
SSAB	√	√	√		√		√	√	√
MDAB	√	√	√		√		√	√	√

## PERMIT ACTIONS SUBJECT TO NSR, PSD AND BACT

South Coast AQMD's NSR and PSD regulations are preconstruction permit review programs that require the Executive Officer to deny a permit to construct unless the proposed equipment includes BACT when:

- new equipment is installed;
- existing stationary permitted equipment is relocated; or
- existing permitted equipment is modified such that there is an emission increase.

If the new equipment is to replace the same kind of equipment, NSR<sup>4</sup> still requires BACT unless it is an identical replacement, which does not require a new permit according to *Rule 219 -Equipment Not Requiring a Written Permit Pursuant to Regulation II*.

BACT is not required for a change of operator, provided the facility is a continuing operation at the same location, without modification or change in operating conditions.

In case of relocation of a non-major facility, the facility operator may opt out of installing MSBACT, provided that the owner/operator meets the conditions specified in Rule 1302 (ai) and Rule 1306 (d)(3).<sup>5</sup>

PSD applies to GHG if the source is otherwise subject to PSD for another regulated NSR pollutant and the source is new with a GHG PTE  $\geq 75,000$  tons per year CO<sub>2</sub>e, or an existing source with a modification resulting in a similar GHG emissions increase.

It is South Coast AQMD policy that BACT is required only for emission increases greater than or equal to one (1.0) pound per day.

In accordance with policy established by South Coast AQMD's Engineering and Permitting division in June 2018, for the purpose of preventing circumvention of triggering a BACT requirement, a period of 5 years prior to the date of application submittal shall be used to accumulate all previous permitting actions allowing emission increases for that specific permit unit to determine if emission increases exceed or

<sup>4</sup> See Rules 1303(a) and 1304(a).

<sup>5</sup> U.S.\_EPA has expressed concerns with this provision of the NSR Rules for minor polluting facilities as of September 2000. Staff will continue to work with U.S.\_EPA to resolve this issue.

equal 1.0 pound per day for any nonattainment air contaminant, any ozone depleting compound, or ammonia.

## LIMITED BACT EXEMPTION

Rule 1304 (Exemptions) was amended in November 2021 to add subdivision (f) to include a limited BACT exemption for RECLAIM and former RECLAIM facilities. This limited BACT exemption is available to new or modified permit units located at a RECLAIM or former RECLAIM facility, for PM<sub>10</sub> and SO<sub>x</sub> emission increases associated with the installation or modification of add-on air pollution control equipment for controlling NO<sub>x</sub> emissions to comply with NO<sub>x</sub> Best Available Retrofit Control Technology (BARCT) emission limits. The objective of the proposed narrow BACT exemption is to address the co-pollutant issue associated with the installation or modification of add-on air pollution controls and the replacement of equipment that is combined with an installation or modification of add-on air pollution control required to transition NO<sub>x</sub> RECLAIM facilities. This limited BACT exemption is available only to projects at qualified facilities that meet all the requirements listed under Rule 1304 subparagraphs (f)(1)(A) through (E) <sup>6</sup>.

## CALCULATION PROCEDURES FOR EMISSION INCREASES

The calculation procedures for determining whether there is an increase in emissions from an equipment modification that triggers BACT are different for NO<sub>x</sub> and SO<sub>x</sub> pollutants from RECLAIM facilities than for all other cases. In general, the calculation procedures for RECLAIM facilities are less likely to result in an emission increase that requires BACT.

For NO<sub>x</sub> and SO<sub>x</sub> emissions from a source at a RECLAIM facility, there is an emission increase if the maximum hourly potential to emit is greater after the modification than it was before the modification.<sup>7</sup>

For modifications subject to Regulation XIII, there are two possible cases<sup>8</sup>:

1. If the equipment was previously subject to NSR, an emission increase occurs if the new potential to emit in one day is greater than the previous potential to emit in one day.
2. If the equipment was never previously subject to NSR, an emission increase occurs if the new potential to emit in one day exceeds the actual average daily emissions over the two-year period, or other appropriate period, prior to the permit application date. However, for the installation of air pollution controls on any source constructed prior to the adoption of the NSR on October 8, 1976 for the sole purpose of reducing emissions, Rule 1306(f) allows the emission change to be calculated as the post-modification potential to emit minus the pre-modification potential to emit.

<sup>6</sup> See Rule 1304 (f).

<sup>7</sup> See Rule 2005(d) [and Engineering Policy & Procedures dated 8/7/2019](#).

<sup>8</sup> See Rule 1306(d)(2).



The potential to emit is based on permit conditions that directly limit the emissions, or, if there are none, then the potential to emit is based on:

- maximum rated capacity; and
- the maximum daily hours of operation; and
- the physical characteristics of the materials processed.

## Chapter 4 - What is BACT?

This chapter explains the definitions of BACT found in South Coast AQMD rules, state law and federal law.

### NSR RULES (REGULATION XIII)

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New sources, relocations, and modifications of existing sources that increase nonattainment air contaminant emissions are subject to New Source Review (NSR) regulations which require BACT, among other requirements. Both federal and state laws require this strategy. The federal Clean Air Act (CAA) requirement for Lowest Achievable Emission Rate (LAER) is implemented through BACT in the South Coast AQMD. Federal LAER applies to major sources only. Although federal LAER applies to any emissions increase at a major stationary source of ozone precursors, South Coast AQMD has interpreted this provision as a 1.0 lb/day increase in emissions from all sources subject to NSR. According to South Coast AQMD's rules, BACT requirements may not be less stringent than federal LAER for major polluting facilities. The California Health & Safety Code (H&SC) Section 40405 defines state BACT similar to federal LAER and requires the application of BACT for all new and modified permitted sources subject to NSR.

### PSD RULES (REGULATION XVII)

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New sources, relocations, and modifications of existing sources that emit attainment air contaminant emissions and certain other specified pollutants are subject to Prevention of Significant Deterioration (PSD) regulations, which require BACT. Pursuant to Rule 1701, the BACT requirement applies to a net emission increase from a permit unit located at minor and major stationary sources. The intention of the PSD requirement is to implement a similar requirement as Regulation XIII to maintain national ambient air quality standards for attainment air contaminants.

### DEFINITION OF BACT

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Definitions of BACT are found in: Rule 1302 -*Definitions of Regulation XIII - New Source Review*, which applies to all cases in general, except for Rule 1702 – *Definitions*, which applies only to attainment air contaminants, and Rule 2000 - *General*, which applies to NO<sub>x</sub> and SO<sub>x</sub> emissions from RECLAIM facilities. While the definitions are not identical, they are essentially the same. Section (h) of Rule 1302 - *Definitions* defines BACT as:

*BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means the most stringent emission limitation or control technique which:*

- (1) has been achieved in practice for such category or class of source; or*
- (2) is contained in any state implementation plan (SIP) approved by the United States Environmental Protection Agency (EPA) for such category or class of source. A specific limitation or control technique shall not apply if the owner or operator of the proposed source*

- (3) *demonstrates to the satisfaction of the Executive Officer or designee that such limitation or control technique is not presently achievable; or is any other emission limitation or control technique, found by the Executive Officer or designee to be technologically feasible for such class or category of sources or for a specific source, and cost-effective as compared to measures as listed in the Air Quality Management Plan (AQMP) or rules adopted by the South Coast AQMD Governing Board.*

The first two requirements in the BACT definition are required by federal law, as LAER for major sources. The third part of the definition is unique to South Coast AQMD and some other areas in California, and allows for more stringent controls than LAER.

Rule 1303(a)(2) requires that economic and technical feasibility be considered in establishing the class or category of sources and the BACT requirements for non-major polluting facilities.

## **REQUIREMENTS OF HEALTH & SAFETY CODE SECTION 40440.11**

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Senate Bill 456 (Kelley) was chaptered into state law in 1995 and became effective in 1996. H&SC Section 40440.11 specifies the criteria and process that must be followed by the South Coast AQMD to update its BACT Guidelines to establish more stringent BACT limits for listed source categories. After consultation with the affected industry, the CARB, and the U.S. EPA, and considerable legal review and analysis, staff concluded that the process specified in SB 456 to update the BACT Guidelines should be interpreted to apply only if the South Coast AQMD proposes to make BACT more stringent than LAER or to establish BACT for non-major sources. This is because the CAA requires the South Coast AQMD staff to apply current LAER for major polluting facilities, even if the proposed LAER determination has not gone through the SB456 process. Therefore, the SB 456 requirements do apply to BACT requirements for non-major polluting facilities, but do not apply to federal LAER determinations for major polluting facilities.

## **CLEAN FUEL GUIDELINES**

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In January 1988, the South Coast AQMD Governing Board adopted a Clean Fuels Policy that included a requirement to use clean fuels as part of BACT. The implementation of this policy is further described in Parts A and C of these guidelines.

## Chapter 5 - Review of Staff BACT Determinations

New BACT determinations and guideline updates proposed by South Coast AQMD staff are subject to public notification requirements. In addition to allowing the public to comment on these items, the South Coast AQMD has established a BACT Scientific Review Committee (BACT SRC) to review and comment on technical matters of the proposals.

The South Coast AQMD has included provisions for an applicant to request a review of particular circumstances regarding a permit application and reconsideration of the BACT determination. Additional avenues are available to permit applicants for further review of staff BACT determinations through South Coast AQMD management, BACT Review Committee, Hearing Board, and the Governing Board.

### **BACT SCIENTIFIC REVIEW COMMITTEE (BACT SRC)**

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The BACT SRC was established as a standing committee by action of the South Coast AQMD Governing Board on September 8, 1995 to enhance the public participation process and include technical review and comments by a focused committee at periodic intervals, prior to the updates of the South Coast AQMD BACT Guidelines. A 30-day notice period applies for the BACT SRC and interested persons to review and comment on South Coast AQMD BACT determinations that result in BACT requirements that are more stringent than previously imposed. BACT SRC members, include but are not limited to, representatives from CARB, U.S. EPA, neighboring Air Pollution Control Districts (APCD), with the balance of the committee created by invitation of recognized experts from industry, public utilities, suppliers of air pollution control equipment and advocacy groups. Whenever a committee member resigns or is no longer able to serve, South Coast AQMD seeks out an appropriate replacement to join the committee. A list of current BACT SRC members can be accessed at

[Scientific Review Committee \(aqmd.gov\)](http://aqmd.gov).

The overall purpose of the BACT Scientific Review Committee is to:

- Comment on proposed new and more stringent BACT determinations in permit applications under 30-day public review.
- Comment on proposed BACT listings for all parts of the BACT Guidelines.

Except for the above, the BACT SRC's purpose is not to comment on past permitting decisions or change them. Specifically, the role of the BACT SRC is to review and comment in writing on the appropriateness of new BACT determinations under 30-Day public review. During this comment period, South Coast AQMD, State, and Federal required permit issuance timelines are still in effect. South Coast AQMD BACT staff will commit to sending the BACT SRC newly proposed BACT listings at least seven days prior to the next scheduled BACT SRC meeting. Meetings will typically consist of a presentation by BACT Team (BACTTeam@aqmd.gov) staff of new BACT forms and technical data and a general discussion of the proposed BACT listings, as well as addressing any preliminary written comments received from the public and BACT SRC prior to the meeting. South Coast AQMD staff will respond in writing to preliminary

comments about new BACT proposals within thirty days of the subject BACT SRC meeting. New issues raised during the BACT SRC meetings regarding newly proposed BACT listings will be addressed at the subsequent BACT SRC meeting to allow time for South Coast AQMD staff to research the comments. South Coast AQMD Engineering staff may also respond to specific issues raised at the following BACT SRC meeting.

In addition to newly proposed BACT listings, the BACT SRC will be tasked with reviewing and commenting on updates to the policy and procedure sections of the BACT Guidelines prior to the guidelines being presented to the South Coast AQMD Governing Board for approval.

## **MEETING WITH SOUTH COAST AQMD MANAGEMENT**

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South Coast AQMD management, starting with the Senior Engineering Manager of the permitting team, can consider unique and site-specific characteristics of an individual permit. The allowance for site-specific characteristics has been designed into the guidelines and can be reviewed with the manager of the section processing the permit. It is also possible to request review at the next level, with the Assistant Deputy Executive Officer of Engineering and [Permitting/Compliance](#). The Senior Engineering Managers and the Assistant Deputy Executive Officers are empowered to make case-by-case decisions on an individual permit. Further review can be obtained through a meeting with the Deputy Executive Officer (DEO) of Engineering and Permitting. Ultimately, all permitting decisions are the responsibility of the Executive Officer.

## **THE BACT REVIEW COMMITTEE**

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Beyond meetings with South Coast AQMD management, an applicant may also request, prior to permit issuance or denial, that the proposed BACT for an individual permit be reviewed by the BACT Review Committee (BRC). The BRC is composed of five senior-level South Coast AQMD officials - the DEO of Legislative, Public Affairs/Media Office; the DEO of Science and Technology Advancement; the DEO of Engineering and Permitting; the DEO of Planning, Rule Development and Implementation; and General Counsel. This committee can review pending individual applications and decide if the BACT determination is appropriate. The BRC can be accessed without any fee or legal representation, and will meet upon demand.

## **THE SOUTH COAST AQMD HEARING BOARD**

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After the permit is issued or denied, the applicant can seek further independent review of an individual BACT determination through the South Coast AQMD Hearing Board. In order to access this venue, the permit applicant would need to submit a petition and fee to appeal the final BACT determination by South Coast AQMD (once the permit is denied or issued)<sup>9</sup>. The Hearing Board is an independent, quasi-judicial body composed of five members, who can review a permitting decision by the Executive Officer. In this venue, legal counsel represents the South Coast AQMD. Although not required, many petitioners choose to have legal counsel to represent their position.

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<sup>9</sup> Applicants must file an appeal petition with the Hearing Board within thirty days of the receipt of the permit or the notification of permit denial. See Rule 216 - *Appeals*, Regulation V - *Procedure Before the Hearing Board*, and Rule 303 - *Hearing Board Fees* for more information.

## **THE SOUTH COAST AQMD GOVERNING BOARD**

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Any applicant may petition the South Coast AQMD Governing Board to review a pending application pursuant to South Coast AQMD Regulation XII and Health and Safety Code Section 40509. While the Governing Board has the authority to hear and consider any pending permit application, it has rarely done so. It is important to note that this action must be taken while the permit application is pending with staff. Once staff reaches its decision, the only avenue of appeal is through the Hearing Board and ultimately to court.

**PART A - POLICY AND PROCEDURES  
FOR MAJOR POLLUTING FACILITIES**

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## Chapter 1 - How is LAER Determined for Major Polluting Facilities?

This chapter explains the criteria used for determining LAER<sup>1</sup> and the process for updating Part B of the BACT Guidelines for major polluting facilities.

### CRITERIA FOR DETERMINING LAER FOR MAJOR POLLUTING FACILITIES

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South Coast AQMD staff determines LAER requirements on a permit-by-permit basis based on the definition of LAER. In essence, LAER is the most stringent emission limit or control technology for a class or category of source that is:

- found in a state implementation plan (SIP) pursuant to Health and Safety Code Section 40405(a)(1), or
- achieved in practice (AIP), or
- is technologically feasible and cost effective.

For practical purposes, at this time, nearly all South Coast AQMD LAER determinations will be based on AIP LAER because it is generally more stringent than LAER based on SIP, and because state law constrains South Coast AQMD in using the third approach, as such a determination must go through the SB456 process, which may take more time than allowed for the permit decision.

Based on Governing Board policy, LAER also includes a requirement for the use of clean fuels. Terms such as “achieved in practice” and “technologically feasible” have not been defined in the rule, so the purpose of this section is to explain the criteria South Coast AQMD permitting staff uses to make a LAER determination.

### LAER Based on a SIP

The most stringent emission limit found in an approved state implementation plan (SIP) might be the basis for LAER. This means that the most stringent emission limit adopted by any state as a rule, regulation or permit<sup>2</sup>, and approved by U.S. EPA, is eligible as a LAER requirement. No other parameters are required to be evaluated when this category is chosen. This does not include future emission limits that have not yet been implemented.

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<sup>1</sup> In order to distinguish between BACT for major polluting facilities and BACT for minor polluting facilities, this document uses the term LAER when referring to BACT for major polluting facilities.

<sup>2</sup> Some states incorporate individual permits into their SIP as case-by-case Reasonably Available Control Technology requirements.



## Achieved in Practice LAER

### ***Regulatory Documents***

An emission limit or control technology may be considered achieved in practice (AIP) for a category or class of source if it exists in any of the following regulatory documents or programs:

- South Coast AQMD BACT Guidelines
- CAPCOA BACT Clearinghouse
- U.S. EPA RACT/BACT/LAER Clearinghouse
- Other districts' and states' BACT Guidelines
- BACT/LAER requirements in New Source Review permits issued by South Coast AQMD or other agencies

However, staff will check with the permitting authority (other than South Coast AQMD) on the status of the BACT or LAER requirement. If it is found that an emission limit is not being achieved or a control technology is not performing as expected in the equipment referenced in any of the above sources or in other equipment used as the basis for the BACT or LAER determination, then it will not be considered as AIP.

### ***New Technologies/Emission Levels***

New technologies and innovations of existing technologies occasionally evolve without a regulatory requirement, but still deserve consideration. They may have been voluntarily installed to reduce emissions, and may or may not be subject to an air quality permit or an emission limit. Therefore, in addition to the above means of being determined as AIP, a control technology or emission limit may also be considered as AIP if it meets all the following criteria:

#### Commercial Availability

At least one vendor must offer this equipment for regular or full-scale operation in the United States. A performance warranty or guaranty must be available with the purchase of the control technology, as well as parts and service.

#### Reliability

All control technologies must have been installed and operated reliably for at least six months. If the operator did not require the basic equipment to operate daily, then the equipment must have at least 183 cumulative days of operation. During this period, the basic and/or control equipment must have operated: 1) at a minimum of 50% design capacity; or 2) in a manner that is typical of the equipment in order to provide an expectation of continued reliability of the control technology.

#### Effectiveness

The control technology must be verified to perform effectively over the range of operation expected for that type of equipment. If the control technology will be allowed to operate at lesser effectiveness during certain modes of operation, then those modes of operation must be identified. The verification shall be based on a performance test or tests deemed to be acceptable by South Coast AQMD, when possible, or other performance data.

## ***Technology Transfer***

LAER is based on what is AIP for a category or class of source. However, U.S. EPA guidelines require that technology that is determined to be AIP for one category of source be considered for transfer to other source categories. There are two types of potentially transferable control technologies: 1) exhaust stream controls, and 2) process controls and modifications. For the first type, technology transfer must be considered between source categories that produce similar exhaust streams. For the second type, technology transfer must be considered between source categories with similar processes.

## **Federal PM<sub>2.5</sub> New Source Review and South Coast AQMD Rule 1325**

PM<sub>2.5</sub> NSR applies to a new major polluting facility, major modifications to a major polluting facility, and any modification to an existing facility that would constitute a major polluting facility. A major polluting facility would be a facility located in areas federally designated pursuant to 40 CFR 81.305 as non-attainment for PM<sub>2.5</sub> for the South Coast Air Basin (SOCAB) which has actual emissions of, or the potential to emit, 70 tons or more per year of PM<sub>2.5</sub>, or its precursors for serious areas. For major modifications, LAER applies on a pollutant-specific basis to emissions of PM<sub>2.5</sub> and its precursors, for which (1) the source is major, (2) the modification results in a significant increase, and (3) the modification results in a significant net emissions increase.

Significant means in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates<sup>3</sup>:

Nitrogen oxides:	40 tons per year
Sulfur dioxide:	40 tons per year
Volatile organic compound (VOC):	40 tons per year <sup>4</sup>
PM <sub>2.5</sub> :	10 tons per year
Ammonia:	40 tons per year <sup>5</sup>

A facility subject to the Federal PM<sub>2.5</sub> NSR will be required to comply with the following:

- Lowest Achievable Emission Rate (LAER)
- Emission increases offset
- Certification of compliance with Clean Air Act; and
- Analysis conducted of benefits of the proposed project outweigh the environmental and social costs associated with that project.

Please refer to South Coast AQMD Rule 1325 for specific requirements.

<sup>3</sup> South Coast AQMD Rule 1325(b)(12), as amended on January 4, 2019

<sup>4</sup> VOC was added to Rule 1325 as a precursor to PM<sub>2.5</sub> pursuant to EPA's 2016 PM<sub>2.5</sub> SIP implementation Rule

<sup>5</sup> Ammonia was added to Rule 1325 as a precursor to PM<sub>2.5</sub> pursuant to EPA's 2016 PM<sub>2.5</sub> SIP implementation Rule.

## LIMITED BACT EXEMPTION

Rule 1304 - Exemptions was amended in November 2021 to add subdivision (f) to include a limited BACT exemption for RECLAIM and former RECLAIM facilities. This limited BACT exemption is available to new or modified permit unit located at a RECLAIM or former RECLAIM facilities, for PM<sub>10</sub> and SO<sub>x</sub> emission increases associated with the installation or modification of add-on air pollution control equipment for controlling NO<sub>x</sub> emissions to comply with NO<sub>x</sub> Best Available Retrofit Control Technology (BARCT) emission limits. The objective of the proposed narrow BACT exemption is to address the co-pollutant issue associated with the installation or modification of add-on air pollution controls and the replacement of equipment that is combined with an installation or modification of add-on air pollution control required to transition NO<sub>x</sub> RECLAIM facilities. This limited BACT exemption is available only to projects at qualified facilities that meet all the requirements listed under Rule 1304 subparagraphs (f)(1)(A) through (E) <sup>6</sup>.

## Cost in LAER Determinations

U.S. EPA guidelines do not allow for routine consideration of the cost of control in LAER determinations. However, U.S. EPA guidelines say that LAER is not considered achievable if the cost of control is so great that a new source could not be built or operated with a particular control technology. If a facility in the same or comparable industry already uses the control technology, then such use constitutes evidence that the cost to the industry is not prohibitive.

State law (H&SC 40405) also defines BACT as the lowest achievable emission rate, which is the more stringent of either (i) the most stringent emission limitation contained in the SIP, or (ii) the most stringent emission limitation that is achieved in practice. There is no explicit reference or prohibition to cost considerations, and the applicability extends to all permitted sources. South Coast AQMD rules implement both state BACT and federal LAER requirements simultaneously, and furthermore specify that South Coast AQMD BACT must meet federal LAER requirements for major polluting facilities.

If a proposed LAER determination results in extraordinary costs to a facility, the applicant may bring the matter to South Coast AQMD management for consideration as described in Overview, Chapter 6.

## Special Permitting Considerations

Although the most stringent, AIP LAER for a source category will most likely be the required LAER, South Coast AQMD staff may consider special technical circumstances that apply to the proposed equipment which may allow deviation from that LAER. The permit applicant should bring any pertinent facts to the attention of the South Coast AQMD permitting engineer for consideration.

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<sup>6</sup> See Rule 1304 (f).

### ***Case-Specific Situations***

South Coast AQMD staff may consider unusual equipment-specific and site-specific characteristics of the proposed project that would warrant a reconsideration of the LAER requirement for new equipment. Here are some examples of what may be considered.

#### **Technical infeasibility of the control technology**

A particular control technology may not be required as LAER if the applicant demonstrates that it is not technically feasible to install and operate it to meet a specific LAER emission limitation in a specific permitting situation.

#### **Operating schedule and project length**

If the equipment will operate much fewer hours per year than what is typical, or for a much shorter project length, it can affect what is considered AIP.

#### **Availability of fuel or electricity**

Some LAER determinations may not be feasible if a project will be located in an area where natural gas or electricity is not available.

#### **Process requirements**

Some LAER determinations specify a particular type of process equipment. South Coast AQMD staff may consider requirements of the proposed process equipment that would make the LAER determination not technically feasible.

### ***Equivalency***

The permit applicant may propose alternative means to achieve the same emission reduction as required by LAER. For example, if LAER requires a certain emission limit or control efficiency to be achieved, the applicant may choose any control technology, process modification, or combination thereof that can meet the same emission limit or control efficiency.

### ***Super Compliant Materials***

South Coast AQMD will accept the use of super compliant materials in lieu of an add-on control device controlling VOC emissions from coating operations. For example, if a permit applicant uses only surface coatings that meet the super compliant material definition in South Coast AQMD Rule 109, an add-on control device would not be required for VOC LAER. This policy does not preclude any other LAER requirements for other contaminants.

### ***Equipment Modifications***

As a general rule, it is more difficult to retrofit existing equipment with LAER as a result of NSR modification when compared to a new source. The equipment being modified may not be compatible with some past LAER determinations that specify a particular process type. There may also be space restrictions that prevent installation of some add-on control technology.

## **Other Considerations**

Although multiple process and control options may be available during the LAER determination process, considerations should be made for options that reduce the formation of air contaminants from the process, as well as ensuring that emissions are properly handled. In addition to evaluating the efficiency of the control stage, these additional considerations are needed to ensure that the system is capable of reducing or eliminating emissions from the facility on a consistent basis during the operational life of the equipment.

### ***Pollution Prevention***

The Pollution Prevention Act of 1990 (42 U.S.C. §§13101-13109) established a national policy that pollution should be prevented or reduced at the source whenever feasible. In many cases, air pollution control is a process that evaluates contaminants at the exhaust of the system. Pollution prevention is the reduction or elimination of waste at the source by the modification of the production process. Pollution prevention measures may consist of the use of alternate or reformulated materials, a modification of technology or equipment, or improvement of energy efficiency changes that result in an emissions reduction. These measures should be considered as part of the LAER determination process if the measures will result in the elimination or reduction of emissions, but are not required to include projects which are considered to fundamentally redefine the source. New and different emissions created by a process or material change will also need to be considered as part of the LAER determination process, in contrast to the overall emissions reductions from the implementation of pollution prevention measures. U.S. EPA policy defined pollution prevention as source reduction and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources, and protection of natural resources by conservation<sup>7</sup>. U.S. EPA further specifies that pollution prevention does not include recycling (except in-process recycling), energy recovery, treatment or disposal. For purposes of these BACT Guidelines, and to be consistent with federal definitions, source reduction and pollution prevention may include, but not be limited to, a consideration of the feasibility of:

- equipment or technology modifications,
- process or procedure modifications,
- reformulation or redesign of products,
- substitution of raw materials, or
- improvements in housekeeping, maintenance or inventory control,

that reduce the amount of air contaminants entering any waste stream or otherwise released into the environment, including fugitive emissions.

### ***Monitoring and Testing***

In order to ensure that LAER determinations continue to meet their initial emission and efficiency standards, periodic or continuous parameter monitoring and testing requirements may be required during the permitting process. Equipment and processes may experience some change over time, due to aging or operational methods of the

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<sup>7</sup> U.S. EPA Pollution Prevention Law and Policies ([www.epa.gov/p2/pollution-prevention-law-and-policies#define](http://www.epa.gov/p2/pollution-prevention-law-and-policies#define))

equipment, which may affect emission rates or control efficiencies. In addition to other rule requirements, additional monitoring and testing requirements may need to focus on aspects directly related to the BACT determination, and may be made enforceable by permit conditions. Monitoring and testing requirements should be specific to characterize operating conditions (e.g. temperatures, pressures, flows, production rates) and measurement techniques when LAER is established to ensure clarity and consistency with the standard.

### **Capture Efficiency**

An integral part of controlling air pollutants emitted from a process with add-on air pollution control equipment is capturing those emissions and directing them to the air pollution control device. Emissions which are designed to be collected by an exhaust system but are vented uncontrolled into the atmosphere can have a much greater impact than controlled emissions. When applicable, the evaluation of a process and its associated control equipment should address the qualification and quantification of capture efficiency. By addressing capture efficiency during LAER determinations, a standard can be established to evaluate the capture efficiency of other systems, as well as ensure that the capture efficiency is maintained consistently over time.

If applicable, LAER determinations may include the percentage capture efficiency and the methods and measurements (e.g. EPA Method 204, capture velocity measurements, design using ACGIH's Industrial Ventilation, static pressures) used to determine and verify it. For various circumstances, several South Coast AQMD rules (Table 4) already require an assessment of collection efficiency of an emission control system following EPA Method 204, EPA's "Guidelines for Determining Capture Efficiency", South Coast AQMD's "Protocol for Determination of Volatile Organic Compounds (VOC) Capture Efficiency," or other methods approved by the Executive Officer, and are appropriate to include as LAER requirements. The capture efficiency for any LAER Determination shall be no less stringent than any applicable rule requirement. Other considerations that may affect capture, such as cross-drafts, thermal drafts and the volume of combustion products, should also be addressed during this process.

**Table 4**  
**South Coast AQMD Regulation XI and XIV Rules with Capture Efficiency Requirements or Considerations**

- |        |          |          |        |          |
|--------|----------|----------|--------|----------|
| • 1103 | • 1125   | • 1136   | • 1162 | • 1420.1 |
| • 1104 | • 1126   | • 1141   | • 1164 | • 1420.2 |
| • 1106 | • 1128   | • 1141.2 | • 1171 | • 1425   |
| • 1107 | • 1130   | • 1144   | • 1175 | • 1469   |
| • 1115 | • 1130.1 | • 1145   | • 1178 | • 1469.1 |
| • 1122 | • 1131   | • 1155   | • 1407 |          |
| • 1124 | • 1132   | • 1156   | • 1420 |          |

### **LAER APPLICATION CUT-OFF DATES**

For applications submitted by major polluting facilities, LAER requirements will be determined based on information available up to the date the permit to construct is issued.

This requirement allows interested parties to comment on possible technologies that could provide lower emissions.

Applications for a Registration Permit for equipment issued a valid Certified Equipment Permit (CEP), which is valid for one year, will only be required to comply with LAER as determined at the time the CEP was issued. However, South Coast AQMD staff will reevaluate the LAER requirements for the CEP upon renewal of the Title V permit.

## LAER UPDATE PROCESS

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South Coast AQMD will update Section I – South Coast AQMD LAER/BACT Determinations of Part B of the BACT Guidelines on an ongoing basis with actual LAER determinations for South Coast AQMD permits issued to major polluting facilities. The process will depend on whether or not the LAER requirement is more stringent than previous South Coast AQMD LAER determinations for the same equipment category.

When South Coast AQMD permitting staff makes a LAER determination that is no more stringent than previous South Coast AQMD LAER determinations, the permitting team will issue the permit and forward information regarding this LAER determination to the BACT Team.<sup>8</sup> The BACT Team will review this LAER determination with the BACT SRC prior to listing in the BACT Guidelines.

Whenever permitting staff makes a LAER determination that is more stringent than what South Coast AQMD has previously required as LAER, the permit to construct may be subject to a public review. In any event depending on Rule 212, the permitting team will forward the preliminary LAER determination to the BACT Team, who will prepare and send a public notice of the preliminary determination to the BACT SRC, potentially interested persons, and anyone else requesting the information. Staff will consider all comments filed during the 30-day review period before making a permit decision. Staff will make every effort to conduct the public review consistent with the requirements of state law. However, if the 30-day review period conflicts with the deadline of the Permit Streamlining Act<sup>9</sup> for issuing the permit, the permit will be issued in accordance with state law. The 30-day public review may also be done in parallel with other public reviews mandated by *Rule 212 - Standards for Approving Permits and Issuing Public Notice or Regulation XXX - Title V Permits* in applicable cases.

On a periodic basis, the South Coast AQMD BACT Team will provide standing status reports to the South Coast AQMD Governing Board's Stationary Source Committee and to the Governing Board.

In summary, as technology advances, many categories in the South Coast AQMD's BACT Guidelines will be updated with new listings. This on-going process will reflect new lower emitting technologies not previously identified in the Guidelines.

## CLEAN FUEL GUIDELINES

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In January 1988, the South Coast AQMD Governing Board adopted a Clean Fuels Policy that included a requirement to use clean fuels as part of BACT/LAER. A clean fuel is one that produces air emissions equivalent to or lower than natural gas for NO<sub>x</sub>, SO<sub>x</sub>, ROG, and fine respirable particulate matter (PM<sub>10</sub>). Besides natural gas, other clean fuels are

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<sup>8</sup> To reduce the burden on South Coast AQMD of preparing hundreds of LAER Determination Forms each month, forms will not be prepared for routine LAER determinations after Part B, Section I of the guidelines has sufficient entries to demonstrate typical LAER requirements.

<sup>9</sup> The requirements of the Permit Streamlining Act are also found in South Coast AQMD's Rule 210.

liquid petroleum gas (LPG), hydrogen and electricity. Utilization of zero and near-zero emission technologies are also integrated into the Clean Fuels Policy. The burning of landfill, digester, refinery and other by-product gases is not subject to the clean fuels requirement. However, the combustion of these fuels must comply with other South Coast AQMD rules, including the sulfur content of the fuel.

The requirement of a clean fuel is based on engineering feasibility. Engineering feasibility considers the availability of a clean fuel and safety concerns associated with that fuel. Some state and local safety requirements limit the types of fuel, which can be used for emergency standby purposes. Some fire departments or fire marshals do not allow the storage of LPG near occupied buildings. Fire officials have, in some cases, vetoed the use of methanol in hospitals. If special handling or safety considerations preclude the use of the clean fuel, the South Coast AQMD has allowed the use of fuel oil as a standby fuel in boilers and heaters, fire suppressant pump engines and for emergency standby generators. The use of these fuels must meet the requirements of South Coast AQMD rules limiting NO<sub>x</sub> and sulfur emissions.

## **AIR QUALITY-RELATED ENERGY POLICY**

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In September 2011, the South Coast AQMD Governing Board adopted an air quality-related energy policy to help guide a unified approach to reducing air pollution while addressing other key environmental concerns including environmental justice, climate change and energy independence. The air quality-related energy policy outlines 10 policies and 10 action steps to help meet federal health-based standards for air quality in the South Coast Air Basin while also promoting the development of zero- and near-zero emission technologies.

Policy 7 is to require 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. These power plants will need to comply with any requirements adopted by the California Air Resources Board, California Energy Commission, Public Utilities Commission, California Independent System Operator, or the governing board of a publicly-owned electric utility, as well as state law under the California Environmental Quality Act. In recognizing that fossil fuel electric generation will still be needed in the Basin to complement projected increased use of renewable energy sources, this policy ensures that all fossil-fueled plants will meet existing BACT/LAER requirements and South Coast AQMD's BACT/LAER determinations will also take into consideration generating efficiency in setting the emission limits. Parts E and F of the BACT Guidelines complement and support this policy.



## Chapter 2 - How to Use Part B of the BACT Guidelines

This chapter explains the LAER information found in Part B - LAER/BACT Determinations for Major Polluting Facilities. Part B is a listing of LAER/BACT determinations for major polluting facilities contained in South Coast AQMD and other air pollution control agencies' permits, and data on new and emerging technologies. These LAER/BACT determinations and data are guides and will be used, along with other information, to determine LAER as outlined in Chapter 1. For a listing of equipment types, refer to the List of Equipment Categories. LAER determination for equipment not found in Part B of the BACT Guidelines is done according to the process outlined in Chapter 1.

### GENERAL

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Part B is divided into three sections. Section I – South Coast AQMD LAER/BACT Determinations, ~~contains~~ includes information on LAER/BACT determinations contained in permits issued by South Coast AQMD, with permit limits based on achieved in practice technology. Section II – Non-AQMD LAER/BACT Determinations, lists LAER/BACT determinations contained in other air pollution control agencies' permits or BACT Guidelines, with permit limits based on achieved in practice technology. Section III – Other Technologies, consists of information on technologies which have been achieved in practice ~~and may be~~ but are not reflected in a permit limit, information on emerging technologies or emission limits which have not yet been achieved in practice ~~but overall have not met all the criteria for achieved in practice~~. All three sections are subdivided based on the attached List of Equipment Categories. Within each category, the LAER/BACT determinations will be listed in order of stringency.

Each listing includes the following information, in addition to other information detailing the description and operation of the equipment:

- Equipment Information

This provides information on the manufacturer, model, description, function, size/dimensions/capacity, combustion sources, and cost of the equipment. Cost data are generally obtained from the South Coast AQMD application forms, manufacturer or owner/operator, and are not verified. It also provides additional information such as fuel type for combustion equipment and equipment information comments that can provide weight of parts cleaned per load for degreasers and the number and size of blowers for spray booths.

- Company Information

This identifies the contact person and owner/operator of the equipment, along with telephone numbers.

- Permit Information

This identifies the permitting agency and the name and telephone number of the agency's contact person. It also provides information on Permits to Construct/Operate. The South Coast AQMD is always the issuing agency for LAER determinations listed in Section I.

- Emission Information

This identifies the actual permit limits and LAER/BACT requirements set forth by the issuing agency for the equipment being evaluated, concise description of the BACT requirements for each regulated contaminant, and basis of the BACT/LAER determination.

- Control Technology

This provides information on the manufacturer, model, description, size/dimensions/capacity, permit information and required control efficiencies on the control technology used to achieve the permit limit and the LAER/BACT requirements.

- Demonstration of Compliance

This provides information such as source test or other method that was used to demonstrate compliance and any monitoring or testing requirements.

- Additional South Coast AQMD Reference Data

This identifies the BCAT (for basic equipment<sup>10</sup>), CCAT (for control equipment), RECLAIM and Title V facilities, and source test ID. It also lists applicable South Coast AQMD Regulation XI rules. Additionally, it provides health risk data for the permit unit.

The above information will enable permit applicants to assess the applicability of each LAER/BACT determination to their particular equipment.

The LAER requirements usually found in the LAER Determination listings are in the form of:

- an emission limit;
- a control technology;
- equipment requirements; or
- a combination of the last two

If the requirement is an emission limit, the applicant may choose any control technology to achieve the emission limit. The South Coast AQMD prefers to set an emission limit as LAER because it allows an applicant the most flexibility in reducing emissions. If control technology and/or equipment requirements are the only specified LAER, then either emissions from the equipment are difficult to measure or it was not possible to specify an emission limit that applies to all equipment within the category. Where possible, an emission limit or control efficiency condition will be specified on the permit along with the control technology or equipment requirements to ensure that the equipment is properly operated with the lowest emissions achievable.

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<sup>10</sup> Basic equipment is the process or equipment, which emits the air contaminant for which BACT is being determined.

## HOW TO DETERMINE LAER

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The Part B LAER determinations are only examples of LAER determinations for equipment that have been issued permits or that have been demonstrated in practice. As described in Chapter 1, LAER is determined on a case-by-case basis. To find out what LAER is likely to be for a particular equipment, the applicant should review the Part B LAER determinations found at the South Coast AQMD website [www.aqmd.gov/home/permits/bact](http://www.aqmd.gov/home/permits/bact). The CAPCOA Clearinghouse maintained by the California Air Resources Board and the U.S. EPA RACT/BACT/LAER Clearinghouse should also be reviewed. These compendiums contain information from other districts, local agencies, and states that may not be included in the South Coast AQMD BACT Guidelines. Finally, the South Coast AQMD permitting staff may be contacted to discuss LAER prior to submitting a permit application.

As described in Chapter 1, the permit applicant should bring to the attention of the South Coast AQMD permitting engineer any special permitting considerations that may affect the LAER determination.

# ATTACHMENT D



## Section II – Other LAER/BACT Determination

Source Type: **Major/LAER**  
 Application No.: **N-8044-4-0**  
 Equipment Category: **Boiler**  
 Equipment Subcategory: **Natural Gas**  
**> 20 MMBTU/HR**  
 Date: **February 2, 2024**

### 1. EQUIPMENT INFORMATION

A. MANUFACTURER: Cleaver Brooks	B. MODEL: CBEX-E 700-722-250ST	
C. DESCRIPTION: Cleaver Brooks model CBEX-E 700-722-250ST natural gas-fired boiler equipped with a CBEX Elite low NOx burner system and Umicore model DNX-1029 Selective Catalytic Reduction (SCR) system.		
D. FUNCTION: Boiler provides steam for process use in corrugated container manufacturing.		
E. SIZE/DIMENSIONS/CAPACITY: 29.47 MMBTU/HR		
<b>COMBUSTION SOURCES</b>		
F. MAXIMUM HEAT INPUT: 29.47 MMBTU/HR		
G. BURNER INFORMATION:		
TYPE	INDIVIDUAL HEAT INPUT	NUMBER
Low NOx Burner	29.47 MMBTU/HR	1
H. PRIMARY FUEL: Natural gas		I. OTHER FUEL: N/A
J. OPERATING SCHEDULE: 24 HRS/DAY 7 DAYS/WEEK 52 WKS/YR		
K. EQUIPMENT COST: N/A		
L. EQUIPMENT INFORMATION COMMENTS: The unit shall only be fired on PUC-quality natural gas.		

### 2. COMPANY INFORMATION

A. COMPANY: Pacific Southwest Container, LLC	B. FAC ID:
C. ADDRESS: 671 Mariposa Rd. CITY: Modesto STATE: CA ZIP: 95354	D. NAICS CODE: 322211
E. CONTACT PERSON: Mac McCullough	F. TITLE:
G. PHONE NO.: (209) 604-6815	H. EMAIL: macm@teampsc.com

### 3. PERMIT INFORMATION

A. AGENCY: San Joaquin Valley Air Pollution Control District	B. APPLICATION TYPE: NEW CONSTRUCTION
C. SCAQMD ENGINEER: SJVAPCD Engineer: James Harader	
D. PERMIT INFORMATION: PC ISSUANCE DATE: P/O NO.: N-8044-4-2 PO ISSUANCE DATE: 9/21/2018	
E. START-UP DATE: 5/7/2019	
F. OPERATIONAL TIME: Over 3 years	

### 4. EMISSION INFORMATION

A. BACT EMISSION LIMITS AND AVERAGING TIMES: -						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit		2.5 PPMV 0.0030 lb/MMBtu		50 PPMV 0.037 lb/MMBtu		
Averaging Time		15 minutes		15 minutes		
Correction		3% O <sub>2</sub>		3% O <sub>2</sub>		
B. OTHER BACT REQUIREMENTS: There is a 10 ppmv ammonia slip limit, the source test shows the ammonia slip limit is 2.8 ppm. The current South Coast AQMD ammonia slip BACT is 5 ppmv.						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: Although not a part of this BACT determination, the following limits are included in the permit: SOx – 0.00285 lb/MMBtu PM <sub>10</sub> – 0.003 lb/MMBtu VOC – 0.0055 lb/MMBtu NH <sub>3</sub> – 10 PPMVD @ 3% O <sub>2</sub>						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: UMICORE		B. MODEL: DNX-1029	
C. DESCRIPTION: Selective Catalytic Reduction (SCR) system. The DNX® catalyst is a fiber reinforced Vanadium-Tungsten-Titania catalyst.			
D. SIZE/DIMENSIONS/CAPACITY: -			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO.: N-8044-4-0      PC ISSUANCE DATE: PO NO.: N-8044-4-2                      PO ISSUANCE DATE: 9/21/2018			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NO <sub>x</sub>	___%	___%	___%
SO <sub>x</sub>	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: -			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Source Test												
B. DATE(S) OF SOURCE TEST: 7/6/2020												
C. COLLECTION EFFICIENCY METHOD: N/A												
D. COLLECTION EFFICIENCY PARAMETERS: N/A												
E. SOURCE TEST/PERFORMANCE DATA:												
<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Average Test Result</th> <th>Emission Limit</th> </tr> </thead> <tbody> <tr> <td>NO<sub>x</sub>, ppmv @ 3% O<sub>2</sub></td> <td>1.4</td> <td>2.5</td> </tr> <tr> <td>CO, ppmv @ 3% O<sub>2</sub></td> <td>&lt;0.1</td> <td>50</td> </tr> <tr> <td>NH<sub>3</sub>, ppmv @ 3% O<sub>2</sub></td> <td>2.8</td> <td>10</td> </tr> </tbody> </table>	Pollutant	Average Test Result	Emission Limit	NO <sub>x</sub> , ppmv @ 3% O <sub>2</sub>	1.4	2.5	CO, ppmv @ 3% O <sub>2</sub>	<0.1	50	NH <sub>3</sub> , ppmv @ 3% O <sub>2</sub>	2.8	10
Pollutant	Average Test Result	Emission Limit										
NO <sub>x</sub> , ppmv @ 3% O <sub>2</sub>	1.4	2.5										
CO, ppmv @ 3% O <sub>2</sub>	<0.1	50										
NH <sub>3</sub> , ppmv @ 3% O <sub>2</sub>	2.8	10										

F. TEST OPERATING PARAMETERS AND CONDITIONS: Condition 24) All emissions measurements shall be made with the unit operating either at conditions representative of normal operations or conditions specified in the Permit to Operate.	
G. TEST METHODS (SPECIFY AGENCY):	
<b>Pollutant</b>	<b>Test Method</b>
NOx	EPA Method 7E or ARB Method 100
CO	EPA Method 10 or ARB Method 100
H. MONITORING AND TESTING REQUIREMENTS: Monthly testing for NOx, CO, and O <sub>2</sub> using a portable analyzer and for NH <sub>3</sub> using Draeger tubes or a District approved method during each month in which source testing is not performed.	
I. DEMONSTRATION OF COMPLIANCE COMMENTS: Permit Condition 18) Source testing to measure NOx, CO, and NH <sub>3</sub> emissions during steady state operation from this unit while fired on natural gas shall be conducted at least once every twelve (12) months. After demonstrating compliance on two (2) consecutive annual source tests, the unit shall be tested not less than once every thirty-six (36) months. If the result of the 36-month source test demonstrates that the unit does not meet the applicable emission limits, the source testing frequency shall revert to at least once every twelve (12) months. [District Rules 2201, 4305, 4306, and 4320] Federally Enforceable Through Title V Permit.	

**7. ADDITIONAL SCAQMD REFERENCE DATA**

A. BCAT:		B. CCAT:		C. APPLICATION TYPE CODE:	
D. RECLAIM FAC? YES <input type="checkbox"/> NO <input type="checkbox"/>		E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		F. SOURCE TEST ID(S):	
G. SCAQMD SOURCE SPECIFIC RULES:					
H. HEALTH RISK FOR PERMIT UNIT					
H1. MICR:		H2. MICR DATE:		H3. CANCER BURDEN:	
H4. CB DATE:		H5. HIA:		H6. HIA DATE:	
H7. HIC:		H8. HIC DATE:			



## ATTACHMENT D

### Section I - South Coast AQMD LAER/BACT Determination



Source Type: **Major/LAER**  
 Application No.: **477619/496862**  
 Equipment Category: **Fugitive VOC Emission Sources**  
 Equipment Subcategory: **Petroleum Refineries**  
 Date: **February 2, 2024**

#### 1. EQUIPMENT INFORMATION

A. MANUFACTURER: N/A	B. MODEL: N/A		
C. DESCRIPTION: All fugitive components in VOC service (liquid with greater than 10% VOC by weight) in Naphtha Hydrodesulfurization Unit, except for pumps, compressors, and drains.			
D. FUNCTION: Petroleum refining process unit.			
E. SIZE/DIMENSIONS/CAPACITY: N/A			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT: N/A			
G. BURNER INFORMATION:			
TYPE	INDIVIDUAL HEAT INPUT	NUMBER	
N/A	N/A	N/A	
H. PRIMARY FUEL: N/A	I. OTHER FUEL: N/A		
J. OPERATING SCHEDULE:	24 HRS/DAY	7 DAYS/WEEK	52 WKS/YEAR
K. EQUIPMENT COST: N/A			
L. EQUIPMENT INFORMATION COMMENTS: N/A			

#### 2. COMPANY INFORMATION

A. COMPANY: Paramount Petroleum Corporation	B. FAC ID: 800183
C. ADDRESS: 14700 Downey Ave. CITY: Paramount STATE: CA ZIP: 90723	D. NAICS CODE: 325199
E. CONTACT PERSON: Kathryn Gleeson	F. TITLE: Manager Env. Compliance
G. PHONE NO.: (562) 748-4613	H. EMAIL: kgleeson@worldenergy.net

### 3. PERMIT INFORMATION

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: MODIFICATION
C. SCAQMD ENGINEER: Connie Yee	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 7/25/08 P/O NO.: N/A PO ISSUANCE DATE: *	
E. START-UP DATE: See Section F.	
F. OPERATIONAL TIME: + 10 years *Permit to Operate, G24624, issued under subsequent A/N 496862 on May 2013.	

### 4. EMISSION INFORMATION

A. BACT EMISSION LIMITS AND AVERAGING TIMES: -						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit	200 PPMV*					
Averaging Time						
Correction						
B. OTHER BACT REQUIREMENTS: * This requirement applies to components in gas/vapor and light liquid service, except for pumps, compressors, and drains.						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: Condition S4.2) All new components in VOC services except for pumps, compressors, and drains, a leak* greater than 200 ppm but less than 1,000 ppm measured as methane above background as measured using EPA Method 21, shall be repaired within 14 days of detection. Components shall be defined as any valve, fitting, pressure relief device, diaphragm, hatch, sight-glass, and meter, which are not exempted by Rule 1173. *200 ppm Total Organic Compounds						

**5. CONTROL TECHNOLOGY**

A. MANUFACTURER: N/A	B. MODEL: N/A		
<p>C. DESCRIPTION:            Condition S31.3) The following BACT requirements shall apply to VOC service fugitive components associated with the devices that are covered by Naphtha Hydrodesulfurization Unit:            All open-ended lines shall be equipped with cap, blind flange, plug, or a second valve.            All pressure relief valves shall be connected to a closed vent system.            All new light liquid pumps shall utilize double seals.            All compressors shall be equipped with a seal system with a higher-pressure barrier fluid.            All new valves in VOC services, except those specifically exempted by Rule 1173 and those in heavy liquid service as defined in Rule 1173, shall be bellows seal valves, except as approved by the District, in the following applications: heavy liquid services, control valve, instrument piping/tubing, application requiring torsional valve stem motion, applications where valve failure could pose safety hazard, retrofits/special applications with space limitation, and valve not commercially available.</p>			
D. SIZE/DIMENSIONS/CAPACITY: N/A			
<p>E. CONTROL EQUIPMENT PERMIT INFORMATION: N/A            APPLICATION NO.: -                      PC ISSUANCE DATE: -            PO NO.: -                                      PO ISSUANCE DATE: -</p>			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: N/A			

**6. DEMONSTRATION OF COMPLIANCE**

A. COMPLIANCE DEMONSTRATED BY: Monthly or quarterly inspection (see Section 6.H).
B. DATE(S) OF SOURCE TEST: -
C. COLLECTION EFFICIENCY METHOD: -

D. COLLECTION EFFICIENCY PARAMETERS: -
E. SOURCE TEST/PERFORMANCE DATA: Reports of the components inspected in the 3 <sup>rd</sup> and 4 <sup>th</sup> quarter of 2022.
F. TEST OPERATING PARAMETERS AND CONDITIONS: -
G. TEST METHODS (SPECIFY AGENCY): EPA Method 21
H. MONITORING AND TESTING REQUIREMENTS: Condition S31.3) All new components in VOC services as defined in Rule 1173, except valves and flanges shall be inspected quarterly using EPA reference Method 21. All new valves and flanges in VOC services except those specifically exempted by Rule 1173 shall be inspected monthly using EPA Method 21.
I. DEMONSTRATION OF COMPLIANCE COMMENTS: Condition S31.3) The operator shall keep records of the monthly inspection (quarterly where applicable), subsequent repair, and reinspection, in a manner approved by the District. Records shall be kept and maintained for at least five years and shall be made available to Executive Officer of his authorized representatives upon request.

## 7. ADDITIONAL SCAQMD REFERENCE DATA

A. BCAT: 000528	B. CCAT: -	C. APPLICATION TYPE CODE: 50	
D. RECLAIM FAC? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	F. SOURCE TEST ID(S): N/A	
G. SCAQMD SOURCE SPECIFIC RULES: Rule 1173			
H. HEALTH RISK FOR PERMIT UNIT			
H1. MICR: -	H2. MICR DATE: -	H3. CANCER BURDEN: -	H4. CB DATE: -
H5. HIA: -	H6. HIA DATE: -	H7. HIC: -	H8. HIC DATE: -



## Section I – South Coast AQMD BACT Determination

Source Type: **Major/LAER**

Application No.: **617290**

Equipment Category: **Heater**

Equipment Subcategory: **Other Process**

Date: **February 2, 2024**

### 1. EQUIPMENT INFORMATION

A. MANUFACTURER: Callidus	B. MODEL: N/A	
C. DESCRIPTION: Callidus Technologies Heater, with internal flue gas recirculation. Equipped with three ClearSign Core Ultra Low NOx Burners, natural draft (rated at 12.5 MMBtu/hr total).		
D. FUNCTION: SFPP Colton functions as a bulk loading/unloading and pipeline transfer station. When product is switched in the pipeline, a gasoline/diesel blend (transmix) is produced. Within the transmix processing plant, this heater is used for the flash distillation process that separates the transmix blends to recover the individual fractions.		
E. SIZE/DIMENSIONS/CAPACITY: 12.5 MMBtu/hr		
<b>COMBUSTION SOURCES</b>		
F. MAXIMUM HEAT INPUT: 3 burners, total of 12.5 MMBtu/hr		
G. BURNER INFORMATION		
TYPE	INDIVIDUAL HEAT INPUT	NUMBER
Ultra Low NOx	4.167 MMBtu/hr	3
H. PRIMARY FUEL: Natural gas	I. OTHER FUEL: Process gas	
J. OPERATING SCHEDULE: 24 HRS/DAY 7 DAYS/WEEK WKS/YEAR (See Section 1.L.)		
K. EQUIPMENT COST: N/A		
L. EQUIPMENT INFORMATION COMMENTS: The transmix system typically operates about two weeks per month at 24 hours per day of operation with a non-operating week in between.		

### 2. COMPANY INFORMATION

A. COMPANY: SFPP, L.P. Colton Terminal	B. FAC ID: 800129
C. ADDRESS: 2359 Riverside Ave CITY: Bloomington STATE: CA ZIP: 92316	D. NAICS CODE: 486910
E. CONTACT PERSON: Nina McAfee	F. TITLE: EHS Manager
G. PHONE NO.: (713) 420-5610	H. EMAIL: Nina_McAfee@kindermorgan.com

**3. PERMIT INFORMATION**

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: MODIFICATION
C. SCAQMD ENGINEER: Linda Dejbakhsh	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 11/18/20 PO NO.: G71481 PO ISSUANCE DATE: 4/4/2023	
E. START-UP DATE: 3/5/2021	
F. OPERATIONAL TIME: Over 2 years	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES: .						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit		7 PPM		100 PPM		
Averaging Time		15 minutes		15 minutes		
Correction		3% O <sub>2</sub>		3% O <sub>2</sub>		
B. OTHER BACT REQUIREMENTS: -						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: This facility is not a major source of HAP and 40 CFR Part 63 Subpart DDDDD does not apply. If the facility is subject to 40 CFR Part 63 Subpart DDDDD then during tune-ups required under this subpart, the 100 ppm CO limit would not apply.						

**5. CONTROL TECHNOLOGY**

A. MANUFACTURER: ClearSign	B. MODEL: CL-CPB-1-050X		
C. DESCRIPTION: 3 ClearSign Core Ultra Low NOx Burners, Natural Draft			
D. SIZE/DIMENSIONS/CAPACITY: Three 4.167 MMBtu/hr burners for a total of 12.5 MMBtu/hr			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO. 617290      PC ISSUANCE DATE: 11/18/20 PO NO.: G71481              PO ISSUANCE DATE: 4/4/2023			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: -			

**6. DEMONSTRATION OF COMPLIANCE**

A. COMPLIANCE DEMONSTRATED BY: Source Test									
B. DATE(S) OF SOURCE TEST: 4/28/2021									
C. COLLECTION EFFICIENCY METHOD: N/A									
D. COLLECTION EFFICIENCY PARAMETERS: N/A									
E. SOURCE TEST/PERFORMANCE DATA:									
<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Pollutant</th> <th style="width: 33%;">Test Result</th> <th style="width: 33%;">Emission Limit</th> </tr> </thead> <tbody> <tr> <td>NOx, ppmv @ 3% O<sub>2</sub></td> <td style="text-align: center;">6.25</td> <td style="text-align: center;">7</td> </tr> <tr> <td>CO, ppmv @ 3% O<sub>2</sub></td> <td style="text-align: center;">&lt; 2.00</td> <td style="text-align: center;">100</td> </tr> </tbody> </table>	Pollutant	Test Result	Emission Limit	NOx, ppmv @ 3% O <sub>2</sub>	6.25	7	CO, ppmv @ 3% O <sub>2</sub>	< 2.00	100
Pollutant	Test Result	Emission Limit							
NOx, ppmv @ 3% O <sub>2</sub>	6.25	7							
CO, ppmv @ 3% O <sub>2</sub>	< 2.00	100							
F. TEST OPERATING PARAMETERS AND CONDITIONS: N/A									
G. TEST METHODS (SPECIFY AGENCY): South Coast AQMD Method 100.1									
H. MONITORING AND TESTING REQUIREMENTS: The source test shall be conducted at least every three years.									
I. DEMONSTRATION OF COMPLIANCE COMMENTS: -									

**7. ADDITIONAL SCAQMD REFERENCE DATA**

A. BCAT: 19603	B. CCAT: -	C. APPLICATION TYPE CODE: 50	
D. RECLAIM FAC? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	F. SOURCE TEST ID(S): PR20335	
G. SCAQMD SOURCE SPECIFIC RULES: 1146			
H. HEALTH RISK FOR PERMIT UNIT			
H1. MICR: -	H2. MICR DATE: -	H3. CANCER BURDEN: -	H4. CB DATE: -
H5. HIA: -	H6. HIA DATE: -	H7. HIC: -	H8. HIC DATE: -





**Section II - Other LAER/BACT Determination**

Source Type: **Major/LAER**

Application No.: **1153979**

Equipment Category: **Heater**

Equipment Subcategory: **Other Process**

Date: **February 2, 2024**

**1. EQUIPMENT INFORMATION**

A. MANUFACTURER:		B. MODEL:	
C. DESCRIPTION: 15 MMBtu/hr heater (Heater # 21)			
D. FUNCTION: Standby heater #21 provides process heat for the fractionator in the event that heat from the cogeneration unit is not available. Heater is located at Lube Oil Finishing Plant.			
E. SIZE/DIMENSIONS/CAPACITY: 15 MMBtu/hr			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT:			
G. BURNER INFORMATION			
TYPE	INDIVIDUAL HEAT INPUT		NUMBER
ClearSign Burner	15 MMBtu/hr		1
H. PRIMARY FUEL: PUC natural gas		I. OTHER FUEL: N/A	
J. OPERATING SCHEDULE:	Hours	HRS/DAY	DAYS/WEEK WKS/YR
K. EQUIPMENT COST:			
L. EQUIPMENT INFORMATION COMMENTS:			

**2. COMPANY INFORMATION**

A. COMPANY: Tricor Refining, LLC		B. FAC ID: S-44	
C. ADDRESS: 1134 Manor St CITY: Bakersfield STATE: CA ZIP: 93388		D. NAICS CODE: 2951	
E. CONTACT PERSON: Jeff Beecher		F. TITLE: Environmental Manager	
G. PHONE NO.: (661) 393-7110		H. EMAIL: jeffb@sjr.com	

### 3. PERMIT INFORMATION

A. AGENCY: San Joaquin Valley Air Pollution Control District	B. APPLICATION TYPE: OTHER
C. SCAQMD ENGINEER: -	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 6/1/16 P/O NO.: S-44-4-20 PO ISSUANCE DATE: 9/13/2017	
E. START-UP DATE: 7/10/17	
F. OPERATIONAL TIME: Over 5 years	

### 4. EMISSION INFORMATION

A. BACT EMISSION LIMITS AND AVERAGING TIMES: List all criteria contaminant or precursor emission limits, including facility limits, on the permit(s) that affects the equipment. Include units, averaging times and corrections (%O <sub>2</sub> , %CO <sub>2</sub> , dry, etc). For VOC, values must include if the concentration is reported as methane, hexane or any other compound. VOC mass emissions should include the molecular weight-to-carbon ratio, if applicable.						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit		6 PPMV 0.007 LB /MMBTU		50 PPMV 0.037 LB /MMBTU		
Averaging Time		30 min		30 min		
Correction		3% O <sub>2</sub>		3% O <sub>2</sub>		
B. OTHER BACT REQUIREMENTS: N/A						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: Condition 11) Emissions from heater shall not exceed any of the following limits: 0.0055 lb-VOC/MMBtu, 0.0076 lb PM10/MMBtu, or 0.00285 lb-SOx/MMBtu.						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: ClearSign		B. MODEL:	
C. DESCRIPTION: Low-NOx Burner			
D. SIZE/DIMENSIONS/CAPACITY: 15 MMBtu/hr			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO.: -                      PC ISSUANCE DATE: - PO NO.: -                                      PO ISSUANCE DATE: -			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: N/A			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Source Test					
B. DATE(S) OF SOURCE TEST: 9/15/2017 and 9/1/2020					
C. COLLECTION EFFICIENCY METHOD: N/A					
D. COLLECTION EFFICIENCY PARAMETERS: N/A					
E. SOURCE TEST/PERFORMANCE DATA:					
Pollutant		9/15/2017 Test Result	9/1/2020 Test Result	Emission Limit	Test Method
NOx	ppmv @ 3% O <sub>2</sub>	5.34	5.61	6	CARB Method 100
CO	ppmv @ 3% O <sub>2</sub>	37.5	39.9	50	CARB Method 100
F. TEST OPERATING PARAMETERS AND CONDITIONS: The unit was tested under normal operation conditions.					
G. TEST METHODS (SPECIFY AGENCY): See table above. EPA Method 7E, 10, and CARB Method 100.					
H. MONITORING AND TESTING REQUIREMENTS: Source Test for NOx and CO once per 12 months or 36 months, depending on performance. The permittee shall monitor and record the Heater #21 stack concentration of NOx, CO, and O <sub>2</sub> at least once every month (in which a source test is not performed) using a portable emission monitor that meets District specifications.					

I. DEMONSTRATION OF COMPLIANCE COMMENTS: N/A

**7. ADDITIONAL SCAQMD REFERENCE DATA**

A. BCAT: N/A	B. CCAT: N/A	C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input type="checkbox"/> NO <input type="checkbox"/>	E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	F. SOURCE TEST ID(S):	
G. SCAQMD SOURCE SPECIFIC RULES: -			
H. HEALTH RISK FOR PERMIT UNIT			
H1. MICR: -	H2. MICR DATE: -	H3. CANCER BURDEN: -	H4. CB DATE: -
H5: HIA: -	H6. HIA DATE: -	H7. HIC: -	H8. HIC DATE: -



**Section I – South Coast AQMD BACT Determination**

Source Type: **Major/LAER**  
 Application No.: **625886 - 625889**  
 Equipment Category: **Linear Generator**  
 Equipment Subcategory: **Non-Emergency Electrical Generator, Natural Gas Fired**  
 Date: **February 2, 2024**

**1. EQUIPMENT INFORMATION**

A. MANUFACTURER: Mainspring Energy		B. MODEL: MSE-230-NG	
C. DESCRIPTION: Linear generator means any power generation technology that uses a thermochemical reaction to create linear motion that is directly converted into electricity. Each linear generator system consists of two identical cores. Each core is vented to an oxidation catalyst.			
D. FUNCTION: Mainspring linear generator uses a low-temperature reaction to produce electricity and is used as a stationary prime power source at this facility.			
E. SIZE/DIMENSIONS/CAPACITY: Each core is 120 kW <sub>e</sub>			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT:			
G. BURNER INFORMATION			
TYPE		INDIVIDUAL HEAT INPUT	
N/A		N/A	
H. PRIMARY FUEL: Natural gas		I. OTHER FUEL: N/A	
J. OPERATING SCHEDULE: 24 HRS/DAY 7 DAYS/WEEK 52 WKS/YEAR			
K. EQUIPMENT COST: N/A			
L. EQUIPMENT INFORMATION COMMENTS: -			

**2. COMPANY INFORMATION**

A. COMPANY: Mainspring Energy, Incorporated		B. FAC ID: 193535	
C. ADDRESS: 2063 Miguel Bustamante Pkwy CITY: Colton STATE: CA ZIP: 92324		D. NAICS CODE: 493120	
E. CONTACT PERSON: Adam Simpson		F. TITLE: Co-Founder and CPO	
G. PHONE NO.: (650) 330-1051		H. EMAIL: Adam.Simpson@mainspringenergy.com	

**3. PERMIT INFORMATION**

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: NEW CONSTRUCTION
C. SCAQMD ENGINEER: Kate Kim	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 6/15/21 P/O NO.: G68437- G68440 PO ISSUANCE DATE: 4/20/2022	
E. START-UP DATE: 2022	
F. OPERATIONAL TIME: + one year	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES: .						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit	25 PPMVD	2.5 PPMVD		12 PPMVD		
Averaging Time	*	*		*		
Correction	15% O <sub>2</sub>	15% O <sub>2</sub>		15% O <sub>2</sub>		
B. OTHER BACT REQUIREMENTS: * averaged over 15 minutes.						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: N/A						

**5. CONTROL TECHNOLOGY**

A. MANUFACTURER: Johnson Matthey		B. MODEL: MC6T-6F-2	
C. DESCRIPTION: Oxidation catalyst			
D. SIZE/DIMENSIONS/CAPACITY: N/A			
E. CONTROL EQUIPMENT PERMIT INFORMATION: N/A APPLICATION NO.: N/A      PC ISSUANCE DATE: <a href="#">Click here to enter a date.</a> PO NO.: N/A                PO ISSUANCE DATE: <a href="#">Click here to enter a date.</a>			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: Condition 9) After every six months of operation, the operator shall inspect the oxidation catalyst and determine if it needs to be cleaned or washed. Condition 10) The operator shall wash the catalyst or replace the catalyst media at least after 12,000 hours of operation.			

**6. DEMONSTRATION OF COMPLIANCE**

A. COMPLIANCE DEMONSTRATED BY: Source Test
B. DATE(S) OF SOURCE TEST: 1/18/2022
C. COLLECTION EFFICIENCY METHOD: N/A
D. COLLECTION EFFICIENCY PARAMETERS: N/A

E. SOURCE TEST/PERFORMANCE DATA:

Parameter	Core 1			Core 2			Permit Limit
	Normal Load	Max. Load	Min. Load	Normal Load	Max. Load	Min. Load	
CO, PPM @ 15% O <sub>2</sub>	1.80	1.82	2.35	2.17	1.92	2.34	12.00
NO <sub>x</sub> , PPM @ 15% O <sub>2</sub>	1.66	1.76	1.07	1.91	1.82	0.90	2.50
VOC, PPM @ 15% O <sub>2</sub>	4.35	-	-	4.03	-	-	25.00

Parameter	Core 3			Core 4			Permit Limit
	Normal Load	Max. Load	Min. Load	Normal Load	Max. Load	Min. Load	
CO, PPM @ 15% O <sub>2</sub>	1.80	1.80	2.40	1.90	1.90	2.10	12.00
NO <sub>x</sub> , PPM @ 15% O <sub>2</sub>	1.94	1.70	1.19	1.13	1.12	1.12	2.50
VOC, PPM @ 15% O <sub>2</sub>	2.64	-	-	4.01	-	-	25.00

F. TEST OPERATING PARAMETERS AND CONDITIONS:

Condition 15) the owner/operator shall conduct source test in accordance with the periodic source testing requirements of Rule 1110.2.

Condition 16.a) the test shall measure NO<sub>x</sub>, VOC, CO, oxygen content, moisture content, temperature, and exhaust flow rate at the exhaust of the equipment.

G. TEST METHODS (SPECIFY AGENCY):

- South Coast AQMD Method 100.1 for NO<sub>x</sub>, O<sub>2</sub>, CO<sub>2</sub>, and CO (3 runs, 24-36 mins each)
- South Coast AQMD Method 2.3 for velocity (3 runs, 24 mins each)
- South Coast AQMD Method 4.1 for moisture (3 runs, 24 mins each)
- South Coast AQMD Method 25.3 for VOC (1 run, 30 mins)

H. MONITORING AND TESTING REQUIREMENTS:

Condition 19) the operator shall conduct a source test annually on the equipment within 365 calendar days of previous source test.

I. DEMONSTRATION OF COMPLIANCE COMMENTS: -

**7. ADDITIONAL SCAQMD REFERENCE DATA**

A. BCAT: 040005		B. CCAT: -		C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		E. TITLE V FAC: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		F. SOURCE TEST ID(S): PR22000 and PR22000A	
G. SCAQMD SOURCE SPECIFIC RULES: Rule 1110.2. Rule 1110.3 as of 11/3/2023					
H. HEALTH RISK FOR PERMIT UNIT					
H1. MICR: -		H2. MICR DATE: -		H3. CANCER BURDEN: -	
H4. CB DATE: -		H5: HIA: -		H6. HIA DATE: -	
H7. HIC: -		H8. HIC DATE: -			





**Section II - Other LAER/BACT Determination**

Source Type: **Major/LAER**  
 Application No.: **29170**  
 Equipment Category: **Gas Turbine**  
 Equipment Subcategory: **Simple Cycle, Natural Gas**  
 Date: **February 2, 2024**

**1. EQUIPMENT INFORMATION**

A. MANUFACTURER: Siemens		B. MODEL: SGT6-5000F	
C. DESCRIPTION: Simple cycle natural gas fired turbine generator with Selective Catalytic Reduction (SCR) system and Oxidation Catalyst. The turbines are equipped with dry low-NOx (DLN) combustors.			
D. FUNCTION: The Marsh Landing Generating Station is a merchant power plant with a nominal generating capacity of 760 MW. The plant uses four natural-gas-fired Siemens SGT6-5000F combustion turbine generators that burn natural gas to generate electrical power.			
E. SIZE/DIMENSIONS/CAPACITY: 190 MW each (nominal)			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT: 2202 MMBtu/hour each			
G. BURNER INFORMATION			
TYPE		INDIVIDUAL HEAT INPUT	
-		-	
		NUMBER	
		-	
H. PRIMARY FUEL: PUC-regulated Natural Gas		I. OTHER FUEL: N/A	
J. OPERATING SCHEDULE: See section (1)(L)		HRS/DAY	DAYS/WEEK
			WKS/YR
K. EQUIPMENT COST: N/A			
L. EQUIPMENT INFORMATION COMMENTS: Under the BAAQMD permit, the combined hours for all four units shall not exceed 7,008 hours per year (with exceptions for maintenance, tuning, testing, and commissioning).			

**2. COMPANY INFORMATION**

A. COMPANY: Marsh Landing Generating Station		B. FAC ID: B9169	
C. ADDRESS: 3201-C Wilbur Avenue CITY: Antioch STATE: CA ZIP: 94509		D. NAICS CODE: 221112	
E. CONTACT PERSON: Scott Seipel		F. TITLE: Environmental Manager	
G. PHONE NO.: (909) 648-5008		H. EMAIL: scott.seipel@nrg.com	

**3. PERMIT INFORMATION**

A. AGENCY: Bay Area Air Quality Management District	B. APPLICATION TYPE: NEW CONSTRUCTION
C. SCAQMD ENGINEER: BAAQMD Engineer – Xuna Cai	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 2013	
P/O NO.: PO ISSUANCE DATE: 11/3/2015	
E. START-UP DATE: -	
F. OPERATIONAL TIME: over 7 years	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES: .						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit		2.5 PPMV		2.0 PPMV		
Averaging Time		1 Hour		1 Hour		
Correction		@ 15% O <sub>2</sub>		@ 15% O <sub>2</sub>		
B. OTHER BACT REQUIREMENTS: The emission limits shall not apply during gas turbine start-ups, combustor tuning operations, shutdowns, commissioning activities and readiness testing for black start capability, or black start emergency operations.						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: N/A						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: N/A		B. MODEL: N/A	
C. DESCRIPTION: Each unit is equipped with dry low-NOx (DLN) combustors, an Oxidation Catalyst and a Selective Catalytic Reduction (SCR) system control to meet the emission requirements.			
D. SIZE/DIMENSIONS/CAPACITY: N/A			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO.: - PC ISSUANCE DATE: See (3)(D) PO NO.: - PO ISSUANCE DATE: See (3)(D)			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC (POC)	___%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: The permit has a limit of 10 ppmvd for ammonia (NH <sub>3</sub> ) emission concentrations at each exhaust point corrected to 15% O <sub>2</sub> , on a dry basis, averaged over any rolling 3-hour period. Precursor Organic Compounds (POC) mass emissions (as CH <sub>4</sub> ) at each exhaust point shall not exceed 2.9 pounds per hour or 0.00132 lb/MMBtu of natural gas fired.			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Continuous emission monitoring system (CEMS) and Annual Source Test				
B. DATE(S) OF SOURCE TEST: November 20-21, 2019 CEMS DATE: August 2022 (NOx and CO)				
C. COLLECTION EFFICIENCY METHOD: N/A				
D. COLLECTION EFFICIENCY PARAMETERS: N/A				
E. SOURCE TEST/PERFORMANCE DATA:				
Test Date		11/20/2019	11/15/2021	
Pollutant		Unit A Average Test Result	Unit B Average Test Result	Emission Limit
NOx	ppmvd @ 15% O <sub>2</sub>	2.2	2.25	2.5
CO	ppmvd @ 15% O <sub>2</sub>	0.2	0.34	2
NH <sub>3</sub>	ppmvd @ 15% O <sub>2</sub>	1.66	1	10

<p>F. TEST OPERATING PARAMETERS AND CONDITIONS: Emission tests were performed while the units and air pollution control devices were operating. The source tests consisted of 3 separate runs. The emission concentrations of NO<sub>x</sub>, CO, and NH<sub>3</sub> must be corrected to 15% O<sub>2</sub>. Continuous emission monitoring for NO<sub>x</sub> and CO emission concentrations are averaged over any 1-hour period. NH<sub>3</sub> emission concentrations are averaged over any rolling 3-hour period.</p>																	
<p>G. TEST METHODS (SPECIFY AGENCY):</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>No. of Runs</th> <th>Test Methods</th> </tr> </thead> <tbody> <tr> <td>NO<sub>x</sub></td> <td>3 Tests Average</td> <td>EPA 7E</td> </tr> <tr> <td>CO</td> <td>3 Tests Average</td> <td>EPA 10</td> </tr> <tr> <td>NH<sub>3</sub></td> <td>3 Tests Average</td> <td>BAAQMD ST-1B</td> </tr> <tr> <td>POC as CH<sub>4</sub> methane, ethane</td> <td>3 Tests Average</td> <td>EPA 18/TO-12</td> </tr> </tbody> </table>			Pollutant	No. of Runs	Test Methods	NO <sub>x</sub>	3 Tests Average	EPA 7E	CO	3 Tests Average	EPA 10	NH <sub>3</sub>	3 Tests Average	BAAQMD ST-1B	POC as CH <sub>4</sub> methane, ethane	3 Tests Average	EPA 18/TO-12
Pollutant	No. of Runs	Test Methods															
NO <sub>x</sub>	3 Tests Average	EPA 7E															
CO	3 Tests Average	EPA 10															
NH <sub>3</sub>	3 Tests Average	BAAQMD ST-1B															
POC as CH <sub>4</sub> methane, ethane	3 Tests Average	EPA 18/TO-12															
<p>H. MONITORING AND TESTING REQUIREMENTS: Source Testing required annually for pollutants listed in source test data above. Continuous emission monitoring is required for NO<sub>x</sub> and CO. The ammonia emission concentration is verified by the continuous recording of the ammonia injection rate to each SCR system.</p>																	
<p>I. DEMONSTRATION OF COMPLIANCE COMMENTS:</p>																	

## 7. ADDITIONAL SCAQMD REFERENCE DATA

A. BCAT: -		B. CCAT: -		C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input type="checkbox"/> NO <input type="checkbox"/>		E. TITLE V FAC: YES <input type="checkbox"/> NO <input type="checkbox"/>		F. SOURCE TEST ID(S):	
G. SCAQMD SOURCE SPECIFIC RULES: -					
H. HEALTH RISK FOR PERMIT UNIT					
H1. MICR: -		H2. MICR DATE: -		H3. CANCER BURDEN: -	
H4. CB DATE: -		H5: HIA: -		H6. HIA DATE: -	
H7. HIC: -		H8. HIC DATE: -			



**Section I – South Coast AQMD LAER/BACT Determination**

Source Type: **Major/LAER**  
 Application No.: **470738, 470739, 555856, and 555857**  
 Equipment Category: **Sulfur Recovery Unit**  
 Equipment Subcategory: **Claus Unit and Tail Gas Treatment Unit**  
 Date: **February 2, 2024**

**1. EQUIPMENT INFORMATION**

A. MANUFACTURER:		B. MODEL:	
C. DESCRIPTION: Sulfur Recovery Unit (SRU) which consists of Claus Unit and Tail Gas Treatment Unit (TGTU) followed by a Tail Gas Incinerator and Caustic Scrubber.			
D. FUNCTION: The acid gas feeds to the SRU to recover elemental sulfur. Sulfur not recovered in the Claus unit (front portion of SRU) will process in an amine-based tail gas treatment unit (rear portion of SRU). The TGTU is vented to a tail gas incinerator, followed by a caustic scrubber for removal of remaining H <sub>2</sub> S and SO <sub>x</sub> , respectively.			
E. SIZE/DIMENSIONS/CAPACITY: Sulfur production capacity is 235 long tons per day when processing amine acid gas only.			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT: 50.1 MMBTU/Hr			
G. BURNER INFORMATION			
TYPE		INDIVIDUAL HEAT INPUT	
Ultra Low NO <sub>x</sub>		50.1 MMBTU/HR	
		NUMBER	
		1	
H. PRIMARY FUEL: Natural gas		I. OTHER FUEL: N/A	
J. OPERATING SCHEDULE: 24 HRS/DAY 7 DAYS/WEEK 52 WKS/YR			
K. EQUIPMENT COST: N/A			
L. EQUIPMENT INFORMATION COMMENTS:			

**2. COMPANY INFORMATION**

A. COMPANY: Chevron Products Company		B. FAC ID: 800030	
C. ADDRESS: 324 W El Segundo Blvd. CITY: El Segundo STATE: CA ZIP: 90245		D. NAICS CODE: 324110	
E. CONTACT PERSON: Sara Antunez		F. TITLE: Air Permitting Engineer	
G. PHONE NO.: (310) 615 - 2957		H. EMAIL: Sara.Antunez@chevron.com	

**3. PERMIT INFORMATION**

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: NEW CONSTRUCTION
C. SCAQMD ENGINEER: Bob Sanford	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 5/13/10 and 8/11/2015 for 555856 and 555857 P/O NO.: PO ISSUANCE DATE: 5/31/2017	
E. START-UP DATE: 2012	
F. OPERATIONAL TIME: +10 years	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES: .						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC (H<sub>2</sub>S)</b>
BACT Limit		0.05 LB/MMBTU NATURAL GAS*	12 PPMVD	0.03 LB/MMBTU NATURAL GAS*		2.5 PPMV
Averaging Time		24 hours	72 hours	24 hours		24 hours
Correction		-	0% O <sub>2</sub>	-		0% O <sub>2</sub>
B. OTHER BACT REQUIREMENTS: * Incinerator is equipped with ultra-low NOx burner and emission limits are based on the lower heating value (LHV) of natural gas.						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: Permit conditions A99.17 and A99.18 have provisions for NOx and CO BACT limits during start-up and shutdown. SOx BACT limit does not need an equivalent allowance because sour gas/waste gas is not being routed to the SRU/TGTU during these periods.						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: N/A		B. MODEL: N/A	
C. DESCRIPTION: Tail gas incinerator (Ultra Low-NOx burner, Coen/Todd combustion Rapid Mix Burner (RMB)) and SO <sub>2</sub> scrubber (tail gas polishing).			
D. SIZE/DIMENSIONS/CAPACITY: Condition C1.146) The operator shall limit the firing rate of burner to no more than 50.1 MMBTU per hour.			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NOS.: 555856 and 555857      PC ISSUANCE DATE: See Section (3)(D) PO NO.:      PO ISSUANCE DATE: 5/31/2017			
F. REQUIRED CONTROL EFFICIENCIES: N/A			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	___%	___%	___%
NO <sub>x</sub>	___%	___%	___%
SO <sub>x</sub>	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: The John Zink designed tail gas incinerator utilizes natural gas as the primary fuel to combust the tail gas from the TGTU to reduce the tail gas H <sub>2</sub> S concentration below 2.5 ppmvd. The 1450°F temperature is required to meet the BACT CO limit of 0.03 lb/MMBtu at the stack and the H <sub>2</sub> S limit of 2.5 ppmv (averaged over 24 hours, 0%).			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Source tests and continuous emission monitoring system (CEMS)				
B. DATE(S) OF SOURCE TEST: 9/29/2015 - 10/2/2015				
C. COLLECTION EFFICIENCY METHOD: N/A				
D. COLLECTION EFFICIENCY PARAMETERS: N/A				
E. SOURCE TEST/PERFORMANCE DATA:				
Test Date		12/27/2012 – 2/6/2013	9/29/2015 - 10/2/2015	
Pollutant		Average Test Results	Average Test Result	Emission Limit
NO <sub>x</sub>	lbs/MMBTU	0.01	0.04	0.05
CO	lbs/MMBTU	< 0.01	0	0.03
H <sub>2</sub> S	ppmvd (0% O <sub>2</sub> )	0.12	0.13	2.5
SO <sub>x</sub>	ppmvd (0% O <sub>2</sub> )	0.16	0.02	12
The test results are based on a 1-hour average.				

F. TEST OPERATING PARAMETERS AND CONDITIONS: Condition D29.11) The test shall be conducted when this equipment is operating at 80 percent or greater of the maximum design capacity.			
G. TEST METHODS (SPECIFY AGENCY):			
Pollutant(s) to be tested	Required Test Method(s)	Averaging Time	Test Location
NO <sub>x</sub>	District Method 100.1	1 hour	Outlet of Scrubber
SO <sub>x</sub>	District Method 100.1 or 6.1	1 hour	Outlet of Scrubber
CO	District Method 100.1 or 10.1	1 hour	Outlet of Scrubber
VOC	District Method 25.1 or 25.3	1 hour	Outlet of Scrubber
PM	District Method 5.1, 5.2, or 5.3	District-approved averaging time	Outlet of Scrubber
PM <sub>10</sub>	EPA Method 201A	District-approved averaging time	Outlet of Scrubber
NH <sub>3</sub>	Approved District method	District-approved averaging time	Outlet of Scrubber

The operator shall also conduct a source test for COS, CS<sub>2</sub>, and H<sub>2</sub>S using District Method 307-91.

H. MONITORING AND TESTING REQUIREMENTS:

D82.11 The operator shall install and maintain a CEMS to measure the following parameters:  
CO concentration in ppmv  
Oxygen concentration in percent volume  
The CEMS shall be approved, operated, and maintained in accordance with the requirements of Rule 218.  
To determine compliance with the CO emission limit, the CEMS data shall be converted from CO concentrations to mass emission rates (lbs/MMBtu of natural gas combusted) on a continuous basis. The natural gas firing rate shall be determined using a fuel meter that is calibrated according to manufacturer's recommendations and a low heating value (LHV) of 914 btu/scf for natural gas.  
**[RULE 1303(a)(1)-BACT, 5-10-1996; RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997; RULE 407, 4-2-1982]**  
[Devices subject to this condition: C4344\*]

D82.12 The operator shall install and maintain a CEMS to measure the following parameters:  
NO<sub>x</sub> concentration in ppmv  
SO<sub>x</sub> concentration in ppmv  
Oxygen concentration in percent volume  
To determine compliance with the NO<sub>x</sub> emission limit, the CEMS data shall be converted from NO<sub>x</sub> concentrations to mass emission rates (lbs/MMBtu of natural gas combusted) on a continuous basis. The natural gas firing shall be determined using a fuel meter that is calibrated according to manufacturer's recommendations and a low heating value (LHV) of 914 btu/scf for natural gas.  
**[RULE 2005, 5-6-2005]**  
[Devices subject to this condition: C4344\*]

\*Incinerator

I. DEMONSTRATION OF COMPLIANCE COMMENTS: N/A

**7. ADDITIONAL SCAQMD REFERENCE DATA**

A. BCAT: 289620		B. CCAT: 91, 96 and 4B		C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		F. SOURCE TEST ID(S): PR 12091 and R 16048	
G. SCAQMD SOURCE SPECIFIC RULES: -					
H. HEALTH RISK FOR PERMIT UNIT					
H1. MICR: -		H2. MICR DATE: -		H3. CANCER BURDEN: -	
H4. CB DATE: -		H5. HIA: -		H6. HIA DATE: -	
H7. HIC: -		H8. HIC DATE: -			





**Section I- South Coast AQMD BACT Determination**

Source Type: **Major/LAER**  
 Application No.: **509018**  
 Equipment Category: **Liquid Transfer and Handling**  
 Equipment Subcategory: **Tank Truck Loading/ Unloading Racks, Class A**  
 Date: **February 2, 2024**

**1. EQUIPMENT INFORMATION**

A. MANUFACTURER:		B. MODEL:	
C. DESCRIPTION: The facility functions as bulk loading/unloading and pipeline transfer station. It delivers petroleum products via loading racks and pipeline to customers in the Southern California region.			
D. FUNCTION: Vapor recovery/collection and disposal system, controls vapor displaced due to rack loading as well as tank degassing/refilling.			
E. SIZE/DIMENSIONS/CAPACITY:			
<b>COMBUSTION SOURCES</b>			
F. MAXIMUM HEAT INPUT:			
G. BURNER INFORMATION:			
TYPE		INDIVIDUAL HEAT INPUT	NUMBER
-		-	-
H. PRIMARY FUEL: Natural Gas		I. OTHER FUEL: -	
J. OPERATING SCHEDULE: 24 HRS/DAY 7 DAYS/WEEK 52 WKS/YR			
K. EQUIPMENT COST: N/A			
L. EQUIPMENT INFORMATION COMMENTS:			

**2. COMPANY INFORMATION**

A. COMPANY: SFPP, L.P.		B. FAC ID: 800129	
C. ADDRESS: 2359 Riverside Ave CITY: Bloomington STATE: CA ZIP: 92316		D. NAICS CODE: 49319	
E. CONTACT PERSON: Bill Toepfer		F. TITLE: Area Manager	
G. PHONE NO.: (909) 873-5152		H. EMAIL: bill_toepfer@KinderMorgan.com	

**3. PERMIT INFORMATION**

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: CHANGE OF CONDITIONS
C. SCAQMD ENGINEER: Linda Dejbakhsh	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 4/23/09 P/O NO.: G37437 PO ISSUANCE DATE: 9/29/2015	
E. START-UP DATE: -	
F. OPERATIONAL TIME: 6+ years	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit	0.02 LBS/1000 GALLONS					
Averaging Time						
Correction						
B. OTHER BACT REQUIREMENTS: -						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: -						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: John Zink		B. MODEL: -	
C. DESCRIPTION: Thermal oxidizer for loading rack, direct flame			
D. SIZE/DIMENSIONS/CAPACITY: Diameter – 9ft, Height – 50ft, 1250 CFM Waste Gas Capacity, 78 MMBtu/hr			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO.: 509018                      PC ISSUANCE DATE: 4/23/09 PO NO.: G37437                                  PO ISSUANCE DATE: 9/29/2015			
F. REQUIRED CONTROL EFFICIENCIES:			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	99%	___%	___%
NOx	___%	___%	___%
SOx	___%	___%	___%
CO	___%	___%	___%
PM	___%	___%	___%
PM <sub>10</sub>	___%	___%	___%
INORGANIC	___%	___%	___%
G. CONTROL TECHNOLOGY COMMENTS: Permit Condition C6.13) The operator shall use this equipment in such a manner that the flow does not exceed 1250 SCFM. Permit Condition C8.6) The operator shall use this equipment in such a manner that the temperature being monitored is not less than 1225 °F; this does not apply during periods of startup or shutdown, which are not to exceed 30 minutes.			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Source test		
B. DATE(S) OF SOURCE TEST: 6/25/2010		
C. COLLECTION EFFICIENCY METHOD: -		
D. COLLECTION EFFICIENCY PARAMETERS: -		
E. SOURCE TEST/PERFORMANCE DATA:		
<ul style="list-style-type: none"> <li>• Test performed at 1225 degrees Fahrenheit</li> <li>• The sampling was conducted over 1-hour period.</li> </ul>		
	Source Test Results	Permit Conditions
VOC Mass Emission Rate	0.01 lbs/1000 gal	≤ 0.02 lbs/1000 gal
VOC Removal Efficiency	99.85%	≥ 99%
Outlet VOC	48.90 ppm	≤ 500 ppm

F. TEST OPERATING PARAMETERS AND CONDITIONS: <ul style="list-style-type: none"> <li>Flow rate must be monitored so that it does not exceed 1250 CFM;</li> <li>Temperature must be monitored so that it does not drop below 1225 degrees Fahrenheit while equipment is operating (except during periods of startup or shutdown).</li> </ul>
G. TEST METHODS (SPECIFY AGENCY): South Coast AQMD Method 25.1 and 25.3
H. MONITORING AND TESTING REQUIREMENTS: The source test shall be conducted at least once every 5 years to: <ul style="list-style-type: none"> <li>Determine VOC emission rate in pound per 1000 gallons loaded;</li> <li>Demonstrate a 99% overall control efficiency for the vapor recovery and disposal system;</li> <li>Determine the bulk loading rate in gallons per hour.</li> </ul>
I. DEMONSTRATION OF COMPLIANCE COMMENTS: <ul style="list-style-type: none"> <li>Tested for VOC Control Efficiency at 1500 °F, 1225 °F, and 1000 °F</li> </ul>

### 7. ADDITIONAL SCAQMD REFERENCE DATA

A. BCAT: -	B. CCAT: 05	C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	E. TITLE V FAC: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	F. SOURCE TEST ID(S): PR10087	
G. SCAQMD SOURCE SPECIFIC RULES: <ul style="list-style-type: none"> <li><b>Rule 462:</b> This is a Class A facility required to meet a VOC emissions rate of 0.08 lbs/1000 gallons loaded. Source tests show that the emissions are below 0.08 lbs/1000 gallons, compliance expected. <ul style="list-style-type: none"> <li>Class A Facility is defined as any facility that loads 20,000 gallons of organic liquid or more into any tank truck, trailer, or railroad tank car in any one day.</li> </ul> </li> <li><b>Rule 1149:</b> This afterburner is subject to the 500 ppm VOC limitation during degassing operations, expected to comply.</li> </ul>			
H. HEALTH RISK FOR PERMIT UNIT			
H1. MICR: -	H2. MICR DATE: -	H3. CANCER BURDEN: -	H4. CB DATE: -
H5. HIA: -	H6. HIA DATE: -	H7. HIC: -	H8. HIC DATE: -

**ATTACHMENT E**

**PART C - POLICY AND PROCEDURES FOR  
NON-MAJOR POLLUTING FACILITIES**

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## Chapter 1 - How Is MSBACT Determined for Minor Polluting Facilities?

This chapter explains the definitions of BACT for non-major polluting facilities (minor source BACT or MSBACT) found in South Coast AQMD rules and state law and how they are interpreted. It also explains the criteria used for initializing the Part D MSBACT Guidelines and the process for updating the MSBACT Guidelines.

### PART D OF THE MSBACT GUIDELINES

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Part D of the MSBACT Guidelines specifies the MSBACT requirements for all of the commonly permitted categories of equipment (See Chapter 2 for a full explanation of Part D).

The initial listings in Part D of the MSBACT Guidelines reflected the current BACT determinations at the time for sources at non-major polluting facilities as of April 2000. These did not represent new requirements but rather memorialized BACT determinations and emission levels at that time. This initialization was necessary to benchmark the transition from federal LAER to MSBACT for non-major polluting facilities. The control technologies and emission levels identified applied to any non-major source subject to NSR until the Guideline was updated or became out of date. The dates listed on the BACT determinations in Part D refer to the date of adoption of the determination. The dates listed do not grandfather the equipment from complying with any new requirements or limits that are implemented after the approval of a BACT determination<sup>1</sup>.

### CRITERIA FOR NEW MSBACT AND UPDATING PART D

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MSBACT requirements are determined for each source category based on the definition of MSBACT. In essence, MSBACT is the most stringent emission limit or control technology for a class or category of source that is:

- found in a state implementation plan (SIP) pursuant to Health and Safety Code section 40405(a)(1), or
- achieved in practice (AIP), or
- is technologically feasible and cost effective.

For practical purposes, nearly all South Coast AQMD MSBACT determinations will be based on AIP BACT because it is generally more stringent than MSBACT based on SIP, and because state law contains some constraints on South Coast AQMD from using the third approach. For minor polluting facilities, MSBACT will also take economic feasibility into account.

Based on Governing Board policy, MSBACT also includes a requirement for the use of clean fuels.

Terms such as “achieved in practice” and “technologically feasible” (including technology transfer) have not been defined in the rule, so one of the purposes of this

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<sup>1</sup> South Coast AQMD Rule 1303(a)(3)

section is to explain the criteria South Coast AQMD permitting staff uses to make a MSBACT determination.

## **MSBACT Based on a SIP**

The most stringent emission limit found in an approved state implementation plan (SIP) may be an option for establishing MSBACT. This means that the most stringent emission limit adopted by any state as a rule, regulation or permit<sup>2</sup> and approved by U.S. EPA is eligible as a MSBACT requirement. This does not include future emission limits that have not yet been implemented.

## **Achieved in Practice MSBACT**

MSBACT may be an option for establishing the most stringent control technology or emission limit that has been achieved in practice (AIP) for a category or class of source. AIP control technology may be in operation in the United States or any other part of the world. South Coast AQMD permitting engineers will review the following sources to determine the most stringent AIP MSBACT:

- LAER/BACT determinations in Part B of the BACT Guidelines
- CAPCOA BACT Clearinghouse
- U.S. EPA RACT/BACT/LAER Clearinghouse
- Other districts' and states' BACT Guidelines
- Permits to operate issued by South Coast AQMD or other agencies
- Any other source for which the requirements of AIP can be demonstrated

## ***Achieved in Practice Criteria***

A control technology or emission limit found in any of the references above may be considered as AIP if it meets all of the following criteria:

### **Commercial Availability**

At least one vendor must offer this equipment for regular or full-scale operation in the United States. A performance warranty or guaranty must be available with the purchase of the control technology, as well as parts and service.

### **Reliability**

The control technology must have been installed and operated reliably for at least twelve months on a comparable commercial operation. If the operator did not require the basic equipment to operate continuously, such as only eight hours per day and 5 days per week, then the control technology must have operated whenever the basic equipment was in operation during the twelve months.

### **Effectiveness**

The control technology must be verified to perform effectively over the range of operation expected for that type of equipment. If the control technology will be allowed to operate at lesser effectiveness during certain modes of operation, then those modes must be identified. The verification shall be based on a South Coast AQMD-approved performance test or tests, when possible, or other performance data.

### **Cost Effectiveness**

The control technology or emission rate must be cost effective for a substantial number

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<sup>2</sup> Some states incorporate individual permits into their SIP as case-by-case Reasonably Available Control Technology requirements.

of sources within the class or category. Cost effectiveness criteria are described in detail in a later section. Cost criteria are not applicable to an individual permit but rather to a class or category of source.

### ***Technology Transfer***

MSBACT is based on what is AIP for a category or class of source. However, technology transfer must also be considered across source categories, in view of the other AIP criteria. There are two types of potentially transferable control technologies: 1) exhaust stream controls, and 2) process controls and modifications. For the first type, technology transfer must be considered between source categories that produce similar exhaust streams. For the second type, process similarity governs the technology.

### **LIMITED BACT EXEMPTION**

Rule 1304 - Exemptions was amended in November 2021 to add subdivision (f) to include a limited BACT exemption for RECLAIM and former RECLAIM facilities. This limited BACT exemption is available to new or modified permit unit located at a RECLAIM or former RECLAIM facilities, for PM<sub>10</sub> and SO<sub>x</sub> emission increases associated with the installation or modification of add-on air pollution control equipment for controlling NO<sub>x</sub> emissions to comply with NO<sub>x</sub> Best Available Retrofit Control Technology (BARCT) emission limits. The objective of the proposed narrow BACT exemption is to address the co-pollutant issue associated with the installation or modification of add-on air pollution controls and the replacement of equipment that is combined with an installation or modification of add-on air pollution control required to transition NO<sub>x</sub> RECLAIM facilities. This limited BACT exemption is available only to project at qualified facilities that meet all the requirements listed under Rule 1304 subparagraphs (f)(1)(A) through (E)<sup>3</sup>.

### **Requirements of Health & Safety Code Section 40440.11**

Senate Bill 456 (Kelley) was chartered into state law in 1995 and became effective in 1996. H&SC Section 40440.11 specifies the criteria and process that must be followed by the South Coast AQMD to establish new MSBACT limits for source categories listed in the MSBACT Guidelines. In general, the provisions require:

- Considering only control options or emission limits to be applied to the basic production or process equipment;
- Evaluating cost to control secondary pollutants;
- Determining the control technology is commercially available;
- Determining the control technology has been demonstrated for at least one year on a comparable commercial operation;
- Calculating total and incremental cost-effectiveness;
- Determining that the incremental cost-effectiveness is less than South Coast AQMD's established cost-effectiveness criteria;
- Putting BACT Guideline revisions on a regular meeting agenda of the South Coast AQMD Governing Board;
- Holding a Board public hearing prior to revising maximum incremental cost-effectiveness values;
- Keeping a BACT determination made for a particular application unchanged for at least one year from the application deemed complete date; and
- Considering a longer period for a major capital project (> \$10,000,000)

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<sup>3</sup> See Rule 1304 (f).



After consultation with the affected industry, the CARB, and the U.S. EPA, and considerable legal review and analysis, staff concluded that the process specified in SB 456 to update the BACT Guidelines should be interpreted to apply only if the South Coast AQMD proposes to make BACT more stringent than LAER or where LAER is inapplicable (e.g. in establishing minor source BACT). Staff intends to incorporate the spirit and intent of the SB 456 provisions into the MSBACT update process, as explained below, because non-major polluting facilities are no longer subject to federal LAER, according to Regulation XIII. Therefore, MSBACT may consider cost as specified herein.

## **COST EFFECTIVENESS METHODOLOGY**

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Cost effectiveness is measured in terms of control costs (dollars) per air emissions reduced (tons). If the cost per ton of emissions reduced is less than the maximum required cost effectiveness, then the control method is considered to be cost effective. This section also discusses the updated maximum cost effectiveness values, and those costs, which can be included in the cost effectiveness evaluation.

There are two types of cost effectiveness: average and incremental. Average cost effectiveness considers the difference in cost and emissions between a proposed MSBACT and an uncontrolled case. On the other hand, incremental cost effectiveness looks at the difference in cost and emissions between the proposed MSBACT and alternative control options.

Applicants may also conduct a cost effectiveness evaluation to support their case for the special permit considerations discussed in Chapter 2.

### **Discounted Cash Flow Method**

The discounted cash flow method (DCF) is used in the MSBACT Guidelines. This is also the method used in South Coast AQMD Air Quality Management Plan. The DCF method calculates the present value of the control costs over the life of the equipment by adding the capital cost to the present value of all annual costs and other periodic costs over the life of the equipment. A real interest rate<sup>4</sup> of four percent, and a 10-year equipment life is used. The cost effectiveness is determined by dividing the total present value of the control costs by the total emission reductions in tons over the same 10-year equipment life.

### **Maximum Cost Effectiveness Values**

The MSBACT maximum cost effectiveness values, shown in Table 5, are based on a DCF analysis with a 4% real interest rate.

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<sup>4</sup> The real interest rate is the difference between market interest rates and inflation, which typically remains constant at four percent.

**Table 5: Maximum Cost Effectiveness Criteria (2nd-3rd Quarter 2022-2023)**

Pollutant	Average (Maximum \$ per Ton)	Incremental (Maximum \$ per Ton)
ROG	<u>40,797</u> <u>40,854</u>	<u>122,390</u> <u>122,563</u>
NOx	<u>38,575</u> <u>38,630</u>	<u>115,523</u> <u>115,687</u>
SOx	<u>20,398</u> <u>20,427</u>	<u>61,195</u> <u>61,282</u>
PM <sub>10</sub>	<u>9,088</u> <u>9,101</u>	<u>27,063</u> <u>27,101</u>
CO	<u>808</u> <u>809</u>	<u>2,323</u> <u>2,326</u>

The cost criteria are based on those adopted by the South Coast AQMD Governing Board in the 1995 BACT Guidelines, adjusted to second-third quarter 2022-2023 dollars using the Marshall and Swift Equipment Cost Index. Cost effectiveness analyses should use these figures adjusted to the latest Marshall and Swift Equipment Cost Index. Contact the BACT Team for current figures.

## Top-Down Cost Methodology

The South Coast AQMD uses the top-down approach for evaluating MSBACT and cost effectiveness. This means that the best control method, with the highest emission reduction, is first analyzed. If it is not cost effective, then the second-best control method is evaluated for cost effectiveness. The process continues until a control method is found to be cost-effective. This process provides a mechanism for all practical and potential control technologies to be evaluated. As part of the permitting process, the applicant is responsible for preparing the MSBACT analysis, and submitting it to the District for review and approval.

The top-down process consists of five steps:

### **1. Identify all control technologies**

Identify all possible air pollution control options for the emissions unit. In addition to add-on control, control options may include production process methods and techniques. Innovative, transferable technologies, and LAER technologies should also be identified.

### **2. Eliminate technically infeasible options**

The technologies identified in Step 1 should be evaluated for technical feasibility. Elimination of any of the technologies identified in Step 1 should be well-documented and based on physical, chemical and engineering principles.

### **3. Rank remaining control technologies**

Based on overall control effectiveness, all remaining technically feasible control options should be ranked for the pollutants under review. A list should be generated for each pollutant subject to the MSBACT analysis. This list should include control efficiencies, emission rates, emission reductions, environmental impacts and energy impacts. Environmental impacts may include multimedia impacts and the impacts of the control option on toxic emissions.

### **4. Evaluation**

Evaluate the most effective controls and document the results. For each option, the applicant is responsible for objectively discussing each of the beneficial and adverse impacts. Typically, the analysis should focus on the direct impacts. Calculations for both incremental and average cost effectiveness should be completed during this step. The MSBACT option must be cost effective for both analyses. In the event that the top option from Step 4 is ruled out after the impacts and cost effectiveness are evaluated, the decision and reasoning should be fully documented. The next most stringent alternative from Step 4, should then be evaluated.

### **5. Select MSBACT**

The most effective control option not eliminated in Step 4 is proposed as MSBACT for the pollutant and permit unit and presented to the South Coast AQMD for review and approval.

## Costs to Include in a Cost Effectiveness Analysis

Cost effectiveness evaluations consider both capital and operating costs. Capital cost includes not only the price of the equipment, but the cost for shipping, engineering and installation. Operating or annual costs include expenditures associated with utilities, labor and replacement costs. Finally, costs are reduced if any of the materials or energy created by the process result in cost savings. These cost items are shown in Table 6. Methodologies for determining these values are given in documents prepared by U.S. EPA through their Office of Air Quality Planning and Standards (EPA Air Pollution Control Cost Manual, Sixth Edition, 2002, EPA 452/B-02-001).

The cost of land will not be considered because 1) add-on control equipment usually takes up very little space, 2) add-on control equipment does not usually require the purchase of additional land, and 3) land is non-depreciable and has value at the end of the project. In addition, the cost of controlling secondary emissions and cross-media pollutants caused by the primary MSBACT requirement should be included in any required cost effectiveness evaluation of the primary MSBACT requirement.

**Table 6: Cost Factors**

<b><u>Total Capital Investment</u></b>	
<u>Purchased Equipment Cost</u> Control Device Ancillary (including duct work) Instrumentation Taxes Freight	<u>Indirect Installation Costs</u> Engineering Construction and Field Expenses Start-Up Performance Tests Contingencies
<u>Direct Installation Cost</u> Foundations and Supports Handling and Erection Electrical Piping Insulation Painting	
<b><u>Total Annual Cost</u></b>	
<u>Direct Costs</u> Raw Materials Utilities - Electricity - Fuel - Steam - Water - Compressed Air Waste Treatment/Disposal Labor - Operating - Supervisory - Maintenance Maintenance Materials Replacement Parts	<u>Indirect Costs</u> Overhead Property Taxes Insurance Administrative Charges <u>Recovery Credits</u> Materials Energy

## CLEAN FUEL GUIDELINES

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In January 1988, the South Coast AQMD Governing Board adopted a Clean Fuels Policy that included a requirement to use clean fuels as part of BACT. A clean fuel is one that produces air emissions equivalent to or lower than natural gas for NO<sub>x</sub>, SO<sub>x</sub>, ROG, and fine respirable particulate matter (PM<sub>10</sub>). Besides natural gas, other clean fuels are liquid petroleum gas (LPG), hydrogen and electricity. Utilization of zero and near-zero emission technologies are also integrated into the Clean Fuels Policy. The burning of landfill, digester, refinery and other by-product gases is not subject to the clean fuels requirement. However, the combustion of these fuels must comply with other South Coast AQMD rules, including the sulfur content of the fuel.

The requirement of a clean fuel is based on engineering feasibility. Engineering feasibility considers the availability of a clean fuel and safety concerns associated with that fuel. Some state and local safety requirements limit the types of fuel, which can be used for emergency standby purposes. Some fire departments or fire marshals do not allow the storage of LPG near occupied buildings. Fire officials have, in some cases, vetoed the use of methanol in hospitals. If special handling or safety considerations preclude the use of the clean fuel, the South Coast AQMD has allowed the use of fuel oil as a standby fuel in boilers and heaters, fire suppressant pump engines and for emergency standby generators. The use of these fuels must meet the requirements of South Coast AQMD rules limiting NO<sub>x</sub> and sulfur emissions. In addition, the Clean Fuel requirements for MSBACT are subject to the provisions of California Health and Safety Code Section 40440.11.

## AIR QUALITY-RELATED ENERGY POLICY

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In September 2011, the South Coast AQMD Governing Board adopted an air quality-related energy policy to help guide a unified approach to reducing air pollution while addressing other key environmental concerns including environmental justice, climate change and energy independence. The air quality-related energy policy outlines 10 policies and 10 action steps to help meet federal health-based standards for air quality in the South Coast Air Basin while also promoting the development of zero- and near-zero emission technologies.

Policy 7 is to require any new/repowered in-Basin fossil-fueled generation power plant to incorporate BACT/LAER as required by District rules, considering energy efficiency for the application. These power plants will need to comply with any requirements adopted by the California Air Resources Board, California Energy Commission, Public Utilities Commission, California Independent System Operator, or the governing board of a publicly-owned electric utility, as well as state law under the California Environmental Quality Act. In recognizing that fossil fuel electric generation will still be needed in the Basin to complement projected increased use of renewable energy sources, this policy ensures that all fossil-fueled plants will meet existing BACT/LAER requirements and South Coast AQMD's BACT/LAER determinations will also take into consideration generating efficiency in setting the emission limits. Parts E and F of the BACT Guidelines complement and support this policy.

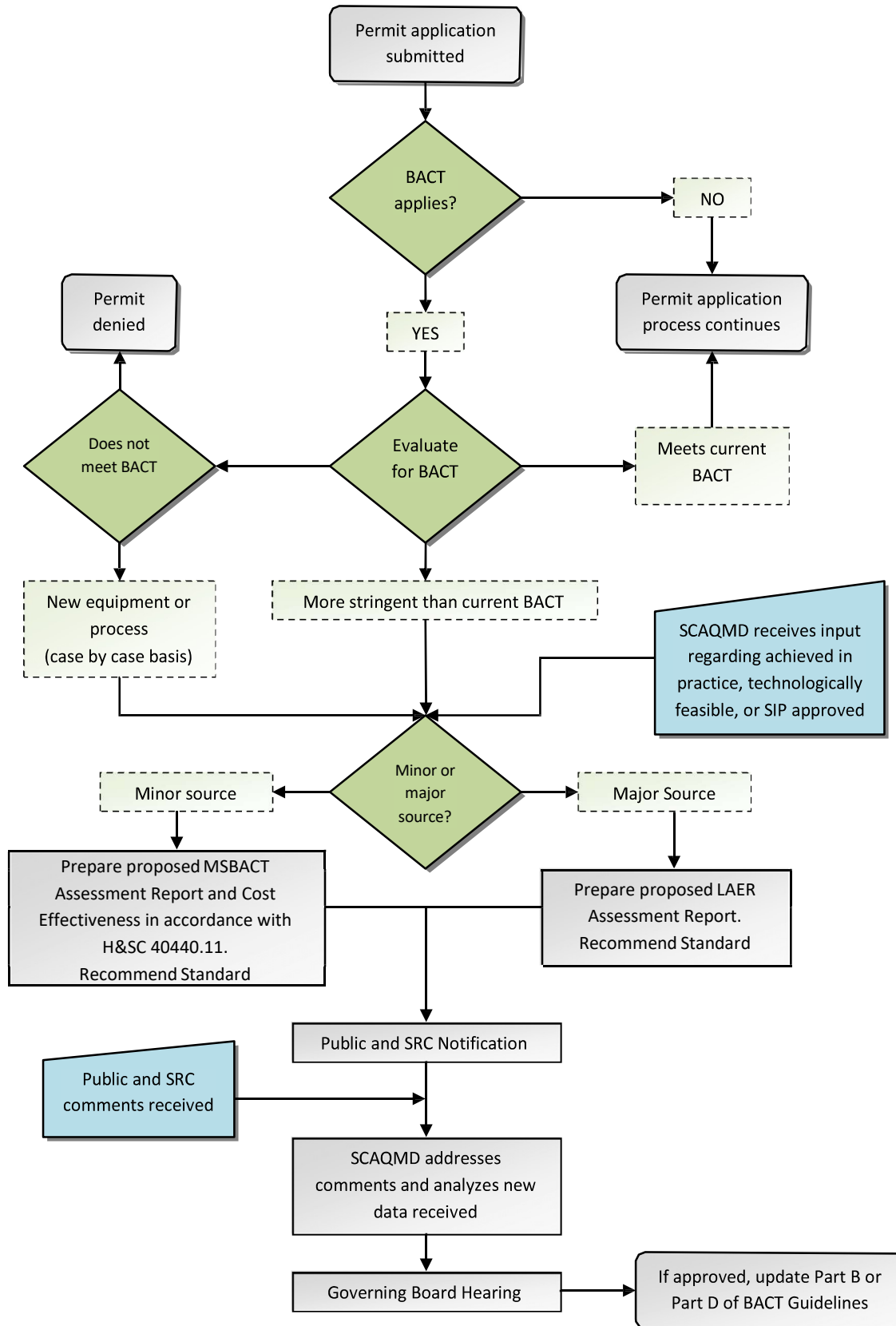
## **MSBACT UPDATE PROCESS**

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As technology advances, the South Coast AQMD's MSBACT Part D Guidelines will be updated. Updates will include revisions to the guidelines for existing equipment categories, as well as new guidelines for new categories.

The MSBACT Guidelines will be revised based on the criteria outlined in the previous sections. Once a more stringent emission limit or control technology has been reviewed by staff and is determined to meet the criteria for MSBACT, it will be reviewed through a public process. The process is shown schematically in Figure 2. The public will be notified and the BACT Scientific Review Committee will have an opportunity to comment. Following the public process and comment period, the guidelines will be presented to the Governing Board for approval at a public hearing, prior to updates of the MSBACT Guidelines, Part D.

Figure 2: The Ongoing BACT Update Process



## Chapter 2 - How to Use Part D of the MSBACT Guidelines

This chapter explains the MSBACT information found in Part D - MSBACT Guidelines. The Guidelines in Part D should be used to determine MSBACT for non-major polluting facilities. For a listing of equipment, refer to the Part D Table of Contents. Determination of MSBACT for equipment not found in Part D of the MSBACT Guidelines is also explained.

### GENERAL

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Part D includes MSBACT Guidelines for more than 100 categories of equipment commonly processed by South Coast AQMD. Some guidelines are further subdivided by equipment size, rating, type or the material used, as appropriate.

The MSBACT requirements are in the form of:

- 1) an emission limit;
- 2) a control technology;
- 3) equipment requirements; or
- 4) a combination of the last two.

If the requirement is an emission limit, the applicant may choose any control technology to achieve the emission limit. The South Coast AQMD prefers to set an emission limit as MSBACT because it allows an applicant the most flexibility in reducing emissions.

If a control technology and/or equipment requirements are the only specified MSBACT, then either emissions from the equipment are difficult to measure or it was not possible to specify an emission limit that applies to all equipment within the category. Where possible, an emission limit or control efficiency condition will be specified in the permit along with the control technology or equipment requirements to ensure that the equipment is properly operated with the lowest emissions achievable. An applicant may still propose to use other ways to achieve the same or better emission reduction than the specified MSBACT.

MSBACT is the control technology or emission limit given in Part D for the basic equipment or process being evaluated, unless the guideline is out of date, or there are special permitting conditions, or the equipment is not identified in Part D. In those cases, the procedures described in the following sections will be used to determine MSBACT. Applicants or other interested parties are encouraged to contact the South Coast AQMD permitting staff if there are any questions about MSBACT.



## **SPECIAL PERMITTING CONSIDERATIONS**

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Although the most stringent, AIP BACT for a source category will most likely be the required MSBACT, South Coast AQMD staff may consider special technical circumstances that apply to the proposed equipment which may allow deviation from that MSBACT. The permit applicant should bring any pertinent facts to the attention of the South Coast AQMD permitting engineer for consideration.

### **Case-Specific Situations**

South Coast AQMD staff may consider unusual equipment-specific and site-specific characteristics of the proposed project that would warrant a reconsideration of the MSBACT requirement for new equipment.

#### **Technical infeasibility of the control technology**

A particular control technology may not be required as MSBACT if the applicant demonstrates that it is not technically feasible to install and operate it to meet a specific MSBACT emission limitation in a specific permitting situation.

#### **Operating schedule and project length**

If the equipment will operate much fewer hours per year than what is typical, or for a much shorter project length, it can affect what is considered AIP.

#### **Availability of fuel or electricity**

Some MSBACT determinations may not be feasible if a project will be located in an area where natural gas or electricity is not available.

#### **Process requirements**

Some MSBACT determinations specify a particular type of process equipment. South Coast AQMD staff may consider requirements of the proposed process equipment that would make the MSBACT determination not technically feasible.

### **Equivalency**

The permit applicant may propose alternative means to achieve the same emission reduction as required by BACT. For example, if BACT requires a certain emission limit or control efficiency to be achieved, the applicant may choose any control technology, process modification, or combination thereof that can meet the same emission limit or control efficiency.

### **Super Compliant Materials**

South Coast AQMD will accept the use of super compliant materials in lieu of an add-on control device controlling volatile organic compound (VOC) emissions from coating operations. For example, if a permit applicant uses only surface coatings that meet the super compliant material definition in South Coast AQMD Rule 109, it may qualify as VOC MSBACT. This policy does not preclude any other MSBACT requirement for other contaminants.

## Equipment Modifications

As a general rule, it is more difficult to retrofit existing equipment with MSBACT as a result of NSR modification when compared to a new source. The equipment being modified may not be compatible with some past MSBACT determinations that specify a particular process type. There may also be space restrictions that prevent installation of some add-on control technology.

## Other Considerations

Although multiple process and control options may be available during the MSBACT determination process, considerations should be made for options that reduce the formation of air contaminants from the process, as well as ensuring that emissions are properly handled. In addition to evaluating the efficiency of the control stage, these additional considerations are needed to ensure that the system is capable of reducing or eliminating emissions from the facility on a consistent basis during the operational life of the equipment. Measures listed in this section for MSBACT are subject to the requirements of California Health and Safety Code Section 40440.11.

### *Pollution Prevention*

The Pollution Prevention Act of 1990 (42 U.S.C. §§13101-13109) established a national policy that pollution should be prevented or reduced at the source whenever feasible. In many cases, air pollution control is a process that evaluates contaminants at the exhaust of the system. Pollution prevention is the reduction or elimination of waste at the source by the modification of the production process. Pollution prevention measures may consist of the use of alternate or reformulated materials, a modification of technology or equipment, or improvement of energy efficiency changes that result in an emissions reduction. These measures should be considered as part of the MSBACT determination process if the measures will result in the elimination or reduction of emissions, but are not required to include projects which are considered to fundamentally redefine the source. New and different emissions created by a process or material change will also need to be considered as part of the MSBACT determination process, in contrast to the overall emissions reductions from the implementation of pollution prevention measures.

U.S. EPA policy defined pollution prevention as source reduction and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources, and protection of natural resources by conservation<sup>5</sup>. U.S. EPA further specifies that pollution prevention does not include recycling (except in-process recycling), energy recovery, treatment or disposal. For purposes of these BACT Guidelines, and to be consistent with federal definitions, source reduction and pollution prevention shall ~~may~~ include, but not be limited to, consideration of the feasibility of:

- equipment or technology modifications,
- process or procedure modifications,
- reformulation or redesign of products,
- substitution of raw materials, or
- improvements in housekeeping, maintenance or inventory control,

that reduce the amount of air contaminants entering any waste stream or otherwise released into the environment, including fugitive emissions.

February 2, 2024

<sup>5</sup> U.S. EPA Pollution Prevention Law and Policies ([www.epa.gov/p2/pollution-prevention-law-and-policies#define](http://www.epa.gov/p2/pollution-prevention-law-and-policies#define))  
BACT GUIDELINES – PART C

### ***Monitoring and Testing***

In order to ensure that MSBACT determinations continue to meet their initial emission and efficiency standards, periodic or continuous parameter monitoring and testing requirements may be required during the permitting process. Equipment and processes may experience some change over time, due to aging or operational methods of the equipment, which may affect emission rates or control efficiencies. In addition to other rule requirements, additional monitoring and testing requirements may need to focus on aspects directly related to the MSBACT determination, and may be made enforceable by permit conditions. Monitoring and testing requirements should be specific to characterize operating conditions (e.g. temperatures, pressures, flows, production rates) and measurement techniques when MSBACT is established to ensure clarity and consistency with the standard.

### ***Capture Efficiency***

An integral part of controlling air pollutants emitted from a process with add-on air pollution control equipment is capturing those emissions and directing them to the air pollution control device. Emissions which are designed to be collected by an exhaust system but are vented uncontrolled into the atmosphere can have a much greater impact than controlled emissions. When applicable, the evaluation of a process and its associated control equipment should address the qualification and quantification of capture efficiency. By addressing capture efficiency during MSBACT determinations, a standard can be established to evaluate the capture efficiency of other systems, as well as ensure that the capture efficiency is maintained consistently over time.

If applicable, MSBACT determinations may include the percentage capture efficiency and the methods and measurements (e.g. EPA Method 204, capture velocity measurements, design using ACGIH's Industrial Ventilation, static pressures) used to determine and verify it. For various circumstances, several South Coast AQMD rules (see Table 5, Part A, Chapter 1) already require an assessment of collection efficiency of an emission control system following EPA Method 204, EPA's "Guidelines for Determining Capture Efficiency", South Coast AQMD's "Protocol for Determination of Volatile Organic Compounds (VOC) Capture Efficiency," or other methods approved by the Executive Officer, and are appropriate to include as BACT requirements. The capture efficiency for any MSBACT Determination shall be no less stringent than any applicable rule requirement. Other considerations that may affect capture, such as cross-drafts, thermal drafts and the volume of combustion products, should also be addressed during this process.

### **Equipment Not Identified in the MSBACT Guidelines**

Although the BACT Guidelines contains an extensive listing of practically everything the South Coast AQMD permits, occasionally applications will be received for equipment not identified in the Guidelines. As required by Rule 1303, MSBACT for equipment category not listed in the MSBACT Guidelines must be determined on a case-by-case basis using the definition of BACT in Rule 1302 and the general procedures in these MSBACT Guidelines, as shown in Chapter 1 and the previous sections of this chapter.

Applicants whose equipment is not listed in Part D of the MSBACT Guidelines should contact the South Coast AQMD and arrange a pre-application conference. MSBACT issues can be discussed in the conference for leading to a MSBACT determination. Applicants are not required to conduct the MSBACT evaluation but the application may be processed more quickly if the applicant provides a MSBACT evaluation with the application for a permit to construct.

### **MSBACT Determinations Should the Guidelines Become Out of Date**

Should the MSBACT Guideline Part D become out of date with state BACT requirements or permits issued for similar equipment in other parts of the state, staff will evaluate permits consistent with the definition of BACT considering technical and economic criteria as required by Rule 1303 (a) and Health & Safety Code Section 40405. The technical and economic factors to be considered are those identified in Chapter 1.

### **MSBACT APPLICATION CUT-OFF DATES**

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These guidelines apply to all non-major polluting facility applications deemed complete subsequent to South Coast AQMD Governing Board adoption of the Regulation XIII amendments in 2000.

Applications for a Registration Permit for equipment issued a valid Certified Equipment Permit (CEP), which is valid for one year, will only be required to comply with MSBACT as determined at the time the CEP was issued. However, South Coast AQMD staff will reevaluate the MSBACT requirements for the CEP upon annual renewal of the CEP by the equipment manufacturer.

## ATTACHMENT F

### Part D - South Coast AQMD BACT Determination



Source Type: **Minor**  
 Application No.: **622272 and 628304**  
 Equipment Category: **Asphalt Oil Blending**  
 Equipment Subcategory: **Crumb Rubber Asphalt Blending**  
 Date: **February 2, 2024**

#### 1. EQUIPMENT INFORMATION

A. MANUFACTURER: -	B. MODEL: -	
C. DESCRIPTION: Asphaltic concrete is produced using a mixture of asphalt oil and crumb rubber, in lieu of only asphalt oil. The crumb rubber/asphalt blending system includes a mixing tank and a secondary mixing/storage tank which are vented to air pollution control equipment. The air pollution control equipment includes a condenser, steel wool, and electrostatic precipitator (ESP) for each tank.		
D. FUNCTION: Trion T1300 ESP vents mixing tank and Trion T2600 ESP vents secondary mixing/storage tank to a common carbon adsorber to reduce VOC emissions.		
E. SIZE/DIMENSIONS/CAPACITY: -		
<b>COMBUSTION SOURCES</b>		
F. MAXIMUM HEAT INPUT: N/A		
G. BURNER INFORMATION: N/A		
TYPE	INDIVIDUAL HEAT INPUT	NUMBER
-	-	-
H. PRIMARY FUEL: -		I. OTHER FUEL: -
J. OPERATING SCHEDULE:      8 HRS/DAY      6 DAYS/WEEK      52 WKS/YR		
K. EQUIPMENT COST: The summary of costs evaluation report is attached.		
L. EQUIPMENT INFORMATION COMMENTS: -		

#### 2. COMPANY INFORMATION

A. COMPANY: All American Asphalt	B. FAC ID: 82207
C. ADDRESS: 10671 Jeffrey Rd. CITY: Irvine                      STATE: CA                      ZIP: 92602	D. NAICS CODE: 324121
E. CONTACT PERSON: Danny Stinson	F. TITLE: Plant Manager
G. PHONE NO.: (951) 736-7600	H. EMAIL: DSTINSON@ALLAMERICANASPHALT.COM

**3. PERMIT INFORMATION**

A. AGENCY: South Coast AQMD	B. APPLICATION TYPE: NEW CONSTRUCTION
C. SCAQMD ENGINEER: Todd Iwata	
D. PERMIT INFORMATION: PC ISSUANCE DATE: 8/27/21 P/O NO.: G66229 PO ISSUANCE DATE: 8/27/2021	
E. START-UP DATE: 2/18/2021	
F. OPERATIONAL TIME: + 2 years	

**4. EMISSION INFORMATION**

A. BACT EMISSION LIMITS AND AVERAGING TIMES: .						
	<b>VOC</b>	<b>NOx</b>	<b>SOx</b>	<b>CO</b>	<b>PM OR PM<sub>10</sub></b>	<b>INORGANIC</b>
BACT Limit						
Averaging Time						
Correction						
B. OTHER BACT REQUIREMENTS: -						
C. BASIS OF THE BACT/LAER DETERMINATION: Achieved in Practice/New Technology						
D. EMISSION INFORMATION COMMENTS: -						

## 5. CONTROL TECHNOLOGY

A. MANUFACTURER: Envent Corporation		B. MODEL: EC-2000	
C. DESCRIPTION: Carbon adsorber with two canisters in series were installed to control VOC emissions and odor from two electrostatic precipitators which in turn control emissions from one mixing tank and a secondary/storage tank of crumb rubber/asphalt oil blending system.			
D. SIZE/DIMENSIONS/CAPACITY: Each canister has 2000 pounds of activated carbon, 3'-9.5" diameter x 7'-10" height			
E. CONTROL EQUIPMENT PERMIT INFORMATION: APPLICATION NO.: 628304      PC ISSUANCE DATE: Same PO NO.: Same                      PO ISSUANCE DATE: Same			
F. REQUIRED CONTROL EFFICIENCIES:			
CONTAMINANT	OVERALL CONTROL EFFICIENCY	CONTROL DEVICE EFFICIENCY	COLLECTION EFFICIENCY
VOC	__90__%	__%	__%
NOx	__%	__%	__%
SOx	__%	__%	__%
CO	__%	__%	__%
PM	__%	__%	__%
PM <sub>10</sub>	__%	__%	__%
INORGANIC	__%	__%	__%
G. CONTROL TECHNOLOGY COMMENTS: -			

## 6. DEMONSTRATION OF COMPLIANCE

A. COMPLIANCE DEMONSTRATED BY: Source test		
B. DATE(S) OF SOURCE TEST: March 17-19, 2021		
C. COLLECTION EFFICIENCY METHOD: -		
D. COLLECTION EFFICIENCY PARAMETERS: -		
E. SOURCE TEST/PERFORMANCE DATA:		
	Inlet Concentration (ppmvd)	Outlet Concentration (ppmvd)
Total gaseous non-Methane/Ethane organics	591.0	11.2
Sulfur	3.9	0.05
	Inlet Emission Rate (lb/hr)	Outlet Emission Rate (lb/hr)
Total gaseous non-Methane/Ethane organics	0.97	0.02
Sulfur	0.014	Lower than detection limit

<p>F. TEST OPERATING PARAMETERS AND CONDITIONS:</p> <p>Permit Condition 7) The operator shall replace the carbon in the primary canister with either (1) fresh carbon or (2) redirect the total incoming flow from the electrostatic precipitators to the secondary canister and replace the carbon in the primary canister and place it in the secondary position after the control efficiency of the primary canister is less than 90%. The control efficiency shall be determined using the Total Organic Compound (TOC) concentrations measured on the same day pursuant to condition no. 6 and the following equation:</p> $\text{Control efficiency} = (1 - \text{Outlet Concentration of Primary Canister} / \text{Inlet Concentration of Primary Canister}) * 100$ <p>Permit Condition 8) The operator shall replace the carbon in the secondary canister before the control efficiency of the secondary canister is less than 90%.</p> <p>Permit Condition 9) The operator shall complete total carbon replacement within 7 business days after the control efficiency of the primary canister is less than 90%.</p> <p>Permit Condition 10) Spent carbon removed from the system shall be stored in closed canisters prior to disposal or regeneration. If disposed, disposal shall be in accordance with applicable hazardous materials rules and regulations.</p>
G. TEST METHODS (SPECIFY AGENCY): South Coast AQMD method 25.3
<p>H. MONITORING AND TESTING REQUIREMENTS: .</p> <p>Permit Condition 6) The operator shall measure the Total Organic Compound (TOC) concentration at the inlet and outlet of the primary and secondary canisters using a photoionization or any other South Coast AQMD-approved organic vapor analyzer calibrated in parts per million by volume (ppmv) as hexane. If another calibrating agent is used, it shall be correlated to and expressed as hexane. The analyzer shall meet EPA Method 21 requirements. Calibration of the analyzer shall be performed prior to each measuring day. Measurements shall be made at least once every 14 days the crumb rubber/asphalt oil blending system is operated.</p>
I. DEMONSTRATION OF COMPLIANCE COMMENTS: -

## 7. ADDITIONAL SCAQMD REFERENCE DATA

A. BCAT: 286100	B. CCAT: 1B	C. APPLICATION TYPE CODE: -	
D. RECLAIM FAC? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	E. TITLE V FAC: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	F. SOURCE TEST ID(S): PR21000	
G. SCAQMD SOURCE SPECIFIC RULES:			
H. HEALTH RISK FOR PERMIT UNIT			
H1. MICR: -	H2. MICR DATE: -	H3. CANCER BURDEN: -	H4. CB DATE: -
H5. HIA: -	H6. HIA DATE: -	H7. HIC: -	H8. HIC DATE: -



## ATTACHMENT F

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

## Best Available Control Technology Guidelines

### Part D: BACT Guidelines for Non-Major Polluting Facilities

- October 20, 2000 (Revised June 6, 2003; December 5, 2003; July 9, 2004; December 3, 2004; July 14, 2006; October 3, 2008; December 2, 2016; February 2, 2018; February 1, 2019; February 5, 2021; September 2, 2022; February 2, 2024)

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Equipment or Process:            Abrasive Blasting – Enclosed

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse; or Cartridge Dust Collector (07-11-97)	

\* Means those facilities that are minor facilities as defined by Rule 1302 - Definitions

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Equipment or Process:        Absorption Chiller

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		≤ 20 ppmv dry corrected to 3% O <sub>2</sub> (10-20-2000)	Natural Gas (10-20-2000)	≤50 ppmv for firetube type, ≤ 100 ppmv for watertube type, dry corrected to 3% O <sub>2</sub> (10-20-2000)	Natural Gas (10-20-2000)	

\* Means those facilities that are minor facilities as defined by Rule 1302 - Definitions

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Equipment or Process:      Air Stripper – Ground Water Treatment

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Carbon Adsorber, Thermal Oxidizer, or Catalytic Oxidizer (10-20-2000)					

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10-20-2000 Rev. 0

2-1-2019 Rev 1

Equipment or Process:        Aluminum Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Crucible or Pot		≤60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (07-11-97)		Natural Gas with Ingots or Non-contaminated Scrap Charge, or Baghouse (10-20-2000)	
Reverberatory, Non-Sweating < 5 MM BTU/HR		≤60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Same as above. (10-20-2000)	
Reverberatory, Non-Sweating ≥ 5 MM BTU/HR		Natural Gas with Low NO <sub>x</sub> Burner ≤ 60 ppmvd @ 3% O <sub>2</sub> (10-20-2000)	Natural Gas (1990)		Same as above. (10-20-2000)	
Reverberatory or Rotary, Sweating < 5 MM BTU/HR	Afterburner (≥ 0.3 sec. Retention Time at ≥ 1400° F) or Secondary Combustion Chamber (1990)	≤60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Baghouse and: - Afterburner (≥ 0.3 sec. Retention Time at ≥ 1400° F); or - Secondary Combustion Chamber (1990)	
Reverberatory or Rotary, Sweating ≥ 5 MM BTU/HR	Same as Above (1990)	Natural Gas with Low NO <sub>x</sub> Burner ≤ 60 ppmvd @ 3% O <sub>2</sub> (10-20-2000)	Natural Gas (1990)		Same as above. (1990)	

Note: Some of this equipment may also subject to 40 CFR 63, Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production

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Equipment or Process:        Ammonium Bisulfate and Thiosulfate Production

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Packed Column Scrubber with Heat Exchanger and Mist Eliminator (1990)	Packed Column Scrubber for NH <sub>3</sub> (1990)

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Equipment or Process:       Asbestos Machining Equipment

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Air Cleaning Equipment (40 CFR Part 61 Subpart M) (07-11-97)	

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Equipment or Process:        Asphalt Batch Plant

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas with Low NO <sub>x</sub> Burner ≤ 33 ppmvd @ 3% O <sub>2</sub> (10-20-2000)			Baghouse (1990)	

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Equipment or Process:      Asphalt Roofing Line

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas (1990)	Natural Gas (1990)		Natural Gas with High Velocity Filter and Mist Eliminator (1990)	

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Equipment or Process:            Asphaltic Day Tanker

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Fiberglass or Steel Wool Filter (07-11-97)	

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Equipment or Process:     Auto Body Shredder

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse with Water Sprays in Hammermill (1988)	

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Equipment or Process:      Ball Mill

	<b>Criteria Pollutants</b>					
<b>Rating/Size</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>Inorganic</b>
All					Baghouse (07-11-97)	

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Equipment or Process:      Beryllium Machining Equipment

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					High Efficiency Particulate Air Filter and Compliance with 40CFR Part 61, Subpart D (1988)	

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10-20-2000 Rev. 0  
 10-03-2008 Rev. 1  
 12-02-2016 Rev. 2  
 2-1-2019 Rev. 3

Equipment or Process:      Boiler

Subcategory/Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx <sup>1</sup>	SOx	CO	PM <sub>10</sub>	
Natural Gas Fired, > 2 and < 20 MMBtu/HR		Compliance with Rules 1146 or 1146.1 <sup>2</sup> (12-02-2016)	Natural Gas (10-20-2000)	≤50 ppmvd for firetube type, ≤ 100 ppmvd for watertube type, corrected to 3% O <sub>2</sub> (04-10-98)	Natural Gas (04-10-98)	
Propane Fired, > 2 and < 20 MMBtu/HR		≤ 12 ppmvd corrected to 3% O <sub>2</sub> <sup>2</sup> (10-20-2000)		≤50 ppmvd for firetube type, ≤ 100 ppmvd for watertube type, corrected to 3% O <sub>2</sub> (04-10-98)		
Natural Gas or Propane Fired, ≥ 20 and < 75 MMBtu/HR		Compliance with Rule 1146 (2-1-2019)	Natural Gas (10-20-2000)	Same as above. (04-10-98)	Natural Gas (04-10-98)	With Add-On Controls: ≤ 5 ppmvd NH <sub>3</sub> , corrected to 3% O <sub>2</sub>  ≤ 1 ppmvd ozone, corrected to 3% O <sub>2</sub> (10-20-2000)
Natural Gas or Propane Fired, ≥ 75 MM Btu/HR		Compliance with Rule 1146 (12-02-2016)	Natural Gas (10-20-2000)	Same as above. (04-10-98)	Natural Gas (04-10-98)	With Add-On Controls: ≤ 5 ppmvd NH <sub>3</sub> , corrected to 3% O <sub>2</sub>  ≤ 1 ppmvd ozone, corrected to 3% O <sub>2</sub> (10-20-2000)

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Subcategory/Rating/ Size	Criteria Pollutants					
	VOC	NO <sub>x</sub> <sup>1</sup>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
Oil Fired <sup>3</sup>		Compliance with Rule 1146 or 1146.1 (10-20-2000)	Fuel Sulfur Content ≤ 0.0015% by weight (10-03-2008)	≤ 50 ppmvd for firetube type ≤ 100 ppmvd for watertube type, corrected to 3% O <sub>2</sub> (04-10-98)		
Atmospheric Unit, ≥ 2 and ≤ 10 MMBtu/HR		Compliance with Rules 1146 and 1146.1 (12-02-2016)		Compliance with Rules 1146 and 1146.1 (12-02-2016)		
Landfill Gas Fired, < 75 MMBTU/Hr		Compliance with Rules 1146 and 1146.1 (12-02-2016)		≤ 100 ppmvd at 3% O <sub>2</sub> dry. (04-10-98)	≤ 0.1 gr/scf at 12% CO <sub>2</sub> (Rule 409) (04-10-98)	
Digester Gas Fired, < 75 MMBTU/Hr		Compliance with Rules 1146 and 1146.1 (12-02-2016)		≤ 100 ppmvd at 3% O <sub>2</sub> dry. (04-10-98)	≤ 0.1 gr/scf at 12% CO <sub>2</sub> (Rule 409) (04-10-98)	

- 1) Electric utility boilers, refinery boilers rated >40 MMBtu/hr and sulfur plant reaction boilers rated ≥5 MMBtu/hr are excluded; and there are exceptions for low-use boilers and boilers that met a 12-ppm limit prior to 9/5/08. Applicants are advised to review these rules for further details.
- 2) A higher NO<sub>x</sub> limit may be allowed for facilities required to have a standby fuel, where use of a clean standby fuel is not possible and an ultra low-NO<sub>x</sub> burner is not available.
- 3) See Clean Fuels Policy in Part C of the BACT Guidelines. Oil firing is only allowed as a standby fuel, and where use of a clean standby fuel is not possible.

\* Means those facilities that are minor facilities as defined by Rule 1302 - Definitions



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Equipment or Process:        Brakeshoe Debonder

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner or Secondary Combustion Chamber with $\geq 0.3$ Second Retention Time at $\geq 1400^{\circ}\text{F}$ Achieved within 15 Minutes of Primary Burner Ignition (07-11-97)	Natural Gas (07-11-97)	Natural Gas (07-11-97)		Natural Gas (07-11-97)	

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2-1-2019 Rev 1

Equipment or Process: Brass Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Crucible, ≤ 300 Lbs/Hr Process Rate		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas, Charge Clean Metal Only and Maintain Slag Cover Over Entire Melt Surface (1990)	
Crucible, > 300 Lbs/Hr Process Rate		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas, with Baghouse (1990)	
Reverberatory or Rotary, Non- Sweating		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Baghouse (1990)	
Reverberatory or Rotary, Sweating	Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1990)	60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)	Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1990)	Natural Gas with Baghouse (1990)	
Tilting Induction, ≤ 300 Lbs/Hr Process Rate					Charge Clean Metal Only and Slag Cover Maintained Over Entire Melt Surface (1988)	

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Equipment or Process: Brass Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Tilting Induction, > 300 Lbs/Hr Process Rate					Baghouse (7-11-97)	

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Equipment or Process:                      Bulk Solid Material Handling – Other

Subcategory <sup>3)</sup> /Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Animal Feed Mfg. – Dry Material Handling					Baghouse (07-11-97)	
Clay, Ceramics and Refractories Handling (Except Mixing)					Baghouse (1988)	
Coal, Coke and Sulfur Handling					Compliance with Rule 1158 (10-20-2000)	
Feed and Grain Handling					Baghouse (1988)	
Natural Fertilizer Handling <sup>1)</sup>					Baghouse or Equivalent Material Moisture (07-11-97)	
Paper and Fiber Handling					High Efficiency Cyclone with Baghouse (10-20-2000)	
Pneumatic Conveying, Except Paper and Fiber					Baghouse (1988)	
Railcar Dumper					Enclosed Dump Station and Water Spray for Wet Material (1988)	
Other Dry Materials Handling <sup>2)</sup>					Enclosed Conveyors and Baghouse (7-11-97)	
Other Wet Materials Handling <sup>2)</sup>					Water Spray or Adequate Material Moisture (1988)	

1. Includes conveying, size reduction, classification and packaging.
2. Includes conveying, size reduction and classification.
3. Also see Catalyst Manufacturing, Coffee Roasting, Non-Metallic Mineral Processing, Nut Roasting, Rendering, Pharmaceutical Operations, and Rock-Aggregate Processing for other bulk solid material handling.

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions

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Equipment or Process:            Bulk Solid Material Ship Loading

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Non-White Commodities					Enclosed Conveyor and - Water Spray; or - Adequate Material Moisture (1988)	
White Commodities					Enclosed Conveyor and Baghouse Venting Ship Holds and Transfer Points (07-11-97)	

Notes:

1. Non-White commodities include coal, copper concentrate, sulfur, iron slag, iron ore, iron pellets, green petroleum coke and other wet commodities
2. White commodities include soda ash, salt cake, potash and other dry commodities.

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Equipment or Process: Bulk Solid Material Ship Unloading

<b>Subcategory/ Rating/Size</b>	<b>Criteria Pollutants</b>					<b>Inorganic</b>
	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	
Bulk Cement		Shore Utility Power (1988)	Shore Utility Power (1988)		Enclosed, Self- Unloading Ship (1988)	
Other Bulk Solid Materials					Enclosed Hold and Baghouse; or Material Moisture Equivalent to an Enclosed Hold and Baghouse (1988)	

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Equipment or Process: Bulk Solid Material Storage

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Coal, Petroleum Coke, Sulfur					Enclosed Storage in Compliance with Rule 1158 (10-20-2000)	
Other Non-White Commodities					Water Spray and Chemical Additives or Charged Fog Spray (1988)	
White Commodities					Enclosed Storage and Baghouse (1988)	
Storage Tanks and Silos					Baghouse or Filtered Vent for Dry Material; Water Spray or Adequate Moisture for Wet Material (07-11-97)	
Other Open Storage					Water with Chemical Additives (1988)	

Notes:

1. Other non-white commodities include copper concentrate, iron slag, iron ore, and iron pellets.
2. White commodities include cement, gypsum, lime, soda ash, borax and flour.

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2-1-2019 Rev 1

Equipment or Process:      Burnoff or Burnout Furnace (Excluding Wax Furnace)

Rating/Size	Criteria Pollutants					
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
All	Afterburner or Secondary Combustion Chamber with ≥ 0.3 Second Retention Time at ≥1400°F Achieved within 15 Minutes of Primary Burner Ignition (07-11-97)	Compliance with Rule 1147 (2-1-2019)	Natural Gas (07-11-97)		Natural Gas (07-11-97)	

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions



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10-20-2000 Rev. 0

2-1-2019 Rev 1

Equipment or Process:            Calciner

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Petroleum Coke	Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1988)	Compliance with Rule 1147 (2-1-2019)	Natural Gas with Flue Gas Desulfurization (> 90% Removal Efficiency) (1988)	Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1988)	0.005 gr/dscf Corrected to 3% O <sub>2</sub> (1988)	
Other		Compliance with Rule 1147 (2-1-2019)	Natural Gas (1988)		Natural Gas with Baghouse (1988)	

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10-20-2000 Rev. 0

Equipment or Process: Carpet Beating and Shearing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse (1988)	

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10-20-2000 Rev. 0

Equipment or Process: Catalyst Manufacturing and Regeneration

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Calcining		Three-Stage NO <sub>x</sub> Reduction Scrubber (1990)	Natural Gas (1990)		Baghouse (10-20-2000)	
Reactor		NO <sub>x</sub> Scrubber (07-11-97)				
Rotary or Spray Dryer					Baghouse (07-11-97)	
Regeneration, Hydrocarbon Removal	Flare, Firebox, or Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) (07-11-97)					
Catalyst Solids Handling					Baghouse (07-11-97)	

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10-20-2000 Rev. 0

Equipment or Process: Charbroiler, Chain-driven (conveyorized)

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Catalytic Oxidizer (12-12-97)				Catalytic Oxidizer (12-12-97)	

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10-20-2000 Rev. 0

Equipment or Process:        Chip Dryer

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1400°F) (10-20-2000)	Natural Gas with Low NO <sub>x</sub> Burner (10-20-2000)	Natural Gas (1989)		Natural Gas with: - Baghouse and Limestone Filter Coating; or - Baghouse and Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1400°F) (1989)	

Note: This equipment may also subject to 40 CFR 63, Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production

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10-20-2000 Rev. 0

Equipment or Process:    Circuit Board Etcher

<b>Subcategory/ Rating/Size</b>	<b>Criteria Pollutants</b>					<b>Inorganic</b>
	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	
Batch Immersion Type, Subtractive Process					Packed Water Scrubber and Etchant Solution Temperature Control (10-20-2000)	
Conveyorized Spray Type, Subtractive Process					Packed Water Scrubber and Etchant Solution Temperature Control (1988)	

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10-20-2000 Rev. 0

Equipment or Process:      Cleaning Compound Blender

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse or Wet Centrifugal Collector or Cyclone (07-11-97)	

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10-20-2000 Rev. 0  
 2-1-2019 Rev. 1  
 2-5-2021 Rev. 2

Equipment or Process:      Coffee Roasting

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Roaster < 110,000 BTU/Hr			Natural Gas (1988)		Natural Gas (1988)	
Roaster ≥ 110,000 BTU/Hr	Afterburner <sup>1</sup> (0.3 Sec Retention Time at 1200 °F) (1990)		Natural Gas (1990)		Natural Gas with Cyclone and Afterburner (≥ 0.3 Second Retention Time at ≥ 1200 °F) (1990)	
Handling Equipment, < 1,590 Lbs/Hr All <sup>2</sup>						
Handling Equipment, ≥ 1,590 Lbs/Hr All					Cyclone (1990)	

- 1) Gaseous process emissions from roasting operations which are ducted to a thermal oxidizer or catalytic oxidizer as control technology will be subject to the NOx requirements of thermal oxidizer or catalytic oxidizer BACT listing in Part D. (2-5-2021)
- 2) At the date of the last revision for this category, there was no Achieved In Practice BACT Determination for this subcategory. Technologically Feasible options listed in historic South Coast AQMD BACT Guidelines for this subcategory require cost effective analyses before they can be listed in these current Guidelines.

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12-5-2003 Rev. 0

2-1-2019 Rev. 1

Equipment or Process: Composting

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic (Ammonia)
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Co-composting <sup>a)</sup>	Compliance with Rule 1133.2 <sup>b)</sup> (12-5-2003)					Compliance with Rule 1133.2 <sup>b)</sup> (12-5-2003)
Greenwaste composting	Compliance with Rule 1133.3 (2-1-2019)					Compliance with Rule 1133.3 (2-1-2019)

a) Co-composting is composting where biosolids and/or manure are mixed with bulking agents to produce compost.

b) Not required for design capacity < 1,000 tons per year.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process:      Concrete Batch Plant

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Central Mixed, < 5 Cubic Yards/Batch					Water Spray (1988)	
Central Mixed, ≥ 5 Cubic Yards/Batch					Baghouse for Cement Handling and Adequate Moisture in Aggregate (1988)	
Transit-Mixed					Baghouse Venting the Cement Weigh Hopper and the Mixer Truck Loading Station; and Adequate Aggregate Moisture (07-11-97)	

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10-20-2000 Rev. 0

Equipment or Process:     Concrete Blocks and Forms Manufacturing

	<b>Criteria Pollutants</b>					
<b>Rating/Size</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>Inorganic</b>
All					Baghouse (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process: Cotton Gin

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Rotary Drum Filter and Cyclone (1988)	

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10-20-2000 Rev. 0

2-1-2019 Rev. 1

Equipment or Process:      Crematory

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
All	Secondary Combustion Chamber, ≥ 1500 °F (1990)	60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Secondary Combustion Chamber, ≥ 1500 °F (1990)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
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2-2-2024 Rev. 0

Equipment or Process:                      Crumb Rubber/Asphalt Oil Blending

<u>Rating/Size</u>	<u>Criteria Pollutants</u>					<u>Inorganic</u>
	<u>VOC</u>	<u>NOx</u>	<u>SOx</u>	<u>CO</u>	<u>PM<sub>10</sub></u>	
<u>All</u>	<u>Carbon Adsorber with 90% Control Efficiency (2-2-2024)</u>					

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10-20-2000 Rev. 0

Equipment or Process:        Degreaser – Other

Rating/Size	Criteria Pollutants					
	VOC/ODC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
Batch-Loaded or ConveyORIZED Cold Cleaners	Use of solvents containing 50 grams of VOC or less per liter of material (12-12-97)					
Film Cleaning Machine	Carbon Adsorber (10-20-2000)					
Solvent Spraying <sup>1)</sup> , 1,1,1 Trichloroethane	Carbon Adsorber (1990) and Compliance with 40 CFR 63, Subpart T – National Emission Standards for Halogenated Solvent Cleaning (10-20-2000)					
Solvent Spraying <sup>1)</sup> , Other VOCs	Compliance with Rule 1171 (10-20-2000)					

Note: Use of certain halogenated solvents is also subject to 40 CFR 63, Subpart T – National Emission Standards for Halogenated Solvent Cleaning

1) This subcategory includes solvent spray booths and remote reservoir cleaners.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process:            Degreaser –Vapor Cleaning, Volatile Organic Compounds

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Batch	<p>Tier 1: Use of an automatically operated airtight or airless cleaning system that emits no more than <math>[4.3 \times V^{0.6}]</math> lb/month of VOCs, where V is the cleaning chamber volume in cubic feet. Use of alternative equipment is allowed provided such equipment is subject to the same emissions limitation (lb/month of VOCs) as calculated above.</p> <p>Tier 2: Use of equipment that does not exceed <math>[22 \times A]</math> lb/month of VOCs, where A is the solvent surface area in square feet, provided it is technically infeasible to use Tier 1 equipment because of part deformation, inherent part pressure, part type or geometry, soil type or amount, cleanliness sensitivity, or other reasons. (4-10-98)</p>					
Conveyorized	Use of a conveyorized vapor degreaser that does not exceed $[17 \times A]$ lb/month of VOCs, where, A is the solvent surface area in square feet (04-10-98)					

Notes:

1. Use of certain halogenated solvents is also subject to 40 CFR 63, Subpart T – National Emission Standards for Halogenated Solvent Cleaning
2. Use of VOCs not subject to the above-described NESHAP is also subject to Rule 1122.
3. Any permit applicant may demonstrate that the Tier 1 BACT may not be technologically feasible for the applicant’s permit unit. For batch-loaded vapor degreasing equipment, South Coast AQMD will consider the following three factors taken together as a whole, as well as any other technical factors presented by the applicant:
  - a) Part Type and Geometry – In that different parts and part geometries lend themselves to different cleaning methods that may be acceptable to achieve proper cleanliness, South Coast AQMD will consider information presented by the applicant regarding the type and geometry of the part(s) proposed to be cleaned in determining what cleaning technologies are available for the part(s) in questions; b) Soil Type and Amount – In that different types and quantities of soils being cleaned from parts lend themselves to different cleaning methods, South Coast AQMD will consider information presented by the applicant regarding the soil type and soil quantity of the part(s) proposed to be cleaned in determining what cleaning technologies are available for the part(s) in question; c) Cleanliness Sensitivity – In that (i) different parts have different levels of sensitivity to cleanliness (e.g., medical and high technology device parts may need to achieve an extremely high level of cleanliness, whereas standard plumbing supplies may tolerate a lower level of cleanliness), and (ii) the integrity of certain parts may be compromised by exposure to the reduced pressure environment of airless cleaning systems; South Coast AQMD will consider information presented by the applicant regarding the cleanliness sensitivity of the part(s) proposed to be cleaned in determining what cleaning technologies are available for the part(s) in question.

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10-20-2000 Rev. 0

Equipment or Process:        Detergent Manufacturing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Solids Handling					Cyclone and Baghouse (07-11-97)	
Spray Dryer		Natural Gas with Low-NO <sub>x</sub> Burner (1988)	Natural Gas (1988)		Natural Gas with: - Cyclone and Baghouse; or - Cyclone, Scrubber and Electrostatic Precipitator (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process:      Drum Reclamation Furnace

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 Sec. Retention time at ≥ 1400 °F) (1990)	Natural Gas (1990)	Natural Gas (1990)		Natural Gas with Afterburner (> 0.3 Sec. Retention Time at ≥ 1400 °F) and Baghouse (1990)	

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10-20-2000 Rev. 0

7-9-2004 Rev. 1

Equipment or Process:      Dry Cleaning

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC/ODC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Perchloroethylene	Delisted as a VOC. See Rule 1421 – Control of Perchloroethylene Dry Cleaning Operations <sup>1</sup> (06-13-97)					
Petroleum Solvent <sup>2</sup>	Closed Loop, Dry-to-Dry Machine with a Refrigerated Condenser (10-20-2000) or Evaporatively Cooled Condenser (7-9-2004)					

<sup>1</sup> Rule 1421 implements the federal National Emission Standard for Hazardous Air Pollutant for Perchloroethylene Dry Cleaning Facilities (40 Code of Federal Regulations [CFR] 63.320, *et seq*) and the state Airborne Toxic Control Measure (ATCM) for Emissions of Perchloroethylene from Dry Cleaning Operations (17 California of Regulation [CCR] 93109, *et seq*).

<sup>2</sup>This Equipment may also be subject to AQMD Rule 1102 – Dry Cleaners Using Solvent Other Than Perchloroethylene.

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10-20-2000 Rev. 0  
 2-1-2019 Rev 1

Equipment or Process:      Dryer – Kiln

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All <sup>1</sup>		Compliance with Rule 1147 (2-1-2019)	Natural Gas (1988)		Natural Gas (1988)	

<sup>1</sup>Does not include digester gas or landfill gas fired units.

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10-20-2000 Rev. 0  
 2-2-2018 Rev. 1  
 2-1-2019 Rev. 2

Equipment or Process:        Dryer or Oven

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Carpet Oven		30 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas (1990)	
Rotary, Spray and Flash Dryers <sup>1)</sup>		Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Baghouse (1990)	
Tray, Agitated Pan, and Rotary Vacuum Dryers		Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas (1990)	
Tenter Frame Fabric Dryer		30 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (10-20-2000)		Natural Gas (10-20-2000)	
Other Dryers and Ovens – Direct and Indirect Fired <sup>2, 3</sup>		30 ppmvd corrected to 3% O <sub>2</sub> (04-10-98)	Natural Gas (10-20-2000)		Natural Gas (10-20-2000)	

1. Dryers for foodstuff, pharmaceuticals, aggregate & chemicals.
2. Does not include food or bakery ovens. See listing for “Food Oven.”
3. Does not include digester gas or landfill gas units.

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10-20-2000 Rev. 0

Equipment or Process: Electric Furnace – Pyrolyzing, Carbonizing and Graphitizing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1400 °F) (1988)					

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10-20-2000 Rev. 0

Equipment or Process:      Electrical Wire Reclamation – Insulation Burn-Off Furnace

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F); Or Secondary Combustion Chamber (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1988)	Natural Gas (1988)	Natural Gas (1988)		Natural Gas with Baghouse and: - Afterburner (≥ 0.3 Second Retention Time at ≥ 1400 °F) or - Secondary Combustion Chamber (≥ 0.3 Second Retention Time at ≥ 1400 °F) (1988)	

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10-20-2000 Rev. 0

Equipment or Process:            Ethylene Oxide Sterilization

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Aeration	Recirculation Vacuum Pump-Seal Fluid with Fluid Reservoir Vented to: Chemical Scrubber; or Afterburner (≥ 0.3 second retention time at ≥ 1400°F); or Catalytic Afterburner (at ≥ 280°F) (07-11-97)					
Quarantine Storage	Unvented Enclosure with Internal Circulation Through Activated Carbon Impregnated with Sulfuric Acid (1989)					

Note: Ethylene Oxide Sterilization may also be Subject to 40 CFR 63, Subpart O – Emission Standards for Ethylene Oxide Sterilization Facilities.

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10-20-2000 Rev. 0

Equipment or Process:      Expanded Polystyrene Manufacturing Using Blowing Agent

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	For VOC Emissions: Incineration (≥ 0.3 Sec. Retention Time at ≥ 1400 °F) (1990)					

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10-20-2000 Rev. 0

Equipment or Process: Fatty Acid – Fat Hydrolyzing and Fractionation

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Condenser or Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1300 °F) (10-20-2000)					

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10-20-2000 Rev. 0

Equipment or Process: Fatty Alcohol

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 second retention time at ≥ 1400 °F) (07-11-97)					

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10-20-2000 Rev. 0

2-5-2021 Rev. 2

Equipment or Process:        Fermentation, Beer and Wine

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All Closed Systems	Carbon Adsorber (10-20-2000)					
All Open Systems	Scrubber with Approved Liquid Waste Disposal (10-20-2000)					
Wine Fermentation Tanks: Closed-Top ≤ 30,000 gallons capacity of each tank in system (2-5-2021)	Water Scrubber or Chiller Condenser with 67.0% combined capture and control efficiency averaged over length of fermentation season (mass balance basis)					

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10-20-2000 Rev. 0  
 2-1-2019 Rev. 1  
 2-5-2021 Rev. 2

Equipment or Process: Fish Reduction

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Cooker	Scrubber with Chlorinated Solution (≤ 20 ppmv Cl <sup>-</sup> Outlet Conc., ≥ 0.6 Sec. Retention Time and ≤ 200 °F Outlet Temp.) (1988)					
Digestor, Evaporator and Acidulation Tank	Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1200 °F) (1990)				Natural Gas with Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1200 °F) (1990)	
Dryer	Scrubber with Chlorinated Solution (≤ 20 ppmv Cl <sup>-</sup> Outlet Conc., ≥ 0.6 Sec. Retention Time and ≤ 200 °F Outlet Temp.) (1990)				Natural Gas and Scrubber with Chlorinated Solution (≤ 20 ppmv Cl <sup>-</sup> Outlet Conc., ≥ 0.6 Sec. Retention Time and ≤ 200 °F Outlet Temp.) (1990)	
Meal Handling <sup>1</sup>						
Rendering – Presses, Centrifuges, Separators, Tanks, Etc.	Water Condenser and Vent to Dryer Firebox (1988)					

1) At the date of the last revision for this category, there was no Achieved In Practice BACT Determination for this subcategory. Technologically Feasible options listed in historic South Coast AQMD BACT Guidelines for this subcategory require cost effective analyses before they can be listed in these current Guidelines.

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10-20-2000 Rev. 0

2-5-2021 Rev. 1

Equipment or Process:        Flare

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Digester Gas or Landfill Gas from Non-Hazardous Waste Landfill	Ground Level, Shrouded, ≥ 0.6 Sec. Retention Time at ≥ 1400 °F, Auto Combustion Air Control, Automatic Shutoff Gas Valve and Automatic Re-Start System (1988) Compliance with Rule 1118.1 (Landfill gas only) (2-5-2021)	0.06 lbs/MM Btu (1988) Compliance with Rule 1118.1 (2-5-2021)		Ground Level, Shrouded, ≥ 0.6 Sec. Retention Time at ≥ 1400 °F, and Auto Combustion Air Control (1988) Compliance with Rule 1118.1 (Landfill gas only) (2-5-2021)	Knockout Vessel (1988)	
Landfill Gas from Hazardous Waste Landfill	Ground Level, Shrouded, ≥ 0.6 Sec. Retention Time at ≥ 1500 °F, Auto Combustion Air Control, Automatic Shutoff Gas Valve and Automatic Re-Start System (1988) Compliance with Rule 1118.1	0.06 lbs/MM Btu (2020) Compliance with Rule 1118.1 (2-5-2021)		Ground Level, Shrouded, ≥ 0.6 Sec. Retention Time at ≥ 1500 °F, and Auto Combustion Air Control (1988) Compliance with Rule 1118.1 (2-5-2021)	Knockout Vessel (1988)	
Produced Gas (2-5-2021)	Compliance with Rule 1118.1	Compliance with Rule 1118.1		Compliance with Rule 1118.1		
Organic Liquid Storage (2-5-2021)		Compliance with Rule 1118.1		Compliance with Rule 1118.1		
Organic Liquid Loading (2-5-2021)		Compliance with Rule 1118.1		Compliance with Rule 1118.1		
Other Flare Gas (2-5-2021)		Compliance with Rule 1118.1				

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Flow Coater, Dip Tank and Roller Coater

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
< 36 lbs/day VOC	Compliance with Regulation XI (10-20-2000)					
≥ 36 lbs/day VOC	Coating with Lower VOC Content than Required by Applicable Rules, and Emissions from Coating Area, Flash Off Area, Drying Area, and Oven Vented to Control Device Achieving ≥ 90% Overall Efficiency (1988)  Or Super Compliant Materials with ≤ 5% VOC by Weight (10-20-2000)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

2-2-2018 Rev. 0

Equipment or Process:            Food Oven

Subcategory <sup>1</sup>	Rating/ Size	Criteria Pollutants					Inorganic
		VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Ribbon Burner	> 500°F		60 ppmvd @ 3% O <sub>2</sub> (2-2-2018)	Natural Gas (2-2-2018)	Compliance with applicable Rules 407 or 1153.1 (2-2-2018)	Natural Gas (2-2-2018)	
	≤ 500°F		30 ppmvd @ 3% O <sub>2</sub> (2-2-2018)	Same as above	Same as above	Same as above	
Other Direct Fired Burner			30 ppmvd @ 3% O <sub>2</sub> (2-2-2018)				
Infrared Burner			30 ppmvd @ 3% O <sub>2</sub> (2-2-2018)				
Add-on Control for Bakery Oven processing yeast leavened products with emissions ≥ 30 lb VOC/day		Catalytic oxidizer with 95% overall control efficiency (mass basis); catalyst inlet temperature ≥ 600°F; ceramic prefilter (2-2-2018)	Compliance with Rule 1147 at the time of applicability (2-2-2018)				

<sup>1</sup>Indirect Fired units may be subject to Rules 1146 and 1146.1 and BACT for Process Heater.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Foundry Sand Mold – Cold Cure Process

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All			Packed Column Scrubber with pH of Solution Maintained at a Minimum of 8.0 (1988)			

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

2-1-2019 Rev 1

Equipment or Process: Fryer – Deep Fat

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Integrated Afterburner/Oil Heater < 2 MM Btu/hr	≥ 0.3 Sec. Retention Time at ≥ 1400 °F (2-1-2019)	Natural Gas (1990)	Natural Gas (1990)		≥ 0.3 Sec. Retention Time at ≥ 1400 °F	
Integrated Afterburner/Oil Heater ≥ 2 MM Btu/hr	≥ 0.3 Sec. Retention Time at ≥ 1400 °F (2-1-2019)	Natural Gas (1990)	Natural Gas (1990)		≥ 0.3 Sec. Retention Time at ≥ 1400 °F, and Electrostatic Precipitator or High Efficiency Mist Eliminator (2-1-2019)	
Non-Integrated Direct and In-Direct Oil Heater (Steam, Thermal Fluid Heater and burner exhaust gases)		60 ppm Compliance with Rule 1147 (2-1-2019)				

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

12-5-2003 Rev. 1

Equipment or Process: Fugitive Emission Sources at Natural Gas Plants and Oil  
and Gas Production Fields

Subcategory/Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Compressors, Centrifugal Type	Seal System with a Higher Pressure Barrier Fluid (04-10-98); and Compliance with Rule 1173 (12-5-2003)					
Compressors, Rotary Type	Enclosed Seal System Connected to Closed Vent System (04-10-98); and Compliance with Rule 1173					
Pressure Relief Valves	Connected to Closed Vent System or Equipped with Rupture Disc if Applicable (4-10-98); and Compliance with Rule 1173 (12-5-2003)					
Pumps – In Heavy Liquid Service	Single Mechanical (4-10-1998); and Compliance with Rule 1173 (12-5-2003)					
Pumps – In Light Liquid Service	Sealless Type if Available and Compatible; or Double or Tandem Seals, and Vented to Closed Vent System (4-10-98); and Compliance with Rule 1173 (12-5-2003)					
Sampling Connections	Closed-Purge, Closed-Loop, or Closed-Vent System (4-10-98); and Compliance with Rule 1173 (12-5-2003)					
Valves, Fittings, Diaphragms, Hatches, Sight-Glasses, Open-Ended Pipes and Meters in VOC Service	Compliance with Rule 1173 (12-5-2003)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

12-5-2003 Rev. 1

Equipment or Process: Fugitive Emission Sources at Organic Liquid Bulk  
 Loading Facilities

Subcategory/Rating/Size	Criteria Pollutants					
	VOC	NOx	SOx	CO	PM10	Inorganic
Compressors, Centrifugal Type	Seal System with a Higher Pressure Barrier Fluid; < 500 ppmv by USEPA Method 21 with Quarterly I&M Program <sup>1)</sup> (04-10-98)					
Compressors, Rotary Type	Enclosed Seal System Connected to Closed Vent System; < 500 ppmv by USEPA Method 21 with Quarterly I&M Program <sup>1)</sup> (04-10-98)					
Connectors <sup>2)</sup> in Gas, Vapor or Light Liquid VOC Service	< 500 ppmv by USEPA Method 21 with Quarterly I&M Program <sup>1)</sup> (04-10-98)					
Open Ended Valves and Pipes	Compliance with Rule 1173 where Applicable (10-20-2000)					
Pressure Relief Valves	Connected to Closed Vent System or Equipped with Rupture Disc if Applicable (4-10-98); and Compliance with AQMD Rule 1173 (10-20-2000)					
Process Valves – Gate, Globe and Ball	Compliance with AQMD Rule 1173, where Applicable (10-20-2000)					
Pumps – In Heavy Liquid Service	Single Mechanical; < 1000 ppmv by USEPA Method 21 with Quarterly I&M (4-10-1998)					
Pumps – In Light Liquid Service	1. Sealless Type if Available and Compatible, or 2. Double or Tandem Seals and Vented to Closed Vent System; < 1000 ppmv by USEPA Method 21 with Approved South Coast AQMD I&M; <1000 ppmv by USEPA Method 21 with Approved South Coast AQMD I&M (4-10-98)					
Sampling Connections	Closed-Purge, Closed-Loop, or Closed-Vent System (4-10-98)					

1) Quarterly I&M shall be consistent with Rule 1173 and other applicable requirements except that leaks between 500 and 1000 ppmv must be repaired within 14 days after detection.

2) Connectors include flanges, screwed or other joined fittings

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0  
 12-5-2003 Rev. 1

Equipment or Process: Fugitive Emission Sources, Other Facilities

Subcategory/Rating/Size	Criteria Pollutants					
	VOC	NOx	SOx	CO	PM10	Inorganic
Compressors, Fittings, Open Ended Pipes, Pressure Relief Devices, , Valves, Pumps, Sampling Connections, Diaphragms, Hatches, Sight-Glasses and Meters in VOC Service	Compliance with Rule 1173, where Applicable by Rule (12-5-2003)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process: Galvanizing Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Batch Operations		Natural Gas with Low NO <sub>x</sub> Burner (10-20-2000)	Natural Gas (1988)		Natural Gas with Baghouse with Lime Coating (1988)	
Continuous Sheet Metal Operations		Natural Gas with Low NO <sub>x</sub> Burner (10-20-2000)	Natural Gas (1988)		Natural Gas with Packed Column Scrubber Serving the Caustic, Acid Pickling Tanks and/or Metal Preparation Tanks (1988, 2000)	
Continuous Wire Operations		Natural Gas with Low NO <sub>x</sub> Burner (10-20-2000)	Natural Gas (1988)		Natural Gas with Noncombustible Covering on Molten Metal Surface, Baghouse, and Packed Column Scrubber Serving the Metal Preparation Tanks (1988, 2000)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process:        Garnetting Equipment

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse or Rotary Drum Filter (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

12-3-2004 Rev. 1

Equipment or Process:      Gas Turbine

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Natural Gas Fired, < 3 MWe		9 ppmvd @ 15% O <sub>2</sub> (10-20-2000)		10 ppmvd @ 15% O <sub>2</sub> (10-20-2000)		<u>With Add-On Controls:</u> 9 ppmvd ammonia @ 15% O <sub>2</sub> (10-20-2000)
Natural Gas Fired, ≥ 3 MWe and < 50 MWe		2.5 ppmvd @ 15% O <sub>2</sub> x <u>efficiency (%)</u> <sup>1)</sup> 34% (6-12-98)		10 ppmvd @ 15% O <sub>2</sub> (6-12-98)		<u>With Add-On Controls:</u> 5.0 ppmvd ammonia @ 15% O <sub>2</sub> (10-20-2000)
Natural Gas Fired, ≥ 50 MWe	2.0 ppmvd (as methane) @ 15% O <sub>2</sub> , 1-hour avg. OR 0.0027 lbs/MMBtu (higher heating value) (10-20-2000)	2.5 ppmvd @ 15% O <sub>2</sub> , 1-hour rolling avg. OR 2.0 ppmvd @ 15 %O <sub>2</sub> , 3-hour rolling avg. x <u>efficiency (%)</u> <sup>1)</sup> 34% (10-20-2000)		6.0 ppmvd @ 15% O <sub>2</sub> , 3-hour rolling avg. (10-20-2000)		<u>With Add-On Controls:</u> 5.0 ppmvd ammonia @ 15% O <sub>2</sub> (10-20-2000)

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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Equipment or Process: Gas Turbine

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Emergency		See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)	See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)		See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)	
Landfill or Digester Gas Fired		25 ppmv, dry, corrected to 15 %O <sub>2</sub> (1990)	Compliance with Rule 431.1 (10-20-2000)	130 ppmv, dry, corrected to 15 %O <sub>2</sub> (10-20-2000)	Fuel Gas Treatment for Particulate Removal (1990)	

Notes: 1) The turbine efficiency correction for NOx is limited to 1.0 as a minimum. The turbine efficiency is the demonstrated percent efficiency at full load (corrected to the higher heating value of the fuel) without consideration of any downstream heat recovery (12-3-2004).

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Glass Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Decorator Glass		Natural Gas with Low NOx Burner (10-20-2000); Cullet in Raw Material Charged > 80% (1988)			Baghouse (10-20-2000)	
Flat Glass		Natural Gas with Heating Modifications: <ul style="list-style-type: none"> <li>- Excess Oxygen in Ports &lt; 5%</li> <li>- Cullet in Raw Material Charged &gt; 15%</li> <li>- Hot Spot Temperature &lt; 2,700 °F</li> </ul> (1988)	Process Modification: Sulfur Content of Batch Charged < 0.25% by Weight of Total Batch (1988)		Baghouse (10-20-2000)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

2-5-2021 Rev. 0

Equipment or Process:     Glass Screen Printing

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Flat Glass	Compliance with Rule 1145 or use of Rule 1145 compliant UV/EB or water-based coatings					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:            Incinerator – Hazardous Waste

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Automatic Combustion Air Control, ≥ 2 Sec. Retention Time and ≥ 1800 °F (1988)	Natural Gas Supplemental Fuel with Selective Non-catalytic Reduction (1988)	Natural Gas Supplemental Fuel and Spray Dryer with Lime Injection (1988)	Automatic Combustion Air Control, ≥ 2 Sec. Retention Time and ≥ 1800 °F (1988)	0.002 gr/dscf at 12% CO <sub>2</sub> (1988)	

Note: The equipment may also be subject to 40 CFR 264, Subpart O--Incinerators

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:            Incinerator – Infectious Waste

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
≤ 300 lbs/hr	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1800 °F) (1988)	Natural Gas as Auxiliary Fuel (1988)	Natural Gas as Auxiliary Fuel with Wet Scrubber (1988)	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1800 °F) (1988)		
> 300 lbs/hr	Same as Above	Same as Above	Same as Above	Same as Above	0.04 gr/dscf Corrected to 12% CO <sub>2</sub> , with Enclosed Automatic Feed and Ash Removal System (1988)	

Note: The equipment may also be subject to 40 CFR 60, Subpart Ec--Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction Is Commenced After June 20, 1996

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

7-9-2004 Rev. 1

Equipment or Process:            Incinerator – Non-Infectious, Non-Hazardous Waste

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
≤ 300 lbs/hr	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1600 °F) (1988)	Natural Gas as Auxiliary Fuel (1988)	Natural Gas as Auxiliary Fuel with Wet Scrubber (1988)	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1600 °F) (1988)	Natural Gas as Auxiliary Fuel with Enclosed Automatic Feed and Fly ash Removal System (1988)	
> 300 lbs/hr and < 750 lbs/hr	Same as Above	Same as Above	Same as Above	Same as Above	0.04 gr/dscf Corrected to 12% CO <sub>2</sub> , with Enclosed Automatic Feed and Ash Removal System (1988)	
≥ 750 lbs/hr	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1800 °F) (1988)	Same as Above	Same as Above	Multiple Chamber Starved Air Design (≥ 0.5 Sec. Retention Time at ≥ 1800 °F) (1988)	Same as Above	

Note: The equipment may also be subject to 40 CFR 60, Subpart CCCC--Standards of Performance for New Stationary Sources: Commercial and Industrial Solid Waste Incineration Units.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0  
 6-6-2003 Rev. 1  
 7-14-2006 Rev. 2  
 12-02-2016 Rev. 3  
 2-2-2018 Rev. 4

Equipment or Process: I.C. Engine, Portable <sup>1</sup>

Subcategory	Rating/Size	Criteria Pollutants					
		VOC	NOx	NOx + NMHC <sup>2</sup>	SOx	CO	PM
Compression-Ignition <sup>3</sup>	50 ≤ HP < 75			<u>Tier 4 Final:</u> 4.7 grams/kW-hr (3.5 grams/bhp-hr) (12-02-2016)	Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)	<u>Tier 4 Final:</u> 5.0 grams/kW-hr (3.7 grams/bhp-hr) (12-02-2016)	<u>Tier 4 Final:</u> 0.03 grams/kW-hr (0.02 grams/bhp-hr) and CARB ATCM for portable diesel engines <sup>4</sup> (12-02-2016)
	75 ≤ HP < 175		<u>Tier 4 Final:</u> 0.40 grams/kW-hr (0.30 grams/bhp-hr) (2-2-2018)	<u>Tier 4 Final:</u> NMHC only: 0.19 grams/kW-hr (0.14 grams/bhp-hr) (2-2-2018)		<u>Tier 4 Final:</u> 5.0 grams/kW-hr (3.7 grams/bhp-hr) (2-2-2018)	<u>Tier 4 Final:</u> 0.02 grams/kW-hr (0.01 grams/bhp-hr) and CARB ATCM for portable diesel engines <sup>4</sup> (2-2-2018)
	175 ≤ HP < 750		<u>Tier 4 Final:</u> 0.40 grams/kW-hr (0.30 grams/bhp-hr) (12-02-2016)	<u>Tier 4 Final:</u> NMHC only: 0.19 grams/kW-hr (0.14 grams/bhp-hr) (12-02-2016)		<u>Tier 4 Final:</u> 3.5 grams/kW-hr (2.6 grams/bhp-hr) (12-02-2016)	<u>Tier 4 Final:</u> 0.02 grams/kW-hr (0.01 grams/bhp-hr) and CARB ATCM for portable diesel engines <sup>4</sup> (12-02-2016)

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Subcategory	Rating/Size	Criteria Pollutants					
		VOC	NO <sub>x</sub>	NO <sub>x</sub> + NMHC <sup>2</sup>	SO <sub>x</sub>	CO	PM
Compression-Ignition <sup>3</sup>	≥750 HP <sup>5</sup>		<i>Tier 4 Interim: For Generator Sets &gt; 1200 HP: 0.67 grams/kW-hr (0.50 grams/bhp-hr) For All Engines Except "Generator Sets &gt; 1200 HP": 3.5 grams/kW-hr (2.6 grams/bhp-hr) (12-02-2016)</i>	<i>Tier 4 Interim: NMHC only: 0.4 grams/kW-hr (0.30 grams/bhp-hr) (12-02-2016)</i>	<i>Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)</i>	<i>Tier 4 Interim: 3.5 grams/kW-hr (2.6 grams/bhp-hr) (12-02-2016)</i>	<i>Tier 4 Interim: 0.10 grams/kW-hr (0.07 grams/bhp-hr) and CARB ATCM for portable diesel engines<sup>4</sup> (12-02-2016)</i>
Spark Ignition	All	1.5 grams/bhp-hr, or 240 ppmvd as methane @ 15% O <sub>2</sub> (4-10-1998)	1.5 grams/bhp-hr, or 80 ppmvd @ 15% O <sub>2</sub> (4-10-1998)			2.0 grams/bhp-hr, or 176 ppmvd @ 15% O <sub>2</sub> (4-10-1998)	

(Continued on next page)

Notes:

- 1) BACT for "I.C. Engine, Portable" is determined by deemed complete date of permit application not date of manufacture or installation.
- 2) NMHC + NO<sub>x</sub> means the sum of non-methane hydrocarbons and oxides of nitrogen emissions, unless specified as "NMHC only", which only includes NMHC emissions.
- 3) The engine must be certified by U.S. EPA or CARB to meet the Tier 4 emission requirements of 40 CFR Part 89 – Control of Emissions from New and In-use Nonroad Compression-Ignition Engines shown in the table– or otherwise demonstrate that it meets the Tier 4 emission limits. If, because of the averaging, banking, and trading program, there is no new engine from any manufacturer that meets the above standards, then the engine must meet the family emission limits established by the manufacturer and approved by U.S. EPA. Based on the model year, the CARB Airborne Toxic Control Measure (ATCM) for Portable Diesel Engines (see [www.arb.ca.gov/diesel/peatcm/peatcm.htm](http://www.arb.ca.gov/diesel/peatcm/peatcm.htm)) requires in-use portable diesel engines to be

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certified to Tier 1, 2, 3 or 4 by their respective deadlines, all of which have passed. All exceptions allowed in the ATCM are also allowed in this guideline.

- 4) The CARB ATCM also requires in-use portable diesel engines to meet fleet-average PM standards beginning 1/1/2013. The PM limits in the table apply only to filterable PM.
- 5) CARB has extended the Tier 4 Final requirements deadline “until further notice” for Portable, Compression-Ignition Engines for HP  $\geq$  750.

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## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\*

10-20-2000 Rev. 0  
 6-6-2003 Rev. 1  
 12-3-2004 Rev. 2  
 7-14-2006 Rev. 3  
 10-3-2008 Rev. 4  
 12-2-2016 Rev. 5  
 2-1-2019 Rev. 6  
 9-2-2022 Rev. 7

Equipment or Process: I.C. Engine, Stationary, Emergency <sup>1</sup>

Subcategory	Rating/Size	Criteria Pollutants					
		NMHC or VOC	NO <sub>x</sub>	NO <sub>x</sub> + NMHC <sup>2</sup>	SO <sub>x</sub>	CO	PM
Compression Ignition, Fire Pump <sup>3,4</sup>	50 ≤ HP < 100			<u>Tier 3:</u> 4.7 grams/kW-hr (3.5 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)	<u>Tier 3:</u> 5.0 grams/kW-hr (3.7 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	<u>Tier 3:</u> 0.40 grams/kW-hr (0.30 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
	100 ≤ HP < 175			<u>Tier 3:</u> 4.0 grams/kW-hr (3.0 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)		<u>Tier 3:</u> 5.0 grams/kW-hr (3.7 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	<u>Tier 3:</u> 0.30 grams/kW-hr (0.22 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

Subcategory	Rating/Size	Criteria Pollutants					
		NMHC or VOC	NO <sub>x</sub>	NO <sub>x</sub> + NMHC <sup>2</sup>	SO <sub>x</sub>	CO	PM
Compression Ignition, Fire Pump <sup>3,4</sup> (continued)	175 ≤ HP < 750			Tier 3: 4.0 grams/kW-hr (3.0 grams/bhp-hr): (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)	Tier 3: 3.5 grams/kW-hr (2.6 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Tier 3: 0.20 grams/kW-hr (0.15 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
	≥750 HP			Tier 2: 6.4 grams/kW-hr (4.8 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)		Tier 2: 3.5 grams/kW-hr (2.6 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Tier 2: 0.20 grams/kW-hr (0.15 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016) <sup>7</sup>
Compression-Ignition, Other <sup>3,4</sup>	50 ≤ HP < 100			Tier 3: 4.7 grams/kW-hr (3.5 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)		Tier 3: 5.0 grams/kW-hr (3.7 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Tier 3: 0.20 grams/kW-hr (0.15 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
Compression-Ignition, Other <sup>3,4</sup> (continued)	100 ≤ HP < 175			Tier 3: 4.0 grams/kW-hr (3.0 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)	Tier 3: 5.0 grams/kW-hr (3.7 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Tier 3: 0.20 grams/kW-hr (0.15 grams/bhp-hr) (2-01-2019)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

Subcategory	Rating/Size	Criteria Pollutants					
		NMHC or VOC	NO <sub>x</sub>	NO <sub>x</sub> + NMHC <sup>2</sup>	SO <sub>x</sub>	CO	PM
	175 ≤ HP < 300			<u>Tier 3:</u> 4.0 grams/kW-hr (3.0 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)		<u>Tier 3:</u> 3.5 grams/kW-hr (2.6 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	<u>Tier 3:</u> 0.20 grams/kW-hr (0.15 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
	300 ≤ HP < 750			<u>Tier 3:</u> 4.0 grams/kW-hr (3.0 grams/bhp-hr) (7-14-2006)  Compliance with Rule 1470 (12-02-2016)		<u>Tier 3:</u> 3.5 grams/kW-hr (2.6 grams/bhp-hr) (7-14-2006)  Compliance with Rule 1470 (12-02-2016)	<u>Tier 3:</u> 0.20 grams/kW-hr (0.15 grams/bhp-hr) (7-14-2006)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
Compression-Ignition, Other <sup>3, 4</sup> (continued)	≥ 750 HP			<u>Tier 2:</u> 6.4 grams/kW-hr (4.8 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	Diesel fuel with a sulfur content no greater than 0.0015% by weight (Rule 431.2). (6-6-2003)	<u>Tier 2:</u> 3.5 grams/kW-hr (2.6 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-02-2016)	<u>Tier 2:</u> 0.20 grams/kW-hr (0.15 grams/bhp-hr) (10-03-2008)  Compliance with Rule 1470 (12-3-2004) <sup>7</sup>
Spark Ignition <sup>5</sup>	< 130 HP	VOC: 1.5 grams/bhp-hr (10-20-2000)	1.5 grams/bhp-hr (10-20-2000)		See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)	2.0 grams/bhp-hr (10-20-2000)	See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

Subcategory	Rating/Size	Criteria Pollutants					
		NMHC or VOC	NO <sub>x</sub>	NO <sub>x</sub> + NMHC <sup>2</sup>	SO <sub>x</sub>	CO	PM
	≥ 130 HP	VOC: 1.0 grams/bhp-hr <sup>6</sup> (12-02-2016)	1.5 grams/bhp-hr (10-20-2000)		See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)	2.0 grams/bhp-hr (10-20-2000)	See Clean Fuels Policy in Part C of the BACT Guidelines (10-20-2000)

- 1) An emergency engine is an engine which operates as a temporary replacement for primary mechanical or electrical power sources during periods of fuel or energy shortage or while a primary power source is under repair. This includes fire pumps, emergency electrical generation and other emergency uses.
- 2) NMHC + NO<sub>x</sub> means the sum of non-methane hydrocarbons and oxides of nitrogen emissions.
- 3) South Coast AQMD restricts operation of emergency compression-ignition engines to 50 hours per year, or less if required by Rule 1470, for maintenance and testing and a maximum of 200 hours per year total operation. For engines used to drive standby generators, operation beyond 50 hours per year for maintenance and testing is allowed only in the event of a loss of grid power or up to 30 minutes prior to a rotating outage provided that the electrical grid operator or electric utility has ordered rotating outages in the control area where the engine is located or has indicated that it expects to issue such an order at a certain time, and the engine is located in a control area that is subject to the rotating outage.
- 4) The engine must be certified by U.S. EPA or CARB to meet the Tier 1, 2 or 3 emission requirements of 40 CFR Part 89 – Control of Emissions from New and In-use Nonroad Compression-Ignition Engines shown in the table– or otherwise demonstrate that it meets the Tier 1, 2 or 3 emission limits. If, because of the averaging, banking, and trading program, there is no new engine from any manufacturer that meets the above standards, then the engine must meet the family emission limits established by the manufacturer and approved by U.S. EPA. The PM limits apply only to filterable PM.
- 5) South Coast AQMD restricts operation of emergency spark-ignition engines to 50 hours per year for maintenance and testing and a maximum of 200 hours per year total operation. Emergency spark-ignition engines may be used in a Demand Response Program, however the engine will require additional evaluation and may be subject to more stringent regulatory requirements. Since some requirements are based upon the California Airborne Toxic Control Measure for Stationary Compression Ignition Engines, applicants are referred to Title 17, Section 93115.3 of the California Code of Regulations for possible exemptions.
- 6) VOC limit is based on the requirement listed in Table 1 of 40 CFR 60 Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
- 7) BACT PM emission standard requirement for new Stationary Emergency Standby Diesel-Fueled CI Engines located at a sensitive receptor or 50 meters or less from a sensitive receptor. (9-2-2022)

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

12-02-2016 Rev. 0  
 2-2-2018 Rev. 1

Equipment or Process: I.C. Engine, Stationary, Non-Emergency, Non-Electrical Generators

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM10	
> 50 bhp	Compliance with Rule 1110.2 (12-02-2016)	Compliance with Rule 1110.2 (12-02-2016)	See Clean Fuels Policy in Part C of the BACT Guidelines (12-02-2016)	Compliance with Rule 1110.2 (12-02-2016)	See Clean Fuels Policy in Part C of the BACT Guidelines (12-02-2016) Compliance with Rule 1470 (12-02-2016)	
Landfill or Digester Gas Fired <sup>1</sup>	Compliance with Rule 1110.2 (2-2-2018)	Compliance with Rule 1110.2 (2-2-2018)	Compliance with Rule 431.1 (12-02-2016)	Compliance with Rule 1110.2 (2-2-2018)		

1) For the adoption of this new listing, the requirements for this subcategory were transferred directly from the existing requirements under “I.C. Engine, Stationary, Non-Emergency.” The requirements are not new, but the date listed was updated to reflect the date of adoption of the new listing.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

2-2-2018 Rev. 0

9-2-2022 Rev. 1

Equipment or Process: I.C. Engine, Stationary, Non-Emergency, Electrical Generators

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
> 50 bhp	Compliance with Rule 1110.2 (2-2-2018)	Compliance with Rule 1110.2 (2-2-2018)	See Clean Fuels Policy in Part C of the BACT Guidelines (2-2-2018)	Compliance with Rule 1110.2 (2-2-2018)	See Clean Fuels Policy in Part C of the BACT Guidelines (2-2-2018) Compliance with Rule 1470 (2-2-2018)	<u>With Add-On Controls:</u> 10 ppmvd ammonia @ 15% O <sub>2</sub> (9-2-2022)
Landfill or Digester Gas Fired	Compliance with Rule 1110.2 (2-2-2018)	Compliance with Rule 1110.2 (2-2-2018)	Compliance with Rule 431.1 (2-2-2018)	Compliance with Rule 1110.2 (2-2-2018)		

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:        Jet Engine Test Facility

<b>Subcategory/ Rating/Size</b>	<b>Criteria Pollutants</b>					<b>Inorganic</b>
	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	
Experimental High Altitude Testing					Venturi Scrubber with Water Spray in Exhaust (1988)	
Experimental Sea Level (Low Altitude) Testing <sup>1</sup>						
Performance Testing <sup>1</sup>						

1) At the date of the last revision for this category, there was no Achieved In Practice BACT Determination for this subcategory. Technologically Feasible options listed in historic South Coast AQMD BACT Guidelines for this subcategory require cost effective analyses before they can be listed in these current Guidelines.

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions



**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:            Landfill Gas Gathering System

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Compliance with Rule 1150.1 - Control of Gaseous Emissions from Municipal Solid Waste Landfills (10-20-2000)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
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10-20-2000 Rev. 0

Equipment or Process:        Latex Manufacturing - Reaction

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Catalytic Incinerator and Caustic Scrubber (1988)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

2-1-2019 Rev. 1

Equipment or Process:           Lead Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Pot or Crucible, Non-Refining Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas and Melt only Sows, Pigs, Ingots or Clean Scrap (1990)	
Pot or Crucible, Refining Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas with Scrubber; or Natural Gas with Sulfur Free Refining Agents (1990)		Natural Gas with Baghouse (1990)	
Reverberatory, Secondary Melting Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas with Scrubber (1990)		Natural Gas with Baghouse (1990)	

Note: Some secondary lead smelting operations must also comply with the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 63, Subpart X.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:     Lead Oxide Manufacturing – Reaction Pot Barton Process

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas (1988)	Natural Gas (1988)		Natural Gas with Baghouse (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

12-02-2016 Rev.1

Equipment or Process:    Liquid Transfer and Handling

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Marine, Loading	For VOC Emissions: Vapor Collection System Vented to Incinerator (1990)					
Tank Truck and Rail Car Bulk Loading, Class A (Rule 462)	Compliance with Rule 462 (0.08 Lbs/1000 Gals) (10-20-2000)					For Ammonia: Bottom Loading with Vapor Collection System Vented to Packed Column Scrubber (10-20-2000)
Tank Truck and Rail Car Bulk Loading, Classes B and C (Rule 462)	Bottom Loading with Vapor Collection System Vented to: - Incinerator; or - Compression/absorption with Tail Gas Vented to Incinerator; or - Refrigeration System; or - Carbon Adsorption system and Compliance with Rule 462 (10-20-2000)					Same as Above
Gasoline Transfer and Dispensing	Compliance with Rule 461 (12-02-2016)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:      Metal Heating Furnace

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas with Low NO <sub>x</sub> Burner ≤ 50 ppmvd at 3% O <sub>2</sub> , dry. (10-20-2000)	Natural Gas (1990)			Natural Gas (1990)

Note: This category includes metal aging, annealing, forging, heat treating, and homogenizing.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Metallizing Spray Gun

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Water Wash Spray Booth or Scrubber (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:      Mixer, Blender or Mill

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Dry					Baghouse (07-11-97)	
Wet	Carbon Adsorber; or Refrigerated Condenser; or Afterburner (VOC Emissions Only); or Vapor Recovery (07-11-97)				Baghouse if Dry Ingredients are Added (07-11-97)	Packed Column Scrubber (07-11-97)

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Nitric Acid Manufacturing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Catalytic Reduction Furnace (07-11-97)				

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Non-Metallic Mineral Processing – Except Rock or Aggregate

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse for Enclosed Operations  Water Fog Spray for Open Operations (1988)	

- Notes:
1. Non-metallic Minerals are minerals such as rock salt, sodium compounds, pumice, gilsonite, talc and pyrophyllite, boron, barite, fluorspar, feldspar, diatomite, perlite, vermiculite, mica, carbon black, silicon and kyanite.
  2. This category includes conveying, size reduction and classification.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:            Nut Roasting

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Roaster		Natural Gas (1988)			Afterburner (≥ 0.3 second Retention Time at ≥ 1400°F) (10-20-2000)	
Handling Equipment					Baghouse (10-20-2000)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

12-02-2016 Rev. 1

Equipment or Process:      Oil and Gas Production

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Combined Tankage	All Tanks Vented to: - Vacuum Gas Gathering System; or - Positive Pressure Gas Gathering System; or - Incinerator or Firebox (1988)  Compliance with Rules 1148 and 1148.1 (12-02-2016)					
Wellhead	All Wellheads Vented to: - Vacuum Gas Gathering System; or - Positive Pressure Gas Gathering System; or - Incinerator or Firebox (10-20-2000) Compliance with Rules 1148 and 1148.1 (12-02-2016)					

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0  
 2-5-2021 Rev. 1  
 9-2-2022 Rev. 2

Equipment or Process: Open Process Tanks: Chemical Milling (Etching) and Plating

Subcategory/ Rating/Size		Criteria Pollutants					Inorganic
		VOC	NOx	SOx	CO	PM <sub>10</sub>	
Chemical Milling	Aluminum and Magnesium <sup>1</sup>						
	Nickel Alloys, Stainless Steel and Titanium		Packed Chemical Scrubber (10-20-2000)			High Efficiency Mist Eliminator (10-20-2000)	
Plating	Decorative Chrome					Compliance with Rule 1469 (2-5-2021)	
	Hard Chrome					Compliance with Rule 1469 (2-5-2021)	

1) At the date of the last revision for this category, there was no Achieved In Practice BACT Determination for this subcategory. Technologically Feasible options listed in historic South Coast AQMD BACT Guidelines for this subcategory require cost effective analyses before they can be listed in these current Guidelines.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:      Open Spraying – Spray Gun

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Compliance with Regulation XI (10-20-2000)				Compliance with Regulation XI (10-20-2000) <sup>1</sup>	

<sup>1</sup> The open spraying must be conducted in a spray booth where feasible.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process:            Perlite Manufacturing System

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas with Low NO <sub>x</sub> Burner (10-20-2000)	Natural Gas (10-20-2000)		Baghouse (1988)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

7-9-2004 Rev. 1

Equipment or Process:      Pharmaceutical Manufacturing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Operations Involving Solvents	Afterburner (≥0.3 second Retention Time at ≥1400°F), Refrigerated Condenser, or Carbon Adsorber (07-11-97)					
Solids Handling					Baghouse (07-11-97)	
Solids Storage Tanks					Baghouse or Vent Filter (07-11-97)	

Note: This equipment may also be subject to Rule 1103 and 40 CFR 63 Subpart GGG – National Emission Standards Pharmaceuticals Production. (7-9-2004)

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Phosphoric Acid - Thermal Process

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Fiber Mist Filter, Electrostatic Precipitator, or Packed Scrubber with Mist Eliminator (07-11-97)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Phthalic Anhydride

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Afterburner (≥0.3 Second Retention Time at ≥1400°F) or Water Cooled Condenser (07-11-97)	

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0

Equipment or Process: Plasma Arc Metal Cutting Torch

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
> 30 KVA Electrical Input					Water Table and Nozzle Water Shroud; or Electrostatic Precipitator (1988)	

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10-20-2000 Rev. 0

2-5-2021 Rev. 1

Equipment or Process: Polyester Resin Operations

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Fabrication – Hand and Spray Layup	Compliance with Rule 1162 (10-20-2000)				Airless Spray Equipment and Spray Booth with Mesh Type Filter (1988)	
Molding and Casting	Compliance with Rule 1162 and Use of Aqueous Emulsion Cleaner or Acetone for Clean-Up to Maximum Extent Possible (1988/10-20-2000)					
Panel Manufacturing	Curing Oven, Impregnation Tables and Mixing Tanks Vented to an Afterburner (≥ 0.3 Sec. Retention Time at ≥ 1400 °F). Storage and Holding Tanks Vented to a Carbon Adsorber (1988)	Natural Gas Fired Curing Oven, Electrically Heated Cellophane Oven and Laminating Table (1988)	Natural Gas (10-20-2000)		Natural Gas Fired Curing Ovens, Cellophane Ovens Vented to an Electrostatic Precipitator and Panel Cutting Saw Vented to Baghouse (1988)	
Pultrusion	Styrene Suppressed Resin (1988), and Compliance with Rule 1162 (10-20-2000)					

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10-20-2000 Rev. 0

Equipment or Process:      Polystyrene Extruder

	<b>Criteria Pollutants</b>					
<b>Rating/Size</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>Inorganic</b>
All					Electrostatic Precipitator or Fiber Mist Filter (07-11-97)	

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10-20-2000 Rev. 0

Equipment or Process:      Polystyrene Manufacturing

Rating/Size	Criteria Pollutants					
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
All	Water Cooled Condenser (07-11-97)					

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10-20-2000 Rev. 0  
 2-5-2021 Rev. 1

Equipment or Process: Powder Coating Booth

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
≤ 37 Lbs/Day Throughput					Pocket or Bag-Type Filters (10-20-2000)	
> 37 Lbs/Day Throughput					1. Baghouse (≥ 99% efficiency); or 2. Cartridge Filters (≥ 99% efficiency); (1988) or 3. HEPA Filters (≥ 99.97% efficiency) (1988/10-20-2000) (2-5-2021)	

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10-20-2000 Rev. 0

Equipment or Process:      Precious Metal Reclamation

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Incineration		Natural Gas (1988)	Natural Gas (1988)		Natural Gas with Baghouse and: - Afterburner (≥ 0.3 sec. Retention Time at ≥ 1400° F); or -Secondary Combustion Chamber (≥ 0.3 sec. Retention Time at ≥ 1400° F) (1988)	
Chemical Recovery and Chemical Reactions		3-Stage NOx Reduction Scrubber (07-11-97)				

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10-20-2000 Rev. 0  
 12-5-2003 Rev. 1  
 7-14-2006 Rev. 2  
 2-2-2018 Rev. 3  
 2-1-2019 Rev. 4  
 9-2-2022 Rev. 5

Equipment or Process: Printing (Graphic Arts)

Subcategory	Criteria Pollutants					
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
Flexographic	Inks with ≤ 1.5 Lbs VOC/Gal, Less Water and Less Exempt Compounds (1990); or use of UV/EB or water-based inks/coatings ≤ 180 g VOC/L. Compliance with Rules 1130 and 1171 (2-2-2018)					
Alternatively	For add-on control required by Rule 1130(c)(5) or other South Coast AQMD requirement: EPA M. 204 Permanent Total Enclosure (100% collection) vented to thermal oxidizer with 95% overall control efficiency; Combustion Chamber: Temp ≥ 1500°F <sup>1</sup> , Retention Time > 0.3 seconds (2-2-2018)	Compliance with BACT requirements for Thermal Oxidizer		Compliance with BACT requirements for Thermal Oxidizer		
Letterpress	Compliance with Rules 1130 and 1171 (12-5-2003)					

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Subcategory	Criteria Pollutants					
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	Inorganic
Lithographic or Offset, Heatset	Low VOC Fountain Solution ( $\leq 8\%$ by Vol. VOC); Low VOC ( $\leq 100$ g/l) Blanket and Roller Washes; Oil-Based or UV-Curable Inks; and Compliance with Rules 1130 and 1171 (2-2-2018)  Oven Vented to a thermal oxidizer ( $\geq 0.3$ Sec. Retention Time at $\geq 1400$ °F; 95% Overall Efficiency) (10-20-2000)	Compliance with BACT requirements for Thermal Oxidizer  Compliance with BACT requirements for Other Dryers and Ovens (9-2-2022)		Compliance with BACT requirements for Thermal Oxidizer	Venting to a thermal oxidizer ( $\geq 0.3$ sec. Retention Time at $\geq 1400$ °F) (10-20-2000) (2-1-2019)	
Lithographic or Offset, Non-Heatset	Low VOC Fountain Solution ( $\leq 8\%$ by Vol. VOC); Low VOC ( $\leq 100$ g/l) Blanket and Roller Washes; Oil-Based or UV-Curable Inks; and Compliance with Rules 1130 and 1171. (2-1-2019)					
Rotogravure or Gravure—Publication and Packaging	Compliance with Rules 1130 and 1171 (10-20-2000)					
Screen Printing and Drying	Compliance with Rules 1130.1 and 1171; or use of Rule 1130.1 and 1171 compliant UV/EB or water-based inks/coatings. (2-2-2018)					

1) or temperature demonstrating equivalent overall control efficiency in a South Coast AQMD-approved source test.

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10-20-2000 Rev. 0  
 10-03-2008 Rev. 1  
 12-02-2016 Rev. 2  
 2-1-2019 Rev. 3

Equipment or Process:            Process Heater – Non-Refinery

Subcategory/Rating/ Size	Criteria Pollutants					
	VOC	NOx	SOx	CO	PM <sub>10</sub>	Inorganic
Natural Gas or Propane Fired, >2 and < 20 MM Btu/hr		Compliance with Rules 1146 or 1146.1 (12-02-2016)	Natural Gas (10-20-2000)	≤50 ppmv for firetube type, ≤ 100 ppmv for watertube type, dry corrected to 3% O <sub>2</sub> (10-20-2000)	Natural Gas (10-20-2000)	
Natural Gas or Propane Fired, ≥ 20 MM Btu/hr		Compliance with Rules 1146 (2-1-2019)	Natural Gas (10-20-2000)	Same as above. (10-20-2000)	Natural Gas (10-20-2000)	<u>With SCR:</u> ≤ 5 ppmvd NH <sub>3</sub> , corrected to 3% O <sub>2</sub> <u>With LTO:</u> ≤ 1 ppmvd ozone, corrected to 3% O <sub>2</sub> (10-20-2000)

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10-20-2000 Rev. 0  
 12-5-2003 Rev. 1

Equipment or Process: Reactor with Atmospheric Vent <sup>a)</sup>

Rating/Size	Criteria Pollutants					Inorganic
	VOC/ODC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	- Carbon Adsorber; or - Afterburner (VOC Only); or - Refrigerated Condenser; or - Scrubber with Approved Liquid Waste Disposal (VOC only) (1990)					

a) Also see “Resin Manufacturing” and “Surfactant Manufacturing”. (12-5-2003)

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10-20-2000 Rev. 0

Equipment or Process:      Rendering

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Processing Equipment <sup>1)</sup>					Vent to Afterburner or Boiler Fire Box (≥ 0.3 sec. Retention Time at ≥ 1200 °F) (1988)	
Meal Grinding and Handling System					Enclosed Grinding and Screening Operation with Mechanical Conveyors Transporting Meal (1988)	
Tanks and Miscellaneous Equipment					Maintain Internal Temperature Below 140 °F (1988)	

1) Processing equipment includes crax pressing, filtering, centrifuging, evaporators, cookers, dryers, and grease and blood processing.

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12-5-2003 Rev. 0

Equipment or Process:            Resin Manufacturing

Subcategory	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Continuous Polystyrene Process	Compliance with Rule 1141: ≤0.12 Pounds VOC per 1000 Pounds Completed Resin Product from Vacuum Devolatilizer and Styrene Recovery Systems (12-5-2003)					
Liquid-Phase, High-Density Polyethylene Slurry Process	Compliance with Rule 1141: ≥98% Reduction from Reactors, Recycle Treaters, Thinning Tanks, Blending Tanks and Product Finishing Section (12-5-2003)					
Liquid-Phase Polypropylene Process	Compliance with Rule 1141: ≥98% Reduction from Organic Resin Reactors, Slurry Vacuum Filter System, Diluent Recovery Section and Product Finishing Section (12-5-2003)					
Other Resin Manufacturing	Compliance with Rule 1141: ≤0.5 Pounds VOC per 1000 Pounds Completed Resin Product, or ≥95% Reduction from Resin Reactors, Thinning Tanks and Blending Tanks (12-5-2003)					

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10-20-2000 Rev. 0

Equipment or Process:        Rock – Aggregate Processing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse Venting Jaw Crushers, Cone Crushers, and Material Transfer Points Adjacent to and after these Items; and Water Sprays at Other Material Transfer Points (1990)	

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10-20-2000 Rev. 0

Equipment or Process:      Rocket Engine Test Cell

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Chemical Packed Scrubber (1988)			Chemical Packed Scrubber and Water Spray in Exhaust with Steam Ejectors (1988)	

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10-20-2000 Rev. 0

Equipment or Process: Rubber Compounding – Banbury Type Mixer

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse (1988)	

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10-20-2000 Rev. 0

Equipment or Process: Sand Handling System with Shakeout and/or Muller in System

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse (1988)	

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10-20-2000 Rev. 0

Equipment or Process: Sewage Treatment Plants

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
All	Carbon Adsorber or Scrubbing System, Covers for Primary Raw Sewage Processing, and Digester Gas Incineration or Recovery (1988)		Ferrous Chloride Injection and Caustic Scrubber for Hydrogen Sulfide Removal (1988)			

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10-20-2000 Rev. 0

Equipment or Process: Smokehouse

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Afterburner (≥ 0.3 sec. Retention Time at ≥ 1200° F) (1990)	Steam Heated Smokehouse and Electrically Heated Smoke Generator (1990)		Afterburner (≥ 0.3 sec. Retention Time at ≥ 1200° F) (1990)	Afterburner (≥ 0.3 sec. Retention Time at ≥ 1200° F) (1990)	

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2-1-2019 Rev. 0

Equipment or Process: Soil Vapor Extraction – Thermal/Catalytic Oxidation (Natural Gas – burner only)

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Compliance with Rule 1147.				

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10-20-2000 Rev. 0

Equipment or Process: Solder Leveling –Hot Oil or Hot Air

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Electrostatic Precipitator (1988)	

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10-20-2000 Rev. 0

Equipment or Process:        Solvent Reclamation

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Refrigerated or Water Cooled Condenser (07-11-97)					

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10-20-2000 Rev. 0  
 2-1-2019 Rev 1  
 2-5-2021 Rev. 2

Equipment or Process:     Spray Booth

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Fully-enclosed, Down-Draft Type, < 667 Lbs/Month of VOC Emissions (2-5-2021)	Compliance with Applicable Regulation XI Rules (10-20-2000)	If booth has a Make-up Air Unit or a Heater; Compliance with Rule 1147 (2-5-2021)			Dry Filters or Waterwash (1990)	
Other Types, < 1170 Lbs/Month of VOC Emissions	Compliance with Applicable Regulation XI Rules (10-20-2000)	If booth has a Make-up Air Unit or a Heater; Compliance with Rule 1147 (2-5-2021)			Same as Above (1990)	
Fully-enclosed, Down-Draft Type, ≥ 22 Lbs/Day of VOC Emissions (2-5-2021)	- Compliance with Applicable Regulation XI Rules, and VOC Control System with ≥ 90% Collection Efficiency and ≥ 95% Destruction Efficiency, or - Use of Super Compliant Materials (<50 grams of VOC per liter of material): or - Use of Low-VOC Materials Resulting in an Equivalent Emission Reduction (10-20-2000)	If booth has a Make-up Air Unit or a Heater; Compliance with Rule 1147 (2-5-2021)			Same as Above (1990)	

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Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Other Types, ≥ 1170 Lbs/Month of VOC Emissions	<ul style="list-style-type: none"> <li>- Compliance with Applicable Regulation XI Rules, and VOC Control System with ≥ 90% Collection Efficiency and ≥ 95% Destruction Efficiency, or</li> <li>- Use of Super Compliant Materials (&lt;50 grams of VOC per liter of material): or</li> <li>- Use of Low-VOC Materials Resulting in an Equivalent Emission Reduction (10-20-2000)</li> </ul>	If booth has a Make-up Air Unit or a Heater; Compliance with Rule 1147 (2-5-2021)			Same as Above (1990)	
Enclosed with automated spray nozzles for wood cabinets, < 1170 Lbs/Month of VOC Emissions (2-5-2021)	Compliance with Rule 1136 or use of Rule 1136 compliant UV/EB or water-based coatings.	If booth has a Make-up Air Unit or a Heater; Compliance with Rule 1147				

Note: The sum of all VOC emissions from all spray booths within the same subcategory applied for in the previous two years at the same facility are considered toward the emission threshold.

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Equipment or Process:     Steel Melting Furnace

<b>Subcategory/ Rating/Size</b>	<b>Criteria Pollutants</b>					<b>Inorganic</b>
	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	
Electric Arc					Baghouse (1988)	
Induction, ≤ 300 Lb. Capacity					Charge Only Ingots or Clean Returns, or Baghouse (10-20-2000)	
Induction, > 300 Lb. Capacity					Baghouse (07-11-97)	

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Equipment or Process:            Storage Tanks - Liquid

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Asphalt					Cool Gases to < 120 °F and Vent to a Fiberglass or Steel Wool Filter. (07-11-97)	
External Floating Roof, VP ≤ 11 psia	Category A Tank Seals and Compliance with Rule 463 (10-20-2000)					
Fixed Roof	Vapor Recovery System with an Overall System Efficiency of ≥ 95% (7-11-97)					
Fuming Sulfuric Acid					Scrubber Followed by Fiber Mist Filter; or Water Spray Followed by Fiber Mist Filter (1988)	
Grease or Tallow					Maintain Temperature ≤ 140 °F (1988)	
Internal Floating Roof	Category A Tank Seals and Compliance with Rule 463 (10-20-2000)					
Sulfuric Acid			Caustic Scrubber and Mist Eliminator (1988)			
Underground, > 250 Gallons	≥ 95% Removal Efficiency for VOC (1990)					

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12-5-2003 Rev. 0

Equipment or Process:      Surfactant Manufacturing

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
All	Compliance with Rule 1141.2 <sup>a)</sup> : ≤ 0.5 Pounds per 1000 Pounds of Surfactant Product, or ≥ 95% (Wt.) Reduction From All Surfactant Manufacturing Equipment Vented to Atmosphere (12-5-2003)					

a) Does not apply to soap manufacturing operations or facilities that only blend and package surfactants.

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10-20-2000 Rev. 0

Equipment or Process: Tank – Grease or Tallow Processing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Water Cooled or Atmospheric Condenser and Afterburner (≥ 0.3 sec. Retention Time at ≥ 1200 °F) (1990)	

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2-1-2019 Rev. 0  
 2-5-2021 Rev. 1

Equipment or Process: Thermal Oxidizer (Afterburner, Regenerative Thermal Oxidizer, and Thermal Recuperative Oxidizer) and Catalytic Oxidizer – Natural Gas Fired\*\*

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Regenerative Thermal Oxidizer (2-5-2021)		30 ppmvd @ 3% O <sub>2</sub> (Burner emissions only)		400 ppmvd @ 3% O <sub>2</sub> (Burner emissions only)		
Other Types		30 ppmvd @ 3% O <sub>2</sub> (Burner emissions only)				

\*\* Does not include tank degassing, soil vapor extraction, and vapor incinerators where vapors are directed into the burner or into a combustion chamber.

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10-20-2000 Rev. 0

Equipment or Process: Tire Buffer

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Cyclone and Water Spray at Rasp (07-11-97)	

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Equipment or Process:      Vegetable Oil Purification

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Scrubber and Barometric Condenser (1988)					

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10-20-2000 Rev. 0

Equipment or Process:      Vinegar Manufacturing

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All	Scrubber with South Coast AQMD- and Sanitation District- Approved Liquid Disposal (1988)					

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10-20-2000 Rev. 0  
 12-5-2003 Rev. 1

Equipment or Process:                      Wastewater System

Subcategory	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Oil/Water Separator	Cover and Vent to Vapor Disposal System (1988); and Compliance with Rule 1176 (12-5-2003)					
Other Equipment	Compliance with Rule 1176 if Applicable by Rule <sup>a)</sup> (12-5-2003)					

a) Not required for sanitary sewer system.

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10-20-2000 Rev. 0

Equipment or Process: Wax Burnoff Furnace

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All		Natural Gas with Low NO <sub>x</sub> Burner (1988)]	Natural Gas (1988)		Natural Gas with Afterburner or Secondary Combustion Chamber (≥ 0.3 sec. Retention Time at ≥ 1200° F) (1988)	

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10-20-2000 Rev. 0

Equipment or Process:            Wood Processing Equipment

Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
All					Baghouse (1988)	

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

12-5-2003 Rev. 0

Equipment or Process:                      Woodworking

Subcategory	Criteria Pollutants					Inorganic
	VOC	NOx	SOx	CO	PM <sub>10</sub>	
Pneumatic Conveyance System					Compliance with Rule 1137 <sup>a)</sup> : Baghouse with No Visible Emissions Except During Startup and Shutdown (12-5-2003)	

a) Not required if system vents solely to stand-alone control device or into a closed room.

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**  
**Best Available Control Technology (BACT) Guidelines for Non-Major Polluting Facilities\***

10-20-2000 Rev. 0  
 2-1-2019 Rev 1

Equipment or Process:     Zinc Melting Furnace

Subcategory/ Rating/Size	Criteria Pollutants					Inorganic
	VOC	NO <sub>x</sub>	SO <sub>x</sub>	CO	PM <sub>10</sub>	
Crucible or Pot		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Ingot and/or Clean Scrap Charge Only, or Baghouse (1988/2000)	
Reverberatory, Non-Sweating Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Same as Above (10-20-2000)	
Reverberatory, Sweating Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Natural Gas with Baghouse and: Afterburner (≥ 0.3 sec. Retention Time at ≥ 1400° F); or Secondary Combustion (≥ 0.3 sec. Retention Time at ≥ 1400° F); (1990)	
Rotary, Sweating Operations		60 ppm Compliance with Rule 1147 (2-1-2019)	Natural Gas (1990)		Same as Above (1990)	

\* Means those facilities that are not major polluting facilities as defined by Rule 1302 - Definitions

**PART E – POLICY AND PROCEDURES  
FOR FACILITIES SUBJECT TO  
PREVENTION OF SIGNIFICANT  
DETERIORATION FOR GREENHOUSE  
GASES**

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## Chapter 1 - GHG BACT

This chapter explains the requirements of greenhouse gases (GHG) BACT regulations according to U.S. EPA, describes the Top-Down Process, shows how to calculate GHG emissions and explains the Prevention of Significant Deterioration (PSD) Applicability for GHGs for new sources as well as modified sources. The guidance in this chapter is applicable to the U.S. EPA requirements in place as of the date of these guidelines, and takes into consideration the U.S. Supreme Court decision in *Utility Air Regulatory Group v. Environmental Protection Agency*, 134 S. Ct. 2427 (2014)<sup>1</sup>.

### BACKGROUND

U.S. EPA has found that GHG, made of up of six combined compounds, constitute air pollution that endanger public health and welfare. EPA's adopted requirements for GHG under 40 CFR 52.21 in May 2010, which were revised in October 2015, to establish a way to permit GHG emissions under PSD and Title V. Through this rule, permitting focused on the major industrial sources, which emit nearly 70 percent of the greenhouse gas pollution from stationary sources. At this time, smaller businesses and sources are not be subject to these requirements.

The requirements of this rule apply only to GHG as defined by EPA as a total group of six GHG which are: carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), methane (CH<sub>4</sub>), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF<sub>6</sub>). All other attainment air contaminants, as defined in South Coast AQMD Rule 1702 subdivision (a), shall be regulated for the purpose of PSD.

### PERMITTING GUIDANCE FOR GHG

EPA's "PSD and Title V Permitting Guidance for Greenhouse Gases" provides the basic information that permit writers and applicants need to address GHG emissions in permits<sup>2</sup>. Although this guidance was issued prior to the revision of 40 CFR 52.21 in 2015, there are parts still applicable to the current requirements. The applicable parts of the guidance document are summarized in these Guidelines. The guidance:

- applies long-standing PSD and Title V permitting requirements and processes to GHG;
- reiterates that BACT determinations will continue to be a state, and project specific decision;
- does not prescribe GHG BACT for any source type;

<sup>1</sup> The UARG v. EPA decision limited the scope originally envisioned by the Tailoring Rule, and now only "anyway sources" are subject to GHG BACT. On October 3, 2016, EPA proposed revising 40 CFR 52.21 to establish a Significant Emissions Rate for GHGs at the same threshold of 75,000 ton per year CO<sub>2</sub>e as Step 1 of the Tailoring Rule for "anyway" sources.

<sup>2</sup> <https://www.epa.gov/nsr/clean-air-act-permitting-greenhouse-gases>



- emphasizes the importance of BACT options that improve energy efficiency;
- points out that Carbon Capture and Sequestration (CCS) is a promising technology in the early stage of demonstration and commercialization (it should be identified as an available control measure in the first step of BACT, it is currently an expensive technology and unlikely to be selected as BACT in most cases);
- notes that biomass could be considered BACT after taking into account environmental, energy, and economic considerations and state and federal policies that promote biomass for energy-independence and environmental reasons. In its memorandum<sup>3</sup> dated November 19, 2014, [EPA U.S. EPA](#) states that it is still assessing and monitoring biogenic feedstocks and will provide further guidance. Further updates can be found at [EPA U.S. EPA's](#) webpage “CO2 Emissions Associated with Biomass Use at Stationary Sources.”
- provides flow charts and examples that illustrate the key points of the traditional five-step process for determining BACT for GHG; and
- identifies technical resources related to GHG emissions and controls.

## FEDERAL PSD APPLICABILITY FOR GHG

Beginning January 2, 2011, GHG BACT applies when a new or modified facility is subject to PSD requirements for GHG. The first step for PSD applicability determination for new or modified sources is listed in the Tables 7 and 8 below that address the requirements in 40 CFR 52.21. A second step for PSD applicability is contemporaneous netting. For detailed guidance on this topic, [EPA U.S. EPA's](#) “PSD and Title V Permitting Guidance for Greenhouse Gases” (March 2011) should be referenced, but should be used in accordance with [EPA U.S. EPA's](#) clarifying documents regarding the U.S. Supreme Court decision in *Utility Air Regulatory Group v. Environmental Protection Agency*<sup>4</sup> and the current requirements under 40 CFR 52.21.

In determining PSD applicability, a differentiation between GHG CO<sub>2</sub>e and mass basis must be made. GHG mass basis is simply the sum of all six GHG compound mass emissions. However, to obtain GHG CO<sub>2</sub>e, the mass emissions of each individual GHG compound must be multiplied by its 100-year Global Warming Potential (GWP). The individual GHG CO<sub>2</sub>e are then summed to obtain the total CO<sub>2</sub>e for the source. Current GWP factors should be obtained from [EPA U.S. EPA's](#) website when performing these calculations.

<sup>3</sup> EPA Memo: “Addressing Biogenic Carbon Dioxide Emissions from Stationary Sources, (2014 November 9)

<sup>4</sup> EPA Memo: Next Steps and Preliminary Views on the Application of Clean Air Act Permitting Programs to Greenhouse Gases Following the Supreme Court's Decision, (2014, July 24)

**Table 7  
GHG PSD Applicability for New Sources**

PSD applies to GHG if:
<ol style="list-style-type: none"> <li>1. The source is otherwise subject to PSD for another regulated NSR pollutant, <b>AND</b></li> <li>2. The source has a GHG PTE <math>\geq</math> 75,000 tons per year (TPY) CO<sub>2</sub>e;</li> </ol>

**Table 8  
GHG PSD Applicability for Modified Sources**

PSD applies to GHG if:
<ol style="list-style-type: none"> <li>1. The modification is otherwise subject to PSD for another regulated NSR pollutant, <b>AND</b></li> <li>2. The modification results in a GHG emissions increase and net emissions increase:               <ol style="list-style-type: none"> <li>a. <math>\geq</math> 75,000 TPY CO<sub>2</sub>e, <b>AND</b></li> <li>b. <math>&gt;</math> zero TPY mass basis</li> </ol> </li> </ol>

**Contemporaneous Netting**

Contemporaneous netting is the process of considering all of the creditable emission increases and decreases that have occurred during the period beginning five years before the proposed construction of the modification through the date that the emission increase from the modification occurs. When calculating the net emissions increase in Table 8 above for PSD applicability, it must include all emission increases and decreases during this period.

**SOUTH COAST AQMD PSD APPLICABILITY FOR GHG**

South Coast AQMD adopted Rule 1714 in 2010 to implement the PSD GHG requirements set forth by 40 CFR 52.21. South Coast AQMD Rule 1714 incorporates the provisions of 40 CFR 52.21 by reference, excluding the sections listed under South Coast AQMD Rule 1714 (c)(1). South Coast AQMD PSD applicability should be determined following the applicable sections of the Code of Federal Regulation identified in the rule.

**TOP-DOWN BACT PROCESS**

EPA.S. EPA recommends that permitting authorities continue to use the EPA.S. EPA’s five-step “Top-Down” BACT process to determine BACT for

GHG (U.S. EPA, 2011)<sup>5</sup>. While this section summarizes the steps in the process, further details for each of the steps can be referenced in [EPA U.S. EPA's](#) guidance document.

### **BACT Step 1 – Identify All Available Control Options**

The first step in the top-down BACT process is to identify all “available” control options. Available control options are those air pollution control technologies or techniques (including lower-emitting processes and practices) that have the potential for practical application to the emissions unit and the regulated pollutant under evaluation.

Permit applicants and permitting authorities should identify all “available” GHG control options that have the potential for practical application to the source under consideration.

The application of BACT to GHG does not affect the discretion of a permitting authority to exclude options that would fundamentally redefine a proposed source. GHG control technologies are likely to vary based on the type of facility, processes involved, and GHG being addressed. [EPA U.S. EPA](#) has emphasized the importance of energy efficiency improvements.

For the purposes of a BACT analysis for GHG, [EPA U.S. EPA](#) classifies CCS as an add-on pollution control technology that is “available” for large CO<sub>2</sub>-emitting facilities including fossil fuel-fired power plants and industrial facilities with high-purity CO<sub>2</sub> streams (e.g., hydrogen production, ammonia production, natural gas processing, ethanol production, ethylene oxide production, cement production, and iron and steel manufacturing).

### **BACT Step 2 – Eliminate Technically Infeasible Options**

Under the second step of the top-down BACT analysis, a potentially applicable control technique listed in Step 1 may be eliminated from further consideration if it is not technically feasible for the specific source under review. [EPA U.S. EPA](#) generally considers a technology to be technically feasible if it has been successfully operated on the same type of source under review or is available and applicable to the source under review.

Assuming CCS has been included in Step 1 of the top-down BACT process for such sources, it now must be evaluated for technical feasibility in Step 2. CCS is composed of three main components: CO<sub>2</sub> capture and/or compression, transport, and storage. CCS may be eliminated from a BACT analysis in Step 2 if it can be shown that there are significant differences pertinent to the successful operation for any of these three main components from what has already been applied to a differing source type. For example, the temperature, pressure, pollutant concentration, or volume of the gas stream to be controlled, may differ so significantly from previous applications that it is uncertain the control device will work in the situation currently undergoing review. CCS may be eliminated from a BACT analysis in Step 2 if the three components working together are deemed technically infeasible for the proposed source, taking into account the integration of the CCS components with the base facility and site-specific considerations (e.g., space for CO<sub>2</sub> capture equipment at an existing facility,

<sup>5</sup> U.S. EPA (2011). PSD and Title V Permitting Guidance for Greenhouse Gases

right-of-ways to build a pipeline or access to an existing pipeline, access to suitable geologic reservoirs for sequestration, or other storage options).

### **BACT Step 3 – Ranking of Controls**

After the list of all available controls is winnowed down to a list of the technically feasible control technologies in Step 2, Step 3 of the top-down BACT process calls for the remaining control technologies to be listed in order of overall control effectiveness for the regulated NSR pollutant under review. The most effective control alternative (*i.e.*, the option that achieves the lowest emissions level) should be listed at the top and the remaining technologies ranked in descending order of control effectiveness. The ranking of control options in Step 3 determines where to start the top-down BACT selection process in Step 4.

The options considered in a BACT analysis for GHG emissions will likely include, but not necessarily be limited to, control options that result in energy efficiency measures to achieve the lowest possible emission level. Where plant-wide measures to reduce emissions are being considered as GHG control techniques, the concept of overall control effectiveness will need to be refined to ensure the suite of measures with the lowest net emissions from the facility is the top-ranked measure. Ranking control options based on their net output-based emissions ensures that the thermal efficiency of the control option, as well as the power demand of that control measure, is fully considered when comparing options in Step 3 of the BACT analysis. Finally, to best reflect the impact on the environment, the ranking of control options should be based on the total CO<sub>2</sub>e rather than total mass or, mass for the individual GHG.

### **BACT Step 4 – Economic, Energy, and Environmental Impacts**

Under Step 4 of the top-down BACT analysis, permitting authorities must consider the economic, energy, and environmental impacts arising from each option remaining under consideration. Accordingly, after all available and technically feasible control options have been ranked in terms of control effectiveness (BACT Step 3), the permitting authority should consider any specific energy, environmental, and economic impacts identified with those technologies to either confirm that the top control alternative is appropriate or determine it to be inappropriate.

There are compelling public health and welfare reasons for BACT to require all GHG reductions that are achievable, considering economic impacts and the other listed statutory factors. As a key step in the process of making GHG a regulated pollutant, EPA.S. EPA has considered scientific literature on impacts of GHG emissions and has made a final determination that emissions of six GHG endanger both the public health and the public welfare of current and future generations. Potential impacts that may be considered in this step based on the EPA.S. EPA's January 2010 Endangerment Finding<sup>6</sup> are detailed in EPA.S. EPA's guidance document.

When conducting a BACT analysis for GHG, the environmental impact analysis should continue to concentrate on impacts other than the direct impacts due to emissions of the regulated pollutant in question. Where GHG control strategies affect emissions of other regulated pollutants, applicants and permitting authorities should consider the potential trade-offs of selecting particular GHG control strategies.

## BACT Step 5 – Selecting BACT

In Step 5 of the BACT determination process, the most effective control option not eliminated in Step 4 should be selected as BACT for the pollutant and emissions unit under review and included in the permit. For energy-producing sources, one way to incorporate the energy efficiency of a process unit into the BACT analysis is to compare control effectiveness in BACT Step 3 based on output-based emissions of each of the control options. Establishing an output-based BACT emissions limit, or a combination of output- and input-based limits, wherever feasible and appropriate to ensure that BACT is complied with at all levels of operation should be considered.

## GHG CONTROL MEASURES WHITE PAPERS

EPA.S. EPA has a series of technical “white papers” that summarize readily available information on control techniques and measures to reduce GHG emissions from specific industrial sectors. These papers provide basic technical information which may be useful in a BACT analysis, but they do not define BACT for each sector. The industrial sectors covered include:

- Electric Generating Units (PDF) (48pp, 805k)  
EPA.S. EPA Contact: Christian Fellner (919-541-4003 or fellner.christian@epa.gov)
- Large Industrial/Commercial/Institutional Boilers (PDF) (39pp, 337k)  
EPA.S. EPA Contact: Jim Eddinger (919-541-5426 or eddinger.jim@epa.gov)
- Pulp and Paper (PDF) (62pp, 421k)  
EPA.S. EPA Contact: Bill Schrock (919-541-5032 or schrock.bill@epa.gov)
- Cement (PDF) (48pp, 220k)  
EPA.S. EPA Contact: Keith Barnett (919-541-5605 or barnett.keith@epa.gov)
- Iron and Steel Industry (PDF) (78pp, 620k)  
EPA.S. EPA Contact: Donna Lee Jones (919-541-5251 or jones.donnalee@epa.gov)
- Refineries (PDF) (42pp, 707k)  
EPA.S. EPA Contact: Brenda Shine (919-541-3608 or shine.brenda@epa.gov)
- Nitric Acid Plants (PDF) (31pp, 544k)  
EPA.S. EPA Contact: Nathan Topham (919-541-0483 or topham.nathan@epa.gov)

<sup>6</sup> <https://www3.epa.gov/climatechange/endangerment/>

- Landfills (PDF) (28pp, 250k)  
EPA U.S. EPA Contact: Hillary Ward (919-541-3154 or [ward.hillary@epa.gov](mailto:ward.hillary@epa.gov))

**ATTACHMENT H**

**Crumb Rubber/Asphalt Blending Cost Effectiveness Analysis**

**Control Technology:** Carbon Adsorber (CA) Unit

Operation Schedule: 10 hr/day 261 days/yr  
 CA Unit 20 years  
 Interest rate: 4 %

**Capital Cost**

Equipment (Carbon Adsorber Unit)	\$	54,989
<u>Direct &amp; Indirect Installation</u>	\$	71,655
Total Capital	\$	<u>126,644</u>

**Operating Cost**

		0.0
<u>Direct &amp; Indirect</u>	\$	44,038
Total Average Annual	\$	<u>44,038</u>

<b>PVF</b>		13.59
Present Value of Capital Costs	\$	126,644
Present Value of Annual Costs (20 years @ 4%)	\$	598,491
<b>Total 20-Year Capital Cost</b>	\$	<u>725,135</u>

<b>Uncontrolled VOC (Inlet) Emissions, R1 (lb/day):</b>		9.70
<b>VOC Emissions reduction with 90% efficiency (lbs/day)</b>		8.7
<b>VOC Emissions reduction (lbs/year)</b>		2275.9
<b>VOC Emissions reduction (tons/year)</b>		1.14
<b>VOC Emissions reduction (tons/20-year life)</b>		22.76
<b>Cost per ton of VOC reduced</b>	<b>\$</b>	<b><u>31,861</u></b>

MSBACT maximum cost effectiveness VOC (\$/ton)	\$	<b>102,682</b>	<b>INCREMENTAL 2nd Qtr 2021</b>	<b>COST EFFECTIVE</b>
	\$	<b>34,227</b>	<b>AVERAGE 2nd Qtr 2021</b>	<b>COST EFFECTIVE</b>

**Notes:**

- The carbon adsorber unit is equipped with two carbon canisters with minimum overall control efficiency of 90%.
- Equipment life for carbon adsorbers assumed 20 years based on the EPA report:  
[https://www.epa.gov/sites/default/files/2018-10/documents/final\\_carbonadsorberschapter\\_7thedition.pdf](https://www.epa.gov/sites/default/files/2018-10/documents/final_carbonadsorberschapter_7thedition.pdf)
- Maximum allowed cost effectiveness was based on VOC Average/Incremental value in Table 5, Part C of the 2021 BACT Guidelines.



## **ATTACHMENT I**

### **Comments and Responses to Proposed Amendments to BACT Guidelines**

Public meetings were held on February 23, 2023 and July 25, 2023 and with the BACT SRC to present and discuss the proposed amendments to the BACT Guidelines. The following written comments, questions, and staff responses are from letters received after the first meeting as well as during the 30-day comment period starting July 25, 2023.

- A. Comment Letter A – Ms. Patty Senecal, Western States Petroleum Association (WSPA)
- B. Comment Letter B – Ms. Rita M. Loof, RADTECH – The Association For UV & EB Technology/ BACT SRC member
- C. Comment Letter C – Ms. Ramine Cromartie, Western States Petroleum Association (WSPA)/ BACT SRC member



## Comment Letter A (WSPA)

**Patty Senecal**

Senior Director, Southern California Region

March 9, 2023

Bahareh Farahani  
Program Supervisor  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

Via e-mail at: bfarahani@aqmd.gov

**Re: SCAQMD Proposed Updates to Best Available Control Technology Guidelines**

Dear Ms. Farahani,

Western States Petroleum Association (WSPA) appreciates the opportunity to participate in the South Coast Air Quality Management District (SCAQMD or District) Best Available Control Technology Scientific Review Committee (BACT SRC) meetings. WSPA is a non-profit trade association representing companies that explore for, produce, refine, transport, and market petroleum, petroleum products, natural gas, renewable fuels, and other energy supplies in five western states including California. WSPA has been an active participant in air quality planning issues for over 30 years. WSPA-member companies operate petroleum refineries and other facilities in the South Coast Air Basin that will be impacted by SCAQMD's proposed updates to the BACT Guidelines.

SCAQMD presented the proposed updates to BACT Guidelines during the BACT Scientific Review Committee Meeting held on February 23, 2023. WSPA offers the following comments.

**1. The BACT guideline for fugitive emission sources at petroleum refineries, as presented, does not reflect the complexity of the requirements that SCAQMD is trying to memorialize in the guideline.**

In the BACT SRC meeting, SCAQMD presented proposed Lowest Achievable Emission Rate (LAER)/BACT limits for fugitive emission sources at petroleum refineries. The information presented included a proposed LAER/BACT limit of 200 ppm with repairs required within 14 days of detection of a leak between 200 – 1000 ppm.<sup>1</sup> The information presented appears to be an oversimplification of the requirements under recent BACT determinations, which may include some or all of the following requirements:

- Fugitive emissions must be recalculated based on equipment installed and removed from service
- New valves should be bellows seal valves
- New valves should be leakless type
- All sampling connections must be in closed-purge, closed-loop, or closed-vent
- New components must be expected quarterly or monthly, depending on component type

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<sup>1</sup> SCAQMD BACT Scientific Review Committee meeting presentation. Available at: [http://www.aqmd.gov/docs/default-source/bact/2-23-23-bact-guidelines-proposed-updates/proposed-updates-to-bact-guidelines\\_src\\_february23\\_2023\\_final.pdf](http://www.aqmd.gov/docs/default-source/bact/2-23-23-bact-guidelines-proposed-updates/proposed-updates-to-bact-guidelines_src_february23_2023_final.pdf).

- The operator must keep records of inspections, repairs, and re-inspections

SCAQMD should ensure that the proposed BACT guidelines better align with actual BACT determinations found in recent permit actions. SCAQMD should also ensure that existing control technology guidelines for valves and connectors are followed. Additionally, leaks above 500 ppm should align with current Rule 1173 repair requirements.

**2. SCAQMD is proposing a LAER/BACT limit of 200 ppm VOC for fugitive emission sources at petroleum refineries.<sup>2</sup>**

At the BACT SRC meeting held on February 23<sup>rd</sup>, District staff stated that this proposed standard would only apply to valves and connectors. WSPA requests written confirmation of this scope.

**3. SCAQMD is proposing that fugitive emission leaks of petroleum refiner valves and connectors be repaired within 14 days of detection.<sup>3</sup> It would be a challenge to meet the proposed repair timeline, particularly on critical components such as control valves. WSPA recommends that control valves should be categorically exempt from the 200 ppm VOC limit.**

SCAQMD is proposing as BACT that a leak greater than 200 ppm but less than 1,000 ppm measured as methane using EPA Method 21 be repaired within 14 days of detection. Certain components, such as control valves, are considered critical to the operation of a unit. In order to repair control valves, a facility must shut down the unit, repair the control valve, and start up the unit again. Startup and shutdown emissions are typically more than normal operating emissions. WSPA therefore recommends a categorical exemption for control valves from the 200 ppm limit.

**4. If a categorical exemption from the 200 ppm limit is not possible for such components, WSPA recommends incorporating language similar to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Rule 4409 to address the difficulty in repair of critical components.**

Repair of critical components at petroleum refineries would be a challenge on the proposed timeline. WSPA recommends that SCAQMD consider incorporating language similar to the SJVAPCD Rule 4409 to address repairs on critical components as follows:<sup>4</sup>

*If the leaking component is an essential component or a critical component and which cannot be immediately shut down for repairs, the operator shall:*

*If the leak has been minimized to less than 500 ppm, but the leak still exceeds 200 ppm, the essential component or critical component shall be repaired or replaced to eliminate the leak during the next process unit turnaround, but in no case later than one year from the date of the original leak detection, whichever comes earlier.”*

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<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> SJVAPCD Rule 4409. Available at: <https://www.valleyair.org/rules/curnrules/r4409.pdf>.

5. SCAQMD is proposing LAER limits for NO<sub>x</sub>, CO, and SO<sub>x</sub> for a Sulfur Recovery (Claus) Unit.<sup>5</sup> Averaging times for the proposed limits were not presented during the BACT SRC meeting. WSPA is affirming the Staff statement made during the BACT SRC meeting that averaging times will be included in the proposed BACT guideline and that the achieved-in-practice averaging times are 24 hours for NO<sub>x</sub> and CO, and 72 hours for SO<sub>x</sub>. WSPA also requests clarification on the configuration of the Sulfur Recovery Train that these limits apply to, and whether the limits only apply to the unit when it is on standby and fired with natural gas, and not apply to refinery gas fired units or when there is waste gas, acid gas, or process gas routed to the units.
6. SCAQMD is proposing LAER limits for NO<sub>x</sub> and CO for natural gas or propane-fired boilers with a heat input rating >20 MMBtu/hr.<sup>6</sup> WSPA recommends that SCAQMD include a statement in the proposed BACT guideline that clearly denotes that the guideline does not apply to units fired on refinery fuel gas, waste gas, field gas, process off-gas, or a combination of these fuels. WSPA also requests written confirmation of the upper bound MMBtu/hr heat input rating for these proposed limits.

SCAQMD is proposing LAER limits for NO<sub>x</sub> and CO for natural gas or propane fired boilers with a heat input rating >20 MMBtu/hr. SCAQMD is basing this determination on a SJVAPCD BACT/LAER determination.<sup>7</sup> The referenced SJVAPCD BACT/LAER determination clearly states:

*This guideline is applicable to units fired solely on natural gas from a PUC or FERC regulated source or propane/LPG.*

WSPA recommends that the proposed BACT guideline for boilers with a heat input rating >20 MMBtu/hr include a clear statement as follows:

*This guideline is applicable to units fired solely on natural gas from a PUC or FERC regulated source or propane/LPG. It does not apply to units fired on refinery fuel gas, waste gas, field gas, process off-gas, or a combination of these fuels.*

WSPA appreciates the opportunity to provide these comments related to the proposed updates to the BACT Guidelines. We look forward to continued discussion of this important rulemaking. If you have any questions, please contact me at (310) 808-2146 or via e-mail at [rcromartie@wspa.org](mailto:rcromartie@wspa.org).

Sincerely,



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<sup>5</sup> SCAQMD BACT Scientific Review Committee meeting presentation. Available at: [http://www.aqmd.gov/docs/default-source/bact/2-23-23-bact-guidelines-proposed-updates/proposed-updates-to-bact-guidelines\\_src\\_february23\\_2023\\_final.pdf](http://www.aqmd.gov/docs/default-source/bact/2-23-23-bact-guidelines-proposed-updates/proposed-updates-to-bact-guidelines_src_february23_2023_final.pdf).

<sup>6</sup> Ibid.

<sup>7</sup> SJVAPCD BACT Guideline 1.1.2. Available at: <https://www.valleyair.org/busind/pto/bact/chapter1.pdf>.

March 9, 2022  
Page 4

Cc: Jason Aspell, SCAQMD  
Bhaskar Chandan, SCAQMD  
Bettina Burleigh Sanchez, SCAQMD



**Response Letter A (to WSPA)**  
**South Coast  
Air Quality Management District**

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

November 16, 2023

Patty Senecal  
Western States Petroleum Association  
970 West 190<sup>th</sup> Street, Suite 304  
Torrance, California 90502

**Re: South Coast AQMD Proposed Updates to Best Available Control Technology  
(BACT) Guidelines**

Dear Ms. Senecal:

Thank you for your letter dated March 9, 2023, regarding the proposed updates to South Coast AQMD's BACT Guidelines. We appreciate your participation at the February 23, 2023 Scientific Review Committee (SRC) meeting, which was the first meeting for this new round of BACT Guidelines updates.

Staff reviewed your comment letter and provided responses below to address your concerns.

**Fugitive Emission Sources at Petroleum Refineries:**

**Comment #1:** The BACT guideline for fugitive emission sources at petroleum refineries, as presented, does not reflect the complexity of the requirements that South Coast AQMD is trying to memorialize in the BACT Guidelines.

**Response #1:** The purpose of the first BACT SRC meeting was simply to solicit stakeholders' input on technical details and environmental impacts in order to include this determination in the BACT guidelines. Staff studied the proposed BACT determination and comments received at the first SRC meeting and presented those findings and further details on the proposed BACT determinations at the second BACT SRC meeting held on July 25, 2023.

The proposed BACT/LAER determination for fugitive emissions sources at petroleum refineries presented at the first SRC meeting is an update to the current BACT that is based on the letter dated August 6, 1993, which has been sent to WSPA (attached). The proposed BACT/LAER determination would only change the maximum fugitive leak from 500 ppm



Total Organic Compounds (TOC) to 200 ppm TOC (TOC as defined in Rule 1173 (c)(31)). All aspects of Rule 1173 and the BACT requirements under the letter dated August 6, 1993, would remain in effect except the maintenance requirements would be triggered at 200 ppm instead of 500 ppm. To ensure that the proposed BACT Guidelines align with actual BACT determination and achieved in practice case, staff listed additional details and requirements of the existing permit, including the permit conditions, in Sections (4), (5) and (6) of the Draft BACT/LAER form, which is attached to this letter. The permit conditions listed in the above sections are also attached for your reference. Additional details were presented at the second BACT SRC meeting on July 25, 2023. These BACT determination forms will be included in Part B of the BACT Guidelines.

Part A of the BACT Guidelines, Chapter 1, discusses the Pollution Prevention Act of 1990 (42 U.S.C. 13101-1309) and how BACT must consider that “pollution prevention may include improvements in housekeeping, maintenance or inventory control, that reduce the amount of air contaminants entering any waste stream or otherwise released into the environment, including fugitive emissions.” Lowering the leak action trigger threshold is a more stringent emission limitation subject to LAER requirements. The proposed BACT/LAER for fugitive components has already been permitted at refineries and in operation for over 10 years and is therefore now considered achieved in practice (AIP).

**Comment #2:** Define the scope for which components South Coast AQMD is proposing a BACT/LAER limit of 200 ppm VOC for fugitive emission sources at petroleum refineries.

**Response #2:** The proposed BACT/LAER determination applies to fugitive leaks from components in VOC service (greater than 10% by weight) except for pumps, compressors, and drains. This is consistent with the definitions in Rule 1173. The same requirements and exemptions in Rule 1173 and BACT requirements in the letter dated August 6, 1993, will continue to apply.

Please refer to Rule 1173 (c)(4) for definition of components:

<http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1173.pdf?sfvrsn=4>

**Comment #3:** Concern that the 14 days allowed to repair fugitive emission leaks from “critical components” is challenging and recommendation that control valves be exempt from the 200 ppm VOC limit.

**Response #3:** As noted above, this BACT determination is based on an AIP case at a refinery. Requirements and time period to repair leaks found by facility operators that are greater than 200 ppm are included in permit conditions S4.2 and S31.3 (attached). These conditions allow the operator to repair the leak greater than 200 ppm, but no more than 500 ppm, within 14 days of detection without a need to submit a request for a 7-day extension period that is required under Rule 1173. These permit conditions do not have any allowance

for “critical components” or “control valves” and therefore this listing (which is based on the AIP case) does not make any categorical exemptions for “critical components” or “control valves.”

Please note that for leaks greater than 500 ppm, but no more than 10,000 ppm, Rule 1173(g)(1) requires the operator to repair, replace or remove a leaking component in light liquid/gas/vapor within 7 days. Per Rule 1173, for each calendar quarter, the operator may extend the repair period to total of 14 days for a total number of leaking components, not to exceed 0.05 percent of the number of components inspected during the previous quarter, by type, rounded upward to the nearest integer where required. Per Rule 1173(i)(1), upon request by the Executive Officer, the operator shall include in quarterly/annual inspection reports the reason for extending the repair period for any component, as allowed in paragraph (g)(1). There is no additional allowance for “critical components” in the current version of Rule 1173. The proposed LAER requires that the maximum fugitive leak be lowered from 500 ppm to 200 ppm for light liquid/gas/vapor components. All other requirements under Rule 1173 will continue to apply.

**Comment #4:** Recommendation that a leaking “essential component or a critical component which cannot be immediately shut down for repairs” for a leak greater than 200 ppm but less than 500 ppm be allowed to be repaired at the next process unit turnaround.

**Response #4:** This BACT determination is based on an AIP case which does not have any allowance for the critical components. Staff is proposing to add this AIP case listing to the BACT Guidelines with all the requirements that were imposed under the permit. All existing Rule 1173 exemptions remain in place including exemptions for components which present a safety hazard for inspection. As noted above, there is no allowance for “critical components” in current Rule 1173, and no allowance was provided in the permit for leaks between 200 ppm to 500 ppm in the AIP case that this LAER is based on.

#### **Sulfur Recovery Unit:**

**Comment #5:** Concerns about NO<sub>x</sub>, CO, and SO<sub>x</sub> limits for a Sulfur Recovery Unit. Request clarification of averaging times, configuration, and when limits apply.

**Response #5:** The following details are included on the proposed BACT/LAER determination forms, which is attached to this correspondence. The averaging time for NO<sub>x</sub> and CO is 24 hours, and for SO<sub>x</sub> is 72 hours. The acid gas feeds to the sulfur recovery unit (SRU) to recover elemental sulfur. Sulfur not recovered in the Claus unit (front portion of SRU) is processed in an amine-based tail gas treatment unit (rear portion of SRU). The tail gas treatment unit (TGTU) is vented to a tail gas incinerator, followed by a caustic scrubber for removal of remaining H<sub>2</sub>S and SO<sub>x</sub>, respectively.



The emission limits apply during normal operation. Permit conditions A99.17 and A99.18 have provisions for NOx and CO BACT limits during start-up and shutdown. SOx BACT limit does not need an equivalent allowance because sour gas/waste gas is not being routed to the SRU/TGTU during these periods. The tail gas incinerator utilizes natural gas as the primary fuel to combust the tail gas from the TGTU to reduce the tail gas H<sub>2</sub>S concentration below 2.5 ppmvd (averaged over 24 hours, 0% O<sub>2</sub>). Incinerator is equipped with ultra-low NOx burner and emission limits are based on the lower heating value (LHV) of natural gas.

**Boiler, Natural Gas or Propane Fired > 20 MMBTU/HR:**

**Comment #6:** Recommendation to clarify that the LAER limits for NOx and CO are for natural gas or propane-fired boilers with heat input rating >20 MMBtu/hr and be specific as to the fuel types not included, along with the upper bound of heat input rating for the proposed limits.

**Response #6:** This determination is based on SJVAPCD permit and BACT Guidelines which includes boilers that are fired on natural gas or propane with a rated heat input capacity greater than 20 million Btu per hour and does not include an upper bound for the heat input of the boiler. The BACT/LAER Determination form (attached) includes the details of the applicable fuels and the firing rates. The fuel used is clearly identified in Section L of the BACT/LAER Determination form: "The unit shall only be fired on PUC-quality natural gas."

Please note that LAER is determined on a case-by-case basis and the information in the BACT/LAER form enables permit applicants to assess the applicability of each LAER/BACT determination to their particular equipment.

Staff appreciate your significant time and consideration in submitting comments to our proposed BACT/LAER determinations for Fugitive Emission Sources at Petroleum Refineries, Sulfur Recovery (Claus) Unit, and Boiler, Natural Gas or Propane Fired. The SRC's efforts are vital to ensure BACT/LAER listings receive a robust analysis. Should you have further questions or comments please contact Bettina Burleigh Sanchez at 909-396-3245, Bahareh Farahani at 909-396-2353 or me at 909-396-3902 or [bchandan@aqmd.gov](mailto:bchandan@aqmd.gov)

Sincerely,



Bhaskar Chandan, P.E., QEP  
Senior Air Quality Engineering Manager  
Refinery Permitting and BACT Team

**Attachments:**

Fugitive Emission Sources at Petroleum Refineries – Draft BACT/LAER Determination Form  
Fugitive Emission Sources at Petroleum Refineries – Permit Conditions  
South Coast AQMD letter dated August 6, 1993  
Sulfur Recovery Unit – Draft BACT/LAER Determination Form  
Boiler, Natural Gas or Propane Fired > 20 MMBTU/HR – Draft BACT/LAER Determination Form

**Cc:** Ramine Cromartie, Western States Petroleum Association ([rcromartie@wspa.org](mailto:rcromartie@wspa.org))  
Jason Aspell, Deputy Executive Officer, Engineering & Permitting ([jaspell@aqmd.gov](mailto:jaspell@aqmd.gov))  
Jillian Wong, Assistant Deputy Executive Officer, Engineering & Permitting  
([jwong1@aqmd.gov](mailto:jwong1@aqmd.gov))  
Bahareh Farahani, Program Supervisor, BACT Team ([bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov))  
Bettina Burleigh Sanchez, Senior Air Quality Engineer ([bburleigh@aqmd.gov](mailto:bburleigh@aqmd.gov))

## Comment Letter B (RADTECH)



March 9, 2023

Bahareh Farahani  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765  
[bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov)

Re: Public Comments Proposed Revisions to Best Available Control Technology

Dear Bahareh:

RadTech represents over 800 members involved in the Ultraviolet/Electron Beam/Light Emitting Diode (UV/EB/LED) industry. We appreciate the opportunity to comment on the proposed Best Available Control Technology Guidelines. Our technology is pollution prevention technology and we appreciate the District's efforts to recognize it as an alternative to add-on control devices in the guidelines. Please see attached permits which may not have been reflected in the current guidelines, for consideration. The categories are as follows:

- Lithographic printing, UV web
- Lithographic printing, UV wide web
- Lithographic printing, UV sheet-fed

Additionally, a listing for a UV Flow Coater, Dip tank, Roller Coater, is currently listed under Section III, other technology. Please clarify why this application (A/N 323199) is listed in the emerging technologies section, considering that the permit was issued on May 5<sup>th</sup>, 1999. Thank you for your collaboration and we look forward to working with the BACT team.

Sincerely,

Rita M. Loof  
Director, Environmental Affairs

## Response Letter B-I (to RADTECH)

**From:** Bahareh Farahani <[bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov)>

**Sent:** Friday, March 10, 2023 4:36 PM

**Cc:** BACT Team <[BACTTeam@aqmd.gov](mailto:BACTTeam@aqmd.gov)>

**Subject:** FW: RadTech Public Comments BACT Guidelines

Dear Rita:

I am writing to confirm the receipt of your comment letter. Thank you for providing us with copies of permitted UV technologies. We will contact our coating team regarding the lithographic printing and the use of UV. As you are aware when we looked at the UV/EB operation we were not able to acquire cost data. Could you please reach out to your members and provide us with cost data for the lithographic printing, UV?

Moreover, we are working on our BACT pages to update the links and information. Thanks for letting me know about A/N 323199 in Section III. I will review it and make required updates.

Thanks for your comments and suggestion.

Best Regards,

*Bahareh Farahani (she/her)*



Program Supervisor

Best Available Control Technology

Engineering & Permitting

South Coast Air Quality Management District

21865 Copley Drive

Diamond Bar, CA 91765

Tel.: (909) 396-2353

Email: [bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov)

**Please refer to the next page for more details:**

## Response Letter B-II (to RADTECH)

**From:** Bahareh Farahani

**Sent:** Friday, December 22, 2023 6:13 PM

**Subject:** FW: RadTech Public Comments BACT Guidelines

Dear Rita:

Thanks for meeting with us to go over the existing Lithographic Printing and Flow Coater BACT/LAER listings. This is a follow up to my March 10th email regarding your comments on the updates to BACT Guidelines and meeting with BACT Team. I am summarizing your concerns as well as our recent discussions for reference and future consideration:

**Comment #1:** Concern that the Lithographic printing, UV technology including UV Web-fed, UV Wide-web and UV Sheet-fed, may not have been reflected in the current BACT guidelines.

**Response #1:** As we discussed, the BACT Guidelines, Part B, Section I has one listing for Lithographic Printing, Web-fed equipped with UV dryers under Printing (Graphic Arts) - Lithographic, Non-Heatset category. This equipment is located at Creative Mailing Inc. I included a hyperlink below for your reference: [Lithographic printing, UV Web](#)

Regarding Web and Wide-web, Rule 1130 defines Web-fed as an automatic system which supplies substrate from a continuous roll, or from an extrusion process. There is no distinction between Web and Wide-web in Rule 1130 and our permit engineers evaluate the application on a case-by-case basis.

Regarding lithographic printing, UV Sheet-fed, we reviewed the past 7 years of data and found a couple of permitted equipment using UV technology. Staff is working to ensure that Part B of the Guidelines for major polluting facilities is updated in the next round of BACT Guidelines to reflect the achieved in practice cases for this category. We are looking forward to meet with representatives from your industry to go over some of the questions we have on this category.

Please note that to include UV technology in minor source BACT Guidelines (Part D), South Coast AQMD is required to follow H&SC Section 40440.11 which specifies the criteria and process that must be followed to establish new minor source BACT limits for source categories listed in the Part D of the BACT Guidelines. This includes calculating total and incremental cost-effectiveness and determining that the incremental cost-effectiveness is less than South Coast AQMD's established cost-effectiveness criteria. In order for us to do this, we previously requested the cost information. If you are able to provide us with the cost data then we can conduct our evaluation.

**Comment #2:** There is a listing for a UV Flow Coater, Dip tank, Roller Coater, under Section III, other technology. Clarification on why this application (A/N 323199) is listed in the emerging technologies section, considering that the permit was issued on May 5th, 1999.

**Response #2:** There is a listing in Part B, Section II under Flow Coater. This BACT/LAER determination is based on a permitted equipment in SJVAPCD. The sheet coater is equipped with UV curing oven. Here is a link to the BACT determination: [Flow Coater](#).

Please review this determination and if it is in-line with the listing in section III (A/N 323199) and reflects the use of UV technology, let me know and I will modify Section III of the Guidelines accordingly.



Thank you for your time and consideration in reviewing the current BACT Guidelines and commenting on the Lithographic printing and Flow Coater, Dip tank, Roller Coater categories. We look forward to working with you to keep the BACT Guidelines up-to-date. The SRC's efforts are vital to ensure BACT/LAER listings receive a robust analysis. Should you have further questions or comments please contact me at 909-396-2353 or [bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov).

Thank you,

Best Regards,

***Bahareh Farahani*** (*she/her*)



Program Supervisor

Best Available Control Technology

Engineering & Permitting

South Coast Air Quality Management District

21865 Copley Drive

Diamond Bar, CA 91765

Tel.: (909) 396-2353

Email: [bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov)



**Ramine Cromartie**

Senior Manager, Southern California Region

August 24, 2023

Bhaskar Chandan, PE, QEP  
Sr. Air Quality Engineering Manager  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

Via e-mail at: BACTTeam@aqmd.gov

**Re: WSPA Comments on Proposed Updates to BACT Guidelines**

Dear Mr. Chandan,

Western States Petroleum Association (WSPA) appreciates the opportunity to participate as a member of the Best Achievable Control Technology (BACT) Scientific Review Committee (SRC) for the South Coast Air Quality Management District (SCAQMD). One of the goals of this committee is to provide comment on the proposed BACT listings for BACT Guidelines updates.

WSPA is a non-profit trade association representing companies that explore for, produce, refine, transport, and market petroleum, petroleum products, natural gas, renewable fuels, and other energy supplies in five western states including California. WSPA has been an active participant in air quality planning issues for over 30 years. WSPA-member companies operate petroleum refineries and other facilities in the South Coast Air Basin that are regulated by the SCAQMD and will be impacted by the proposed new and updated listings to the Lowest Achievable Emissions Rate (LAER)/BACT determinations.

On February 23, 2023, SCAQMD presented proposed new listings for the BACT Guidelines. These updates were discussed further in the July 23, 2023 BACT SRC Committee Meeting. WSPA offers the following comments/questions for additional consideration for each of the respective listings.

**1. Part B – LAER/BACT Determination for Major Polluting Facilities, Section 1 – South Coast AQMD LAER/BACT Determinations: Heater, Natural Draft Operation, Natural Gas/Process Gas Fired**

For this listing, SCAQMD shared the source test results for nitrogen oxides (NOx) and carbon monoxide (CO) for a heater used for flash distillation.

40 CFR Part 63 Subpart DDDDD, commonly referred to as the Boiler Maximum Achievable Control Technology (MACT) Rule, may be applicable to certain heaters subject to the proposed LAER/BACT determination. The Boiler MACT requires routine tune-ups of equipment subject to the rule<sup>1</sup>. Heaters subject to Subpart DDDDD could exceed the proposed CO limit during tuning. As currently proposed, there is no exemption for tuning in the proposed LAER/BACT determination.

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<sup>1</sup>40 Code of Federal Regulations, Chapter I, Subchapter C, Part 63, Subpart DDDDD – National Emissions Standards or Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

WSPA requests SCAQMD consider this operational mode while evaluating the proposed listing for CO.

**2. Part B – LAER/BACT Determination for Major Polluting Facilities, Section 1 – South Coast AQMD LAER/BACT Determinations: Tank Truck Loading Racks**

For this listing, SCAQMD shared the source test results for volatile organic compounds (VOCs) for a vapor recovery collection and disposal system that is connected to a storage tank and loading rack and vented to a thermal oxidizer.

WSPA requests that SCAQMD provide responses to the following questions:

- a. What is the technology evaluation that is driving this change for the LAER/BACT limit? Is this a stand-alone (thermal) technology or is it connected with another different technology?
- b. How are non-VOC emissions considered from the thermal heat input, i.e., NO<sub>x</sub>, particulate matter (PM), sulfur oxides (SO<sub>x</sub>), CO, others?
- c. Is the proposed LAER Limit a rolling average or instantaneous limit?

WSPA appreciates the opportunity to participate as a member of the BACT SRC. We look forward to continued discussion of BACT Guidelines. If you have any questions, please contact me at (310) 808-2146 or via e-mail at [rcromartie@wspa.org](mailto:rcromartie@wspa.org).

Sincerely,



Cc:

Bahareh Farahani, SCAQMD  
Bettina Burleigh Sanchez, SCAQMD  
Patty Senecal, WSPA



Response Letter C (to WSPA)



South Coast  
Air Quality Management District

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

November 16, 2023

Ramine Cromartie  
Western States Petroleum Association  
970 West 190<sup>th</sup> Street, Suite 304  
Torrance, California 90502

**Re: WSPA Comments on Proposed Updates to BACT Guidelines**

Dear Ms. Cromartie:

Thank you for your letter dated August 24, 2023, regarding the Proposed Updates to BACT Guidelines. We appreciate your participation at the July 25, 2023 Scientific Review Committee (SRC) meeting.

Staff has reviewed your comment letter and is providing responses below to address your concerns.

**Natural Gas/Process Gas Fired Heater**

**Comment #1:** Concern that the BACT Guideline for Heater, Natural Draft Operation, Natural Gas/Process Gas Fired, as presented, does not include an exemption for the CO emission limits during tune-ups potentially required under 40 CFR Part 63 Subpart DDDDD. WSPA requests South Coast AQMD consider this operational mode while evaluating the proposed listing for CO.

**Response #1:** This BACT/LAER determination is based on an achieved in practice case and reflects the requirements listed in the permit issued for that equipment. This AIP case is located at a facility that is not a major source of HAP and therefore 40 CFR Part 63 Subpart DDDDD does not apply to this facility, and no condition related to the exemptions during tuning requirements were included. If the facility is subject to 40 CFR Part 63 Subpart DDDDD, then the proposed 100 ppm CO limit would not apply during tune-ups required under Subpart DDDDD. To address your concern and to ensure that the proposed BACT Guidelines align with actual BACT determination and achieved in practice case, staff included additional details in Sections (4)(D) of the Draft BACT/LAER form, which is attached to this letter, to clarify the applicability of the CO limit.

**Tank Truck Fuel Loading Racks**

**Comment #2a:** Question about what technology evaluation is driving the determination, and if it is a standalone technology or is it in combination with other equipment.

**Response #2a:** The current BACT requirements for “Liquid Transfer and Handling – Tank truck and rail car bulk loading, class A” are listed in Part D of the BACT Guidelines. The Guideline requires compliance with Rule 462 (0.08 lb of VOCs/1000 gal of organic liquid transferred). This BACT/LAER determination is driven by an achieved in practice case that has been permitted and operating for over 6 years in the South Coast Air Basin with a limit of 0.02 lb/1000 gal. The vapor recovery/control system consists of two vapor holders, a water knock-out tank, a metal detonation arrestor, a waste gas booster fan, and the direct flame thermal oxidizer. The vapors are collected and held in tanks until they are sent to the thermal oxidizer, which is the device that controls the VOC emissions. More details are included in the proposed BACT/LAER determination form, which is attached to this correspondence.

**Comment #2b:** Question about how non-VOC emissions are considered from the thermal heat input, i.e., NO<sub>x</sub>, particulate matter (PM), sulfur oxides (SO<sub>x</sub>), CO, others.

**Response #2b:** This BACT/LAER determination is only for the VOC emissions limit and control efficiency, and not for emissions associated with the thermal oxidizer. This proposal adds a new listing to the BACT Guidelines or VOC emission limit from Tank Truck Fuel Loading Racks equipped with a vapor recovery and disposal system to control VOC emissions. No limits for NO<sub>x</sub>, PM, SO<sub>x</sub>, or CO are being proposed with this BACT/LAER listing. The emissions from the thermal oxidizer are subject to a separate BACT listing category, and the thermal oxidizer has its own established limits in the BACT Guidelines (please refer to Thermal Oxidizer category under Part B, Section I of the BACT Guidelines and Rule 1147 for NO<sub>x</sub> and CO limits).

**Comment #2c:** Question if the proposed LAER Limit is a rolling average or instantaneous limit.

**Response #2c:** This BACT/LAER determination requires the VOC emission rate to be measured in pounds of VOC per 1000 gallons of fuel transferred and must demonstrate a 99% overall control efficiency during the source test. Compliance with the emission limit is verified through source testing. The source test reference information is provided in the BACT determination form for staff’s review during permitting to ensure consistent implementation.

Staff appreciates your significant time and consideration in submitting comments to our proposed LAER determinations for Heater, Natural Draft Operation, Natural Gas/Process Gas Fired and Tank Truck Loading Racks. The SRC's efforts are vital to ensure BACT/LAER listings receive a robust analysis. Should you have further questions or comments please contact Bettina Burleigh Sanchez at 909-396-3245, Bahareh Farahani at 909-396-2353 or me at 909-396-3902 or [bchandan@aqmd.gov](mailto:bchandan@aqmd.gov)

Sincerely,



Bhaskar Chandan, P.E., QEP  
Senior Air Quality Engineering Manager  
Refinery Permitting and BACT Team

**Attachment:**

Natural Gas/Process Gas Fired Heater – Draft BACT /LAER Determination Form

**Cc:**

Jason Aspell, Deputy Executive Officer, Engineering & Permitting ([jaspell@aqmd.gov](mailto:jaspell@aqmd.gov))  
Jillian Wong, Assistant Deputy Executive Officer, Engineering & Permitting  
([jwong1@aqmd.gov](mailto:jwong1@aqmd.gov))  
Bahareh Farahani, Program Supervisor, BACT Team ([bfarahani@aqmd.gov](mailto:bfarahani@aqmd.gov))  
Bettina Burleigh Sanchez, Senior Air Quality Engineer ([bburleigh@aqmd.gov](mailto:bburleigh@aqmd.gov))

ATTACHMENT J



**South Coast  
Air Quality Management District**

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

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**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDMENTS TO THE BEST AVAILABLE CONTROL TECHNOLOGY (BACT) GUIDELINES**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor’s Office of Planning and Research for posting on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD’s webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2024>.

**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 Amendments to the Best Available Control Technology (BACT) Guidelines

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**Project Location:** The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

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**Description of Nature, Purpose, and Beneficiaries of Project:** Amendments to the BACT Guidelines are proposed to the following sections to maintain consistency with recent changes to South Coast AQMD rules and state requirements and to include equipment and processes which have been achieved in practice: Overview: 1) Update the actual and potential emission threshold levels of volatile organic compounds (VOC) and nitrogen oxides (NOx) for major polluting facilities; and 2) update Footnote 7 to add a reference to Engineering Policy and Procedures.

Part B – Lowest Achievable Emission Rate (LAER) Determinations for Major Polluting Facilities: 1) Add four new listings to Section I – South Coast AQMD LAER/BACT Determinations: a) Heater, Natural Draft Operation, b) Linear Generator, Non-Emergency Electrical Generator, Natural Gas Fired, c) Sulfur Recovery (Claus) Unit, and d) Tank Truck Loading Racks; 2) Update the Fugitive Emission Sources at Petroleum Refineries in Section I – South Coast AQMD LAER/BACT Determinations; 3) add two new listings to Section II – Other LAER/BACT Determinations: a) Boiler, Natural Gas > 20 MMBtu/hr, and b) Heater, Natural Draft Operation; and 4) update the Gas Turbine -Simple Cycle, Natural Gas listing in Section II – Other LAER/BACT Determinations to reflect an achieved-in-practice case at a simple cycle power plant which was permitted in 2015 by the Bay Area Air Quality Management District.

Part C – Policy and Procedures for Non-Major Polluting Facilities: Update the Maximum Cost-Effectiveness Values in Table 5 for consistency with the third quarter 2023 Marshall and Swift equipment index in accordance with the BACT Guidelines policy.

Part D – BACT Determinations for Non-Major Polluting Facilities: Add one new listing for Crumb Rubber/Asphalt Oil Blending.

Finally, the following administrative changes to the BACT Guidelines are proposed: 1) Update all references to the United States Environmental Protection Agency or USEPA to refer to "U.S. EPA."; 2) Update all references to "Engineering and Permitting" to refer to "Engineering and Compliance"; and 3) Update the footers.

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**Public Agency Approving Project:**  
South Coast Air Quality Management District

**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

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

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**NOTICE OF EXEMPTION FROM CEQA (concluded)**

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**Reasons why project is exempt:** South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project is comprised of new information and updates that reflect current practices of LAER/BACT determinations in the BACT Guidelines and the most current achieved-in-practice equipment and/or processes, and makes administrative amendments without requiring physical modifications, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the BACT Guidelines are designed to further protect or enhance the environment. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project.

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**Date When Project Will Be Considered for Approval (subject to change):**

South Coast AQMD Governing Board Public Hearing: February 2, 2024

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**Date Received for Filing:** \_\_\_\_\_ **Signature:**           (Signed and Dated Upon Board Approval)  
Kevin Ni  
Acting Program Supervisor, CEQA  
Planning, Rule Development, and  
Implementation





# **Proposed Updates to BACT Guidelines**

## **Board Meeting**

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**February 2, 2024**

# Background

- Best Available Control Technology (BACT) guidelines are periodically updated to
  - Reflect advancements in technology and
  - Ensures affected equipment use the cleanest technologies
- BACT Guidelines are published for commonly permitted equipment:
  - Based on category or class of source
  - Source is defined as an individual permit unit
    - Engine, boiler, spray booth, etc.
  - Technical feasibility considered for the class and category of source

BACT is the most stringent emission limitation or control technique for a class and category of equipment that is:

Achieved In Practice, or

Contained In a State Implementation Plan (SIP), or

Technologically Feasible



## Background (Cont'd)

- BACT is a major element of Regulation XIII - New Source Review (NSR)
- During permitting, NSR analysis is performed for
  - New sources
  - Relocated sources
  - Modifications to existing sources
- BACT is required if NSR analysis shows:

An emissions

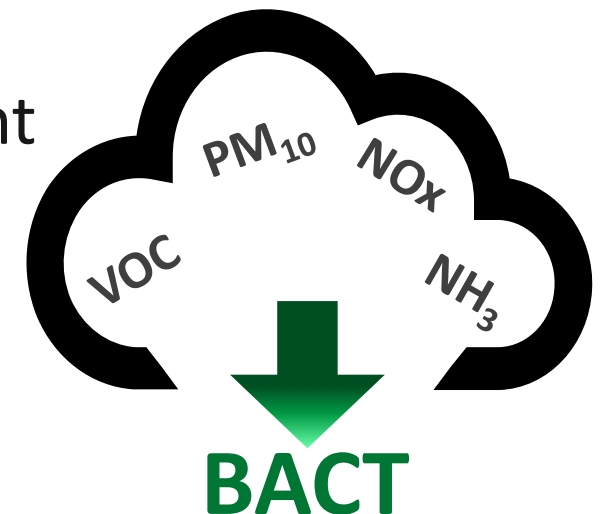
increase  $\geq 1.0$  lb/day



Nonattainment air contaminant  
(NO<sub>x</sub>, VOC, SO<sub>x</sub>, PM<sub>10</sub>)

Ozone depleting compound

Ammonia



# BACT Guidelines Structure

## BACT Guidelines Structure

➤ Overview

➤ Major Source BACT (LAER\*)

➤ Non-Major (Minor) Source BACT

➤ Prevention of Significant Deterioration (PSD) for GHG

\* Lowest Achievable Emission Rate

## Facility Types

### Major Source

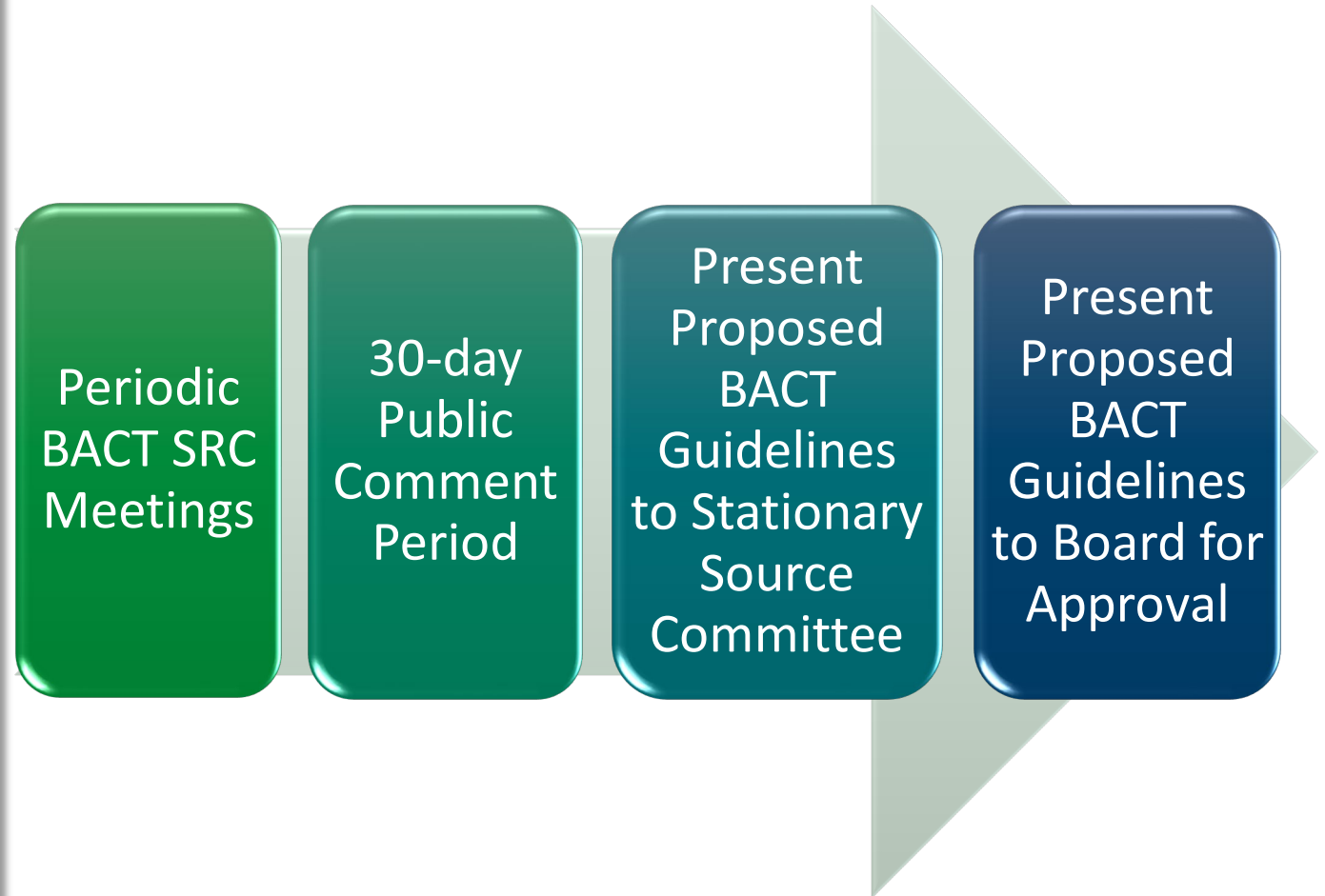
- Federal Title V facilities – LAER\*
- Additional stringencies due to federal regulations
  - Does not allow for routine consideration of cost
  - Applicable at time of permitting

### Non-Major (Minor) Source

- Smaller emitting facilities
- CA H&SC 40440.11
- Cost-effectiveness analysis required
- Requires Board approval
- Applicable at the time an application is deemed complete

# Process to Update BACT Guidelines

- Updates to BACT Guidelines are subject to a public process which includes:
- Review the most stringent emission limitation or control technique
  - Review the revised cost-effectiveness values
  - Technical review and comments by BACT Scientific Review Committee (SRC) which includes members from industry, other agencies, trade organizations, academia, and consultants



# BACT Guidelines Proposed Updates

- Revise VOC and NOx thresholds for major polluting facilities to be consistent with Rule 1302
- Routine update of maximum incremental cost- effectiveness values
- New LAER/BACT listings and updates to existing listings:

Equipment Category	Current LAER/BACT	Proposed LAER/BACT Limit
<b>Part B, Major Polluting Facilities (Section I)</b>		
Fugitive Emission Sources at Petroleum Refineries	Leak Standard: 500 ppmv	Leak Standard: 200 ppmv
Heater, Natural Draft, Multiple burners	New listing	NOx: 7 ppmv @ 3% O <sub>2</sub> dry CO: 100 ppmv @ 3% O <sub>2</sub> dry
Linear Generator, Non-Emergency Electrical Generator, Natural Gas Fired	New listing	NOx: 2.5 ppmv @ 15% O <sub>2</sub> dry CO: 12 ppmv @ 15% O <sub>2</sub> dry VOC: 25 ppmv @ 15% O <sub>2</sub> dry
Sulfur Recovery Unit	New listing	NOx: 0.05 lb/MMBTU natural gas CO: 0.03 lb/MMBTU natural gas SOx: 12 ppmv @ 0% O <sub>2</sub> dry
Tank Truck Loading Racks	New listing	VOC: 0.02 lb/1000 gals

# BACT Guidelines Proposed Updates (Cont'd)

Equipment Category	Current LAER/BACT	Proposed LAER/BACT Limit
<b>Part B, Major Polluting Facilities (Section II)</b>		
Boiler, Natural Gas Fired > 20 MMBTU/HR	New listing	NOx: 2.5 ppmv @ 3% O <sub>2</sub> dry CO: 50 ppmv @ 3% O <sub>2</sub> dry
Heater, Natural Draft, Single burner	New listing	NOx: 6 ppmv @ 3% O <sub>2</sub> dry CO: 50 ppmv @ 3% O <sub>2</sub> dry
Gas Turbine - Simple Cycle, Natural Gas	CO: 4 ppmv @ 15% O <sub>2</sub> dry	CO: 2 ppmv @ 15% O <sub>2</sub> dry
<b>Part D, Non-Major Polluting Facilities</b>		
Crumb Rubber/Asphalt Oil Blending System	New listing	VOC Control Efficiency: 90%*

\* Determined to be cost-effective



# Summary

- ✓ Part B: 8 Major Source LAER listings (Federal Title V facilities)
- ✓ Part D: 1 Non-Major Source BACT listing
- ✓ Update maximum incremental cost- effectiveness values
- ✓ Administrative updates to make the BACT Guidelines consistent with rules and regulations



## Recommended Actions

**Determine that the proposed amendments to the BACT Guidelines are exempt from the requirements of the CEQA**

**Approve Proposed Amendments to the BACT Guidelines**