



South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
(909) 396-2000, [www.aqmd.gov](http://www.aqmd.gov)

## STATIONARY SOURCE COMMITTEE MEETING

### Committee Members

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

November 18, 2022 ♦ 10:30 a.m.

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

### ELECTRONIC PARTICIPATION INFORMATION (Instructions provided at bottom of the agenda)

**Join Zoom Webinar Meeting - from PC or Laptop**

<https://scaqmd.zoom.us/j/94141492308>

**Zoom Webinar ID:** 941 4149 2308 (applies to all)

**Teleconference Dial In**

+1 669 900 6833

**One tap mobile**

+16699006833,94141492308#

**Audience will be able to provide public comment through telephone or Zoom connection during public comment periods.**

**PUBLIC COMMENT WILL STILL BE TAKEN**

### AGENDA

*Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54954.3(a)). If you wish to speak, raise your hand on Zoom or press Star 9 if participating by telephone. 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 total for all items on the agenda.*

*Cleaning the air that we breathe...*

**CALL TO ORDER**

**ROLL CALL**

**INFORMATIONAL ITEMS (Items 1 through 2)**

- 1. Summary of Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings and Proposed Amended Rule 1107 – Coating of Metal Parts and Products** (10 mins) Heather Farr  
Planning and Rules  
Manager  
*(No Motion Required)*  
Staff will provide a summary of Proposed Amended Rules 1106 and 1107 that will address U.S. EPA limited disapproval of the rules due to the inclusion of an unapproved test method.  
*(Written Material Attached)*
- 2. Summary of Proposed Amended Rule 1118 – Control of Emissions From Refinery Flares** (10 mins) Michael Krause  
Assistant Deputy  
Executive Officer  
*(No Motion Required)*  
Staff will provide a summary of Proposed Amended Rule 1118 that will address the U.S. EPA limited disapproval of the rule due to a provision that grants the South Coast AQMD’s Executive Officer sole authority to approve ASTM test methods not included in the rule.  
*(Written Material Attached)*

**WRITTEN REPORTS (Items 3 through 4)**

- 3. Monthly Update of Staff’s Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command-and-Control Regulatory Program** Michael Krause  
*(No Motion Required)*  
This is a monthly update on staff’s work with U.S. EPA and CARB regarding New Source Review issues related to the RECLAIM transition.  
*(Written Material Attached)*
- 4. Notice of Violation Penalty Summary** Bayron Gilchrist  
General Counsel  
*(No Motion Required)*  
This report provides the total penalties settled in October 2022 which includes Civil, Supplemental Environmental Projects, Mutual Settlement Assessment Penalty Program, Hearing Board and Miscellaneous.  
*(Written Material Attached)*

## **OTHER MATTERS**

### **5. Other Business**

Any member of the Committee, 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. (Gov't. Code Section 54954.2)

### **6. Public Comment Period**

At the end of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.

### **7. Next Meeting Date:** Friday, January 20, 2023 at 10:30 a.m.

## **ADJOURNMENT**

### **Americans with Disabilities Act and Language Accessibility**

*Disability and language-related accommodations can be requested to allow participation in the Stationary Source Committee meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't 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 Catherine Rodriguez at (909) 396-2735 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [crodriguez@aqmd.gov](mailto:crodriguez@aqmd.gov).*

### **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 by contacting Catherine Rodriguez at (909) 396-2735, or send the request to [crodriguez@aqmd.gov](mailto:crodriguez@aqmd.gov).*

## **INSTRUCTIONS FOR ELECTRONIC PARTICIPATION**

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

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

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

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

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

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

If interpretation is needed, more time will be allotted.

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

### **Directions for Video ZOOM on a DESKTOP/LAPTOP:**

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

### **Directions for Video Zoom on a SMARTPHONE:**

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

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

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



## Proposed Amended Rule 1106: Marine and Pleasure Craft Coatings & Proposed Amended Rule 1107: Coating of Metal Parts and Products

Stationary Source Committee

November 18, 2022

## Background



- Rule 1106 was adopted in November 1988, last amended in 2019
- Applies to marine and pleasure craft coatings



- Rule 1107 was adopted in June 1979, last amended in 2020
- Applies to metal coating operations



- Proposed Amended Rules 1106 and 1107
- Needed to address U.S. EPA's limited disapproval of rules



- Public Process
- Internal meetings and meeting with U.S. EPA
  - Staff presented the proposed amended rule language during the Public Consultation held on November 9, 2022

# U.S. EPA Proposed Disapproval

On August 22, 2022, U.S. EPA proposed a limited SIP disapproval for Rules 1106 & 1107, citing the deficiency of referencing ASTM D7767-11

- ASTM D7767-11 is not an U.S. EPA approved test method; and
- Cannot be used to enforce a SIP approved rule

U.S. EPA also recommends removing the following two product categories from Rule 1106 for improvement, as those are not listed in the 1996 Marine Coatings Control Technology Guidelines (CTG)

- Elastomeric Adhesives
- Metallic Heat Resistant Coating

Regulated products that were subject to those categories will be subject to other appropriate categories

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2022-0373; FRL-9765-01-R9]

### Air Plan Revisions; California; South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; partial withdrawal of proposed rule; withdrawal of proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing a limited approval and limited disapproval of two revised rules and an approval of a rule revision to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) from marine and pleasure craft coating operations and the coating of metals. The EPA previously proposed to fully approve these SIP revisions on the grounds that they satisfied the relevant requirements under the Clean Air Act (CAA or the Act). After the comment periods, the EPA identified a deficiency in the submittals that warrants a limited disapproval. Therefore, we are withdrawing our previously proposed approvals of these SIP revisions as they

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## Proposed Amendments



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## Remove References to Test Method ASTM D7767-11

### PAR 1106

- Remove reference to ASTM D7767-11 in exemption for low-VOC coatings
- Remove definition for Energy Curable Coatings that references ASTM test method
  - Definition no longer used anywhere else in the rule

### PAR 1107

- Remove reference to ASTM D7767-11 in Methods of Analysis subdivision
- Remove definition for Energy Curing Coatings that references ASTM test method
  - Definition no longer used anywhere else in the rule

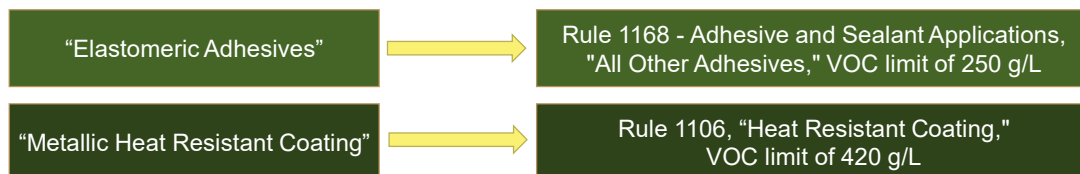
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## PAR 1106 – Remove Two Product Categories

U.S. EPA recommends removing the definitions and standards for the following product categories to align with U.S. EPA 1996 Marine Coatings Control Techniques Guidelines (CTG):

- Elastomeric Adhesives
- Metallic Heat Resistant Coating

Regulated products of those removed categories will be subject to the following:



Internet search demonstrates there are products in these categories that can comply with limits

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## Key Concerns

### Concern:

- Impact to UV/EB/LED industry by removing ASTM D7767-11 test method reference

### Staff response:

- Manufacturers can, and often do, rely on formulation data to calculate the VOC of regulated products
- Using formulation data to calculate the VOC of products is an easier and lower cost approach for manufacturers to determine if their products will comply with rule limits

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## Next Steps

Set Hearing – December 2, 2022

Public Hearing – January 6, 2023

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# Proposed Amended Rule 1118: Control of Emissions from Refinery Flares

Stationary Source Committee  
November 18, 2022

Image Courtesy: POLITICO

## Background



Rule 1118 was adopted in February 1998

- Establishes requirements for flares located at petroleum refining facilities, hydrogen plants, and a sulfur recovery plant
- Last amended in 2017



Proposed Amended Rule 1118

- Minor amendment to address U.S. EPA's limited disapproval



Public Process

- Staff presented the proposed amended rule language during the Working Group meeting held on October 26, 2022

# U.S. Environmental Protection Agency Final Action on Rule 1118

- On September 21, 2022, the U.S EPA announced a limited approval and limited disapproval of amendments to Rule 1118
  - Rule 1118 Section (j) provides “unbounded director’s discretion”
  - Rule 1118 does not satisfy the requirements of Clean Air Act section 110, Part D
  - Sanctions will be imposed if the identified rule deficiency is not corrected within 18 months of the effective date of EPA’s final disapproval
- Staff is proposing a limited amendment to address EPA’s disapproval

PR Doc: 2022-20421 Filed 9-21-22; 8:45 am  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**  
[EPA-R09-OAR-2021-0943; FRL-9372-02-R9]

**Air Plan Limited Approval and Limited Disapproval; California; South Coast Air Quality Management District; Refinery Flares**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is finalizing a limited approval and limited disapproval of revisions to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO<sub>x</sub>) from refinery flares. Under the authority of the Clean Air Act (CAA or the Act), this action simultaneously approves a local rule that regulates these emission sources and directs California to correct rule deficiencies.

**DATES:** This rule will be effective on October 24, 2022.

**ADDRESSES:** The EPA has established a docket for this action under Docket No. EPA-R09-OAR-2021-0943. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Donnique Sherman, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947-4129 or by email at [sherman.donique@epa.gov](mailto:sherman.donique@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us,” and “our” refer to the EPA.

**Table of Contents**

I. Proposed Action  
II. Public Comments and EPA Responses  
III. EPA Action  
IV. Incorporation by Reference  
V. Statutory and Executive Order Reviews

**I. Proposed Action**

On March 25, 2022 (87 FR 17060), the EPA proposed a limited approval and limited disapproval of the following rule that was submitted for incorporation into the California SIP.

Local agency	Rule No.	Rule title	Amended	Submitted
SCAQMD	1118	Control of Emissions from Refinery Flares ...	07/07/2017	02/16/2018

U.S. EPA Final Rule Action: <https://www.federalregister.gov/documents/2022/09/22/2022-20137/air-plan-limited-approval-and-limited-disapproval-california-south-coast-air-quality-management>

# Amendment to Rule 1118 Paragraph (j)(1)

## U.S. EPA’s Concern:

- Rule 1118 Paragraph (j) provides “unbounded director’s discretion”

## Staff Response:

- Proposing to amend provision to include U.S. EPA and CARB approval for ASTM test methods that are not included in the rule

## Proposed Amended Language – Paragraph (j)(1)

Proposed Amended Rule 1118 (Cont.) (Amended July 7, 2017 [Date of Adoption])

- (j) Testing and Monitoring Methods
- (1) For the purpose of this rule, the test methods listed below shall be used:
- (A) The higher (gross) heating value of vent gases shall be determined by:
- (i) ASTM Method D4809-13, ASTM Method D 3588-98(2011), ASTM Method D4891-13, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency, as applicable](#); and

**Note:** PAR 1118 will include the same amended language in Attachment A, Section (4)(n) and Section (5)(n).

# Next Steps

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Set Hearing – December 2, 2022

Public Hearing – January 6, 2023



Image Courtesy: POLITICO

### **November 2022 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. The table below summarizes key activities with U.S. EPA and CARB since the last report.

<b>Item</b>	<b>Discussion</b>
Video Conference with U.S. EPA and CARB – November 3, 2022	<ul style="list-style-type: none"><li>• Reviewed presentations for the upcoming November RECLAIM and Regulation XIII working group meetings</li></ul>

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

**Settlement Penalty Report (10/01/2022 - 10/31/2022)**

Total Penalties

Civil Settlement: \$270,166.92

**Total Cash Settlements:** \$270,166.92

**Fiscal Year through 10/31/2022 Cash Total:** \$2,137,423.63

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Numbers	Total Settlement
<b>Civil</b>						
23752	AEROCRAFT HEAT TREATING CO, INC.	2004	10/05/2022	NS	P68658	\$5,455.00
152099	AUTO-TECH BODY SHOP	203(a)	10/07/2022	JL	P69584	\$1,200.00
170905	CALIFORNIA DEPT. OF TRANSPORTATION	403	10/12/2022	JL	P74170	\$8,458.00
59461	EDELBROCK CORP.	2202	10/05/2022	JL	P67024	\$13,782.92
190069	GRIFFITH COMPANY	403	10/20/2022	DH	P62179, P65892, P66565, P67712, P67713	\$9,500.00
800313	LAXFUEL CORP	3002, 3003	10/20/2022	KCM	P73656	\$200,000.00
192474	MIRANDA LOGISTICS ENTERPRISES, INC.	403, 13 CCR 2454	10/26/2022	JL	P74171	\$3,273.00
194444	MYERS & SONS CONSTRUCTION	403, 1157	10/12/2022	JL	P63492	\$23,998.00
188183	TEMECULA QUALITY PLATING, INC.	201, 203	10/05/2022	NS	P67414	\$4,000.00
144681	WARREN E&P, INC.	203, 463, 1148.2, 1173	10/18/2022	KER	P66505, P66508, P66521	\$500.00
<b>Total Civil Settlements: \$270,166.92</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR OCTOBER 2022 PENALTY REPORT**

**REGULATION II - PERMITS**

Rule 201            Permit to Construct  
Rule 203            Permit to Operate

**REGULATION IV - PROHIBITIONS**

Rule 403            Fugitive Dust  
Rule 463            Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1148.2        Hydraulic Fracturing of Oil and Gas Wells  
Rule 1157            PM10 Emission Reductions from Aggregate and Related Operations  
Rule 1173            Fugitive Emissions of Volatile Organic Compounds

**REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET**

Rule 2004            Requirements

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

Rule 2202            On-Road Motor Vehicle Mitigation Options

**REGULATION XXX TITLE V PERMITS**

Rule 3002            Requirements  
Rule 3003            Applications

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2454        Portable Equipment Registration Process