



South Coast Air Quality Management District



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

REVISED

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP MEETING

Advisory Group Members

Council Member Ben Benoit, LGSBA Chairman (Board Member)
Supervisor V. Manuel Perez (Board Member)
Supervisor Janice Rutherford (Board Member)
Felipe Aguirre
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
Todd Campbell, Clean Energy
LaVaughn Daniel, DancoEN
John DeWitt, JE DeWitt, Inc.
Bill LaMarr, California Small Business Alliance
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association
Mayor Cynthia Moran, City of Chino Hills
Council Member Carlos Rodriguez, City of Yorba Linda
David Rothbart, Los Angeles County Sanitation Districts

**Friday, October 11, 2019 ♦ 11:30 a.m. ♦ Conference Room GB
21865 Copley Drive, Diamond Bar, CA 91765**

TELECONFERENCE LOCATION

Wildomar City Hall
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

8575 Haven Avenue, Suite 110
Rancho Cucamonga CA 91730

73-710 Fred Waring Drive, Suite 222
Palm Desert, CA 92260

(The public may attend the locations listed above.)

Call-in for listening purposes only is available by dialing:

Toll Free: 888-850-4523

Listen Only Passcode: 2626876

In addition, a webcast is available for viewing and listening at:

<http://www.aqmd.gov/home/library/webcasts>

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54854.3(a)). Please provide a Request to Address the Committee card to the Committee Secretary if you wish to address the Committee on an agenda item. If no cards are available, please notify South Coast AQMD staff or a Board Member of your desire to speak. All agendas for regular meetings are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.

CALL TO ORDER

ACTION ITEMS (Items 1 through 3):

1. Call to Order/Opening Remarks
(No Motion Required)
*Council Member Ben Benoit
Committee Chair*
2. Approval of September 13, 2019 Meeting Minutes
(Motion Required)
[Attachment 1]
*Council Member Ben Benoit
Committee Chair*
3. Review of Follow-Up/Action Items
(No Motion Required)
Staff will review the follow-up/action items identified in the previous meeting.
*Derrick J. Alatorre
Deputy Executive Officer
Legislative, Public Affairs &
Media*

DISCUSSION ITEMS (Items 4 through 5):

4. Rule 212 Implementation Guideline
Staff will present an overview of the recent update to Engineering and Permitting implementation guideline for public notices under Rule 212: Standards for Approving Permits and Issuing Public Notice
(No Motion Required)
[Attachment 2]
*Amir Dejbakhsh
Acting Deputy Executive
Officer
Engineering & Permitting*
5. Update on Assembly Bill 617 Community Air Initiatives
Staff will present information on the progress of AB 617 implementation.
(No Motion Required)
[Attachment 3]
*Arlene Farol
Senior Public Information
Specialist
Legislative, Public Affairs &
Media*

WRITTEN REPORT:

6. Monthly Report on Small Business Assistance Activities All
Summary of assistance and outreach activities conducted by South Coast AQMD's Small Business Assistance Office for September 2019.
(No Motion Required)
[Attachment 4]

OTHER MATTERS:

7. Other Business
Any member of this body, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2)
8. Public Comment Period
At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Local Government and Small Business Assistance Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.
9. **Next Meeting Date** - Friday, November 8, 2019 at 11:30 a.m.

ADJOURNMENT

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District, Public Information Center, 21865 Copley Drive, Diamond Bar, CA 91765.

Americans with Disabilities Act

The agenda and documents in the agenda packet will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). Disability-related accommodations will also be made available to allow participation in the Legislative Committee meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please contact Elaine Hills at (909) 396-2945 from 7:00 a.m. to 5:00 p.m., Tuesday through Friday, or send the request to ehills@aqmd.gov.



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DRAFT

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, SEPTEMBER 13, 2019 MEETING MINUTES

MEMBERS PRESENT:

Supervisor V. Manuel Perez (Board Member)
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
Felipe Aguirre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
LaVaughn Daniel, DancoEN
John DeWitt, JE DeWitt, Inc.
Bill LaMarr, California Small Business Alliance
Eddie Marquez, Roofing Contractors Association
Council Member Carlos Rodriguez, City of Yorba Linda
David Rothbart, Los Angeles County Sanitation Districts

MEMBERS ABSENT:

Council Member Ben Benoit, LGSBA Chairman (Board Member)
Supervisor Janice Rutherford (Board Member)
Todd Campbell, Clean Energy
Mayor Cynthia Moran, City of Chino Hills
Rita Loof, RadTech International

OTHERS PRESENT:

Priscilla Hamilton, SoCalGas
Cindy Parsons, Los Angeles Department of Water & Power
Frank Prewoznik, Irvine Ranch Water District
Andy Sylva, San Bernardino County
Stacy Taylor, Mesa Water District
Peter Whittingham, Whittingham Public Affairs Advisors
Greg Wolffe, Yorke Engineering

SOUTH COAST AQMD STAFF:

Derrick Alatorre, Deputy Executive Officer
Fabian Wesson, Assistant Deputy Executive Officer
Sarah Rees, Assistant Deputy Executive Officer
Nancy Feldman, Principal Deputy District Counsel
Victor Yip, Sr. Enforcement Manager
De Groeneveld, Sr. Information Technology Specialist
Elaine-Joy Hills, AQ Specialist
Van Doan, AQ Specialist

Agenda Item #1 - Call to Order/Opening Remarks

Supervisor V. Manuel Perez called the meeting to order at 11:31 a.m.

Agenda Item #2 – Approval of July 19, 2019 Meeting Minutes/Review of Follow-Up/Action Items

Supervisor Perez called for approval of the July 19, 2019 meeting minutes. The minutes were approved unanimously.

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

Mr. Derrick Alatorre stated that there are no follow-up or action items.

Agenda Item #4 – Proposed Amendments to Rule 1403: Asbestos Emissions from Demolition/Renovation Activities

Dr. Sarah Rees provided an overview on the proposed amendments to Rule 1403 and a summary of staff activities.

Mr. Paul Avila asked what the purpose of asbestos use was. Dr. Rees replied that asbestos has good insulation and fire-proofing properties; however, there are associated health risks so it is being replaced by other materials.

Mr. David Rothbart commented that there is confusion regarding Rule 1403 applicability, particularly survey requirements. Mr. Rothbart expressed support for proposed amended Rule (PAR) 1403 and suggested a more streamlined surveying process. Dr. Rees stated that the survey requirements is part of the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations so it cannot be waived. South Coast AQMD is open to discuss what constitutes an adequate survey; however, it needs to be consistent with the federal regulations. Mr. Rothbart referenced an asbestos procedure from Massachusetts and requested for similar flexibility regarding the survey requirements. Dr. Rees stated that the Environmental Protection Agency (EPA) determined that as-built plans are not considered adequate asbestos surveys. Dr. Rees speculated that the Massachusetts procedure may include other information in addition to the as-built plans.

Mr. Bill LaMarr asked if PAR 1403 will introduce extra steps, requiring contractors to obtain clearance from South Coast AQMD. Dr. Rees replied that PAR 1403 doesn't add any additional process steps, it clarifies existing requirements. Mr. LaMarr commented that collaboration with the planning departments is necessary for this rule to be enforceable. He added that planning departments must obtain clearance from South Coast AQMD if they are issuing permits for projects involving asbestos-containing materials. Mr. LaMarr asked how do-it-yourselfers are affected by PAR 1403 since they are unfamiliar with the requirements. Dr. Rees replied that this rule is not applicable to the building/planning departments; it is applicable to owners and operators. However, there has been conversation with those departments regarding notifying the owners and operators of applicable asbestos requirements. As for do-it-yourselfers, this rule is not applicable to homeowners performing the work themselves.

Mr. Carlos Rodriguez asked if there has been any recent correspondence with water districts regarding this rule and what the concerns are. Dr. Rees replied that there has been many meetings with a coalition of water districts regarding this rule. They are concerned about how this rule applies to underground pipes and would like to see separate work practices established. They are also concerned with survey requirements, which are part of the NESHAP regulations. Although, those requirements cannot be removed from the rule, other flexibilities introduced into the rule language will help make it more

practicable and achievable. Currently, there are work practices applicable to underground pipes, which are included in Procedure 3. South Coast AQMD is committed to working with water districts and others to address concerns, but is also ensuring that the minimal federal government requirements are met and work practices are safe. Mr. Rodriguez further asked if there will be an opportunity for the water districts to provide comments. Mr. Alatorre stated that some of the water district representatives have submitted comment cards and will have the opportunity to speak.

Mr. Rodriguez asked if cities have provided feedback and concerns. Dr. Rees replied that this rule applies to cities if they are performing the work themselves. PAR 1403 does not include additional requirements, it provides clarification and flexibility to existing requirements. Mr. Rodriguez asked if Orange County Council of Governments (OCCOG) provided input. Dr. Rees replied that OCCOG has not provided input, but cities and municipal water districts have. Mr. Alatorre added that this topic will be discussed at the next Stationary Source Committee meeting and stakeholders will have the opportunity to provide comments.

Mr. Rodriguez asked what input have been provided by commercial/industrial/residential groups. Dr. Rees replied that input were provided by the construction industry, particularly asbestos consultants as well as by water districts. One concern was that some of the requirements were ambiguous, such as the sampling provisions. The proposed amendments clarify those requirements. Mr. Rodriguez asked if the Orange County Division, League of California Cities (OCDLCC) provided input. Dr. Rees replied that OCDLCC has not provided input. Mr. Rodriguez asked if there is an opportunity for OCDLCC to provide input. Dr. Rees replied that staff could reach out to them.

Mr. Rothbart commented that there has been a lot of confusion on the applicability of the rule and suggested targeted outreach to those working with asphalt. Dr. Rees stated that asbestos was found in some asphalt samples tested. However, the results were not expected as asbestos is typically found in asphalt used in cold regions so staff is continuing to evaluate that issue to determine how to proceed.

Mr. Rodriguez asked if this rule applies to projects done by the Orange County Transportation Authority and if they provided input. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components, and does not apply to roadway activities. However, if there is evidence that asphalt contains asbestos, then it could be included in future rulemaking efforts to address exposure. Mr. Rodriguez asked if cities conducting general road repairs and maintenance are required to notify South Coast AQMD. Dr. Rees replied that this rule is applicable to renovation and demolition activities at facilities and its components and not to general roadwork. Mr. Rodriguez asked if additional time will be given for notifications. Dr. Rees replied there is a 10-day notification period for non-emergency projects. Mr. Rodriguez asked what the approval timeframe is. Dr. Rees replied that South Coast AQMD approval is not required for the established work practices. A quick response is provided for other cases not included in the established procedures. Mr. Rodriguez asked if the National Association for Industrial and Office Parks (NAIOP) provided comments. Dr. Rees replied no.

Mr. Avila asked where asbestos-containing materials are disposed. Dr. Rees replied they are disposed at hazardous landfills.

Public comments regarding this presentation are discussed in Agenda Item #8 – Public Comment section.

Mr. Rodriguez proposed a motion to form an ad hoc working group to address asphalt-related issues, but retracted it.

Agenda Item #5 – Complaint Reporting Process

Mr. Victor Yip presented on South Coast AQMD’s complaint reporting and response procedures.

Mr. LaMarr referenced the slide on Trends of Air Quality Complaints Received and asked what “spots” meant. Mr. Yip replied that “spots” refer to complaints of bee droppings. Mr. LaMarr further asked if the numbers included Assembly Bill (AB) 617 complaints. Mr. Yip replied that all complaints, including those in AB 617 communities, are included in the total numbers.

Mr. Eddie Marquez asked if South Coast AQMD records and responds to complaints regarding chemtrails and bee droppings, even if nothing could be done. Mr. Yip replied that all reported complaints are recorded and responded to.

Mr. Avila asked if complaints regarding past, temporary odor issues are recorded. Mr. Yip replied yes.

Mr. Geoffrey Blake asked if a geographical analysis has been done to show where complaints are being reported. Mr. Yip replied that maps have been created to show the location and concentration of complaints reported.

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

No comments.

Agenda Item #7 - Other Business

Mr. Felipe Aguirre inquired about South Coast AQMD’s lack of participation on the Exide Community Advisory Committee. Mr. Alatorre stated that Dr. Joe Lyou represented South Coast AQMD on that committee, however, since his departure, a replacement has not been assigned. Mr. Alatorre stated that South Coast AQMD maintains interaction with Department of Toxic Substance Control (DTSC) regarding Exide and will provide an update at the next meeting. Mr. Aguirre asked if the participant has to be a Governing Board (GB) member. Mr. Alatorre replied that previously, the GB chairman wanted a GB member to participate on the committee, but will ask if staff could also participate.

Action Item: Provide Mr. Aguirre with an update on South Coast AQMD’s participation on the Exide Community Advisory Committee.

Ms. Rachelle Arizmendi commended staff on the success of the Environmental Justice Conference held on September 12, 2019.

Agenda Item #8- Public Comment

Ms. Priscilla Hamilton commented on PAR 1403. Ms. Hamilton stated that additional asphalt test data should be evaluated to confirm the presence of asbestos. She indicated that cities, counties, and other stakeholders need to share the burden to address the asphalt issue and suggested the formation of an ad hoc working group to address the asphalt policy and other streamlining issues in Rule 1403. Ms. Hamilton added that SoCalGas would support a South Coast AQMD-led study to evaluate how widespread asbestos in asphalt is in the region.

Ms. Stacy Taylor commented on PAR 1403. Ms. Taylor stated that health and safety is a priority, Rule 1403 needs clarification, PAR 1403 is not expected to result in quantifiable emissions reductions, and asbestos must be properly handled. Ms. Taylor recommended the development of a pipe procedure specific to water/wastewater utilities, a small project exemption, and allowing the use of asbestos-cement (AC) pipe craft workers for onsite surveys as approved by California Occupational Safety and Health Administration (Cal/OSHA). Ms. Taylor expressed support for a formation of a working group to address the asphalt issue.

Mr. Frank Prewoznik provided comments on PAR 1403. Mr. Prewoznik requested that South Coast AQMD clarify the type of survey required for materials known to not contain asbestos. Mr. Prewoznik stated that there is a legal mandate for the water district to provide an essential service and asked South Coast AQMD to consider that during the rulemaking process.

Ms. Cindy Parsons commented on PAR 1403. Ms. Parsons expressed support for the “call and go” exemption and the expanded definition for emergency renovation. Ms. Parsons suggested a more streamlined approach to demonstrate compliance with the asbestos survey requirement, such as using records. Ms. Parsons stated support for the development of a Procedure 6 for underground utility pipelines. She suggested analysis of asphalt samples to determine the disposal method instead of presuming they contain asbestos.

Mr. Greg Wolffe commented on PAR 1403. Mr. Wolffe stated that it is a challenge to regulate asphalt under Rule 1403, in its current form or as proposed. Mr. Wolffe added that asphalt is not a facility or a facility component, making Rule 1403 inapplicable. Therefore, the sampling, labeling, and disposal requirements for asphalt should be different from other asbestos-containing materials. Mr. Wolffe proposed that asphalt be excluded from Rule 1403 and be included in a separate rule.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, October 11, 2019 at 11:30 a.m.

Adjournment

The meeting adjourned at 1:05 p.m.



Local Government, Small Business Assistance

Engineering and Permitting - Public Notice Guideline

October 11, 2019

Implementation Guideline Update

- Clarify thresholds for triggering notices
- Specify due diligence for multiple languages
- Clarify disclosure under CA Public Records Act
- Update contact information for external agencies & other interested parties
- Formalize verification criteria for notice distribution



Background

Rule 212 Public Notice Requirements

- Public notice required for certain permitting actions
- Parties indicated they prefer to be notified for
 - Larger projects
 - Projects that impact their community
 - Projects that might benefit from their input



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Background

Rule 212 Public Notice Requirements (cont.)

Proximity to Schools

212(c)(1)

- Within 1000 feet
- Emission increase
- Toxic emissions

H&SC 42301.6

Toxic Risk Thresholds

212(c)(3)

- Cancer risk
- Hazard Index
 - Acute
 - Chronic

Daily Maximum Emissions

212(c)(2), 212(g)

- Criteria pollutants
- NAAQS Implementation

40 CFR 51.161(b)
40 CFR 124.10

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Implementation Guideline Update

212(c)(1) – (Proximity to Schools)

- Rule 212(c)(1) implements the essential requirements of Health and Safety Code § 42301.6
- The special notice requirements do not apply wherever South Coast AQMD determines that an application “will result in a reduction or equivalent amount of air contaminants.”
[42301.6(g)]

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Implementation Guideline Update

212(c)(1) (cont.)

- Notification required for new, modified or replaced permit units that increase:
 - Maximum individual cancer risk (MICR) by more than one in ten million
 - Maximum incremental acute or chronic hazard index (HIA, HIC) by more than 0.1
 - Potential to emit of any air contaminant by one pound or more per day
- Notification required for facility modifications unless the following are demonstrated:
 - Emissions are not released closer to any school within 1,000 feet
 - No increase from pre-modified to the modified facility in MICR, HIA or HIC
 - No increase above de minimus values per Rule 1401
 - Potential to emit of any air contaminant by one pound or more per day

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Implementation Guideline Update

Other administrative changes

- Multiple languages
Review affected school's policies/guidelines for determination
- Clarify disclosure under CA Public Records Act
Refer to "South Coast AQMD Guidelines for Implementing the CA Public Records Act"
- Update contact information for external agencies & other interested parties
Segregated contact information in appendix and periodically update
- Formalize verification criteria for notice distribution
Required in writing from a school representative (not applicant/consultant)

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Summary

- Reduce number of trivial notifications
- Reduce cost to applicants
- Improve timely permit issuance
- Improve consistency



8





Small Business Assistance Report on September 2019 Activities

for
LG&SBA Advisory Group Meeting of
10/11/2019

Services Offered – September

- Permit Application Assistance 177
- Variance Request Assistance 1
- Fee Review Committee Request 2
 - 2 Granted (1 Payment Plans; 1 Reissue Permit)
- Air Quality Permit Checklist Processed 49

Permit Assistance – September

- 177 Activities Providing Help with Permit Applications. Examples include:
 - 35 *General Contractors/Consultants/Architects*
 - 21 *Retail Stores*
 - 19 *Manufacturing Facilities*
 - 13 *Warehouses (Storage/Distribution)*
 - 12 *Restaurants*
 - 12 *Offices*
 - 11 *Auto Body and Repair Shops*
 - 6 *Dry Cleaners/Garment Cleaners*

10/11/2019

September 2019 Report

Activities – September

- Event(s) Attended
 - September 28, 2019: Congress of Neighborhoods in Los Angeles – staff provided information on South Coast AQMD incentive programs and SBA services

10/11/2019

September 2019 Report

Dry Cleaner Grants Issued (as of 9/2019)

- Professional Wet Cleaning 149

- CO₂ Machines 4

- Hydrocarbon (funds expended) 488

10/11/2019

September 2019 Report

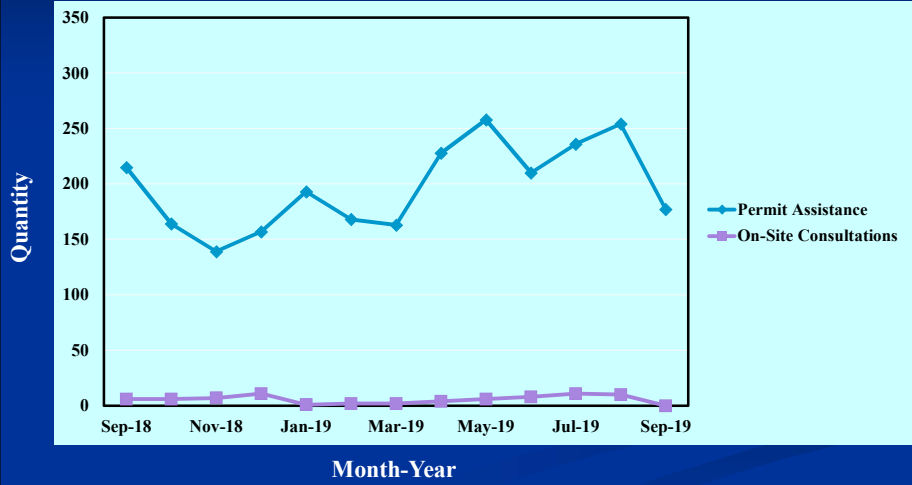
Small Business Activity September 2018 – September 2019

ACTIVITY	Permit Assistance	On-Site Consultations	Variance Assistance	Fee Review Requests	Air Quality Permit Checklists
Sep-2018	215	6	0	2	68
Oct-2018	164	6	0	2	54
Nov-2018	139	7	0	4	58
Dec-2018	157	11	0	0	60
Jan-2019	193	1	0	2	63
Feb-2019	168	2	2	3	72
Mar-2019	163	2	0	5	53
Apr-2019	228	4	1	6	77
May-2019	258	6	1	3	80
Jun-2019	210	8	0	2	60
Jul-2019	236	11	0	2	57
Aug-2019	254	10	0	6	55
Sep-2019	177	0	1	2	49
TOTAL	2562	74	5	39	806

10/11/2019

September 2019 Report

Small Business Activity September 2018 – September 2019



10/11/2019

September 2019 Report