

South Coast AQMD Rule 1180 and Rule 1180.1 Proposed Requirements for Independent Audits

From rule definitions:

- (3) CORRECTIVE ACTION PLAN means a compliance plan that details the corrective actions a Facility will make to correct any deficiencies or recommendations in an Independent Audit report.
 - (10) INDEPENDENT AUDIT means an assessment conducted by a qualified independent party, i.e., a party unrelated to implementation of Rule 1180 fenceline air monitoring by either the Facility or the South Coast AQMD, regarding the Facility's Fenceline Air Monitoring System and quality assurance procedures.
- (i) Independent Audits
- (1) The owner or operator of a Facility shall initiate an Independent Audit according to a protocol approved by the Executive Officer to:
 - (A) Identify any deficiencies in the Fenceline Air Monitoring System and quality assurance procedures; and
 - (B) Generate an audit report, signed by the qualified independent-party verifying the information contained within, that will be submitted to the South Coast AQMD, the owner or operator of a Facility, and made available to the web-based fenceline notification system within 90 days after the audit has been performed.
 - (2) The owner or operator of a Petroleum Refinery shall conduct an Independent Audit according to the following schedule:
 - (A) For a Fenceline Monitoring System installed before [*Date of Rule Adoption*]:
 - (i) The initial audit shall be completed no later than July 1, 2025, and that Independent Audit will be established as the initial audit; and
 - (ii) Once every three years after completing the initial audit.
 - (B) For a Fenceline Monitoring System installed on or after [*Date of Rule Adoption*],:
 - (i) The initial audit shall be completed within one year after the installation and operation of the Fenceline Air Monitoring System and that audit will be established as the initial audit; and
 - (ii) Once every three years after completing the initial audit.

(3) Corrective Action Plan

If the independent audit report includes recommendations or identifies deficiencies in a Fenceline Air Monitoring System, the owner or operator of the Facility shall:

- (A) Develop a Corrective Action Plan and submit it to the Executive Officer for review within one month of the audit report describing:
 - (i) All actions that will be taken to address all recommendations and deficiencies; and
 - (ii) Any action or recommendation included in the independent audit report that the owner or operator of the Facility considers a safety concern and is proposing to except from corrective action;
- (B) Make corrective actions within six months of receiving notice that the Corrective Action Plan has been approved; and
- (C) Conduct a follow-up performance audit within one month of completing the corrective actions included in the approval Corrective Action Plan to document the resolution of the recommendations and deficiencies identified in the Independent Audit.

(4) Corrective Action Plan Approval Process

The Executive Officer shall notify the owner or operator of a Facility in writing whether the Corrective Action Plan submitted pursuant to paragraphs (i)(3) is approved or disapproved.

- (A) If the Corrective Action Plan is disapproved, the owner or operator of a Facility shall submit a revised Corrective Action Plan within 30 calendar days after notification of disapproval of the plan. The updated plan shall include any information necessary to address deficiencies identified in the disapproval letter.
- (B) The Executive Officer will either approve the revised Corrective Action Plan or modify the plan and approve it as modified. If the facility does not submit the revised Corrective Action Plan within 30 calendar days after notification of disapproval of the plan as required in subparagraph (i)(4)(A), the Executive Officer will modify the plan and approve it as modified. The owner or operator of a Facility may appeal the Corrective Action Plan modified by the Executive Officer to the Hearing Board pursuant to Rule 216 – Appeals and Rule 221 – Plans.

(5) Corrective Action Plan submitted pursuant to paragraph (i)(3) or a revised Corrective Action Plan submitted pursuant to paragraph (i)(4) shall be made

available, by the Executive Officer, for public review no less than fourteen (14) days prior to approval.

- (6) The review and approval of the Corrective Action Plan or revised Corrective Action Plan shall be subject to plan fees as specified in Rule 306 – Plan Fees.