



South Coast Air Quality Management District

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

A G E N D A

MEETING, SEPTEMBER 6, 2019

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 AM, in the Auditorium at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California.

Questions About an Agenda Item

- The name and telephone number of the appropriate staff person to call 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.

Questions About Progress of the Meeting

- During the meeting, the public may call the Clerk of the Board's Office at (909) 396-2500 for the number of the agenda item the Board is currently discussing.

The agenda and documents in the agenda packet will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the Board meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please telephone the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m. Tuesday through Friday.

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 the South Coast Air Quality Management District Clerk of the Board's Office, 21865 Copley Drive, Diamond Bar, CA 91765.

A webcast of the meeting is available for viewing at:
<http://www.aqmd.gov/home/news-events/webcast>

Cleaning the air that we breathe...

CALL TO ORDER

- Pledge of Allegiance
- Opening Comments: William A. Burke, Ed.D., Chair
Other Board Members
Wayne Nastri, Executive Officer
- Presentation of Retirement Award to Dr. Laki Tisopulos **Burke**

Staff/Phone (909) 396-

CONSENT CALENDAR (Items 1 through 14)

Note: Consent Calendar items held for discussion will be moved to Item No. 15

1. Approve Minutes of July 12, 2019 Board Meeting **Garzaro/2500**

Budget/Fiscal Impact

2. Recognize Funds, Execute and Amend Agreements for Installation and Maintenance of Air Filtration Systems, and Reimburse General Fund for Administrative Costs **Miyasato/3249**

U.S. EPA is executing a Supplemental Environmental Project (SEP) and has asked South Coast AQMD to act as the SEP administrator to install and maintain air filtration systems at schools in environmental justice communities. This action is to recognize up to \$167,967 into the Air Filtration Fund (75). These actions are to also execute agreements to install and maintain air filtration systems in an amount not to exceed \$159,569, execute or amend access agreements with local school districts, amend contracts to purchase additional filters using unspent administrative funds, and reimburse the General Fund for administrative costs up to \$8,398 for SEP administration. (Reviewed: Technology Committee, July 26, 2019; Recommended for Approval)

3. Amend Contract for KORE Infrastructure Project **Miyasato/3249**

In March 2017, the Board approved a contract with KORE Infrastructure LLC (KORE) for a renewable natural gas commercial field test project, including construction of a pyrolysis system on SoCalGas's property in Los Angeles. The project is to test various biomass feedstocks for commercial production of renewable natural gas. While the project has experienced construction delays over the past few months, KORE has recently made significant progress towards construction. This action is to amend the contract with KORE Infrastructure LLC, extending the deadline to complete construction, commissioning and testing efforts to December 31, 2019. (No Committee Review)

4. **Adopt Resolution Recognizing Funds for FY 2018-19 Carl Moyer State Reserve Program** **Berry/2363**

In April 2019, CARB approved funding allocations for the FY 2018-19 Carl Moyer State Reserve Program using the same distribution and source categories as the previous year. The allocation for the South Coast AQMD is \$3,481,893, including 6.25% in administrative funds. The State Reserve funds must be used for off-road projects including construction, agricultural and industrial equipment that are eligible according to the 2017 Revisions of the Carl Moyer Program Guidelines. This action is to adopt a Resolution recognizing up to \$3.5 million in Carl Moyer State Reserve funds from CARB along with its terms and conditions for FY 2018-19. (Reviewed: Technology Committee, July 26, 2019; Recommended for Approval)

5. **Appropriate Funds and Amend Contracts for Legislative Representation in Sacramento, California** **Alatorre/3122**

After careful review of services that the state legislative consultants provide to South Coast AQMD, staff recommends that California Advisors, LLC and Quintana Watts & Hartmann receive an increase in their contract amount to place them at the same compensation level as the other state legislative consultant – Joe A. Gonsalves & Son. These actions are to appropriate \$79,000 from the General Fund, Undesignated Fund Balance, to the Legislative, Public Affairs & Media FY 2019-20 budget; and modify the contracts, with an increase of \$39,500 each, for California Advisors, LLC and Quintana Watts & Hartmann. (Reviewed: Administrative Committee, July 19, 2019; Recommended for Approval)

6. **Amend Contract to Implement Advanced Building Energy Management Projects** **Olvera/2309**

In October 2017, the Board approved a contract with Willdan Energy Solutions to implement pre-commercial efficiency projects for the South Coast AQMD building. These projects are being funded through a \$3,994,265 CEC award to Willdan Energy Solutions, and \$2,293,645 from South Coast AQMD. Additional funds are needed for new and contingency costs for the replacement of the building chillers and laboratory fume hood retrofits. In addition to providing much needed building upgrades, these projects will increase the efficiency of the building by over 20 percent, and provide a case study and showcase for new building infrastructure technologies. This action is to amend a contract with Willdan Energy Solutions to implement pre-commercial efficiency projects for the South Coast AQMD building in an amount not to exceed \$665,000 from the Infrastructure Improvement Fund (02). (Reviewed: Administrative Committee, July 19, 2019; Recommended for Approval)

7. Approve Contract Awards and Modifications as Approved by MSRC **McCallon**

As part of their FYs 2018-21 Work Program, the MSRC approved a contract for programmatic outreach services for the MSRC, approved an award to provide express bus service to the Orange County Fair in 2019 and 2020, and approved exercising the contract option with Geographics for continuation of website services for two more years. As part of their FYs 2014-16 Work Program, the MSRC approved a modification to a contract under the Local Government Match Program. At this time the MSRC seeks Board approval of the contract awards and modifications as part of the FYs 2014-16 and 2018-21 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, June 20 and August 15, 2019; Recommended for Approval)

Action Item/No Fiscal Impact

8. Request Approval of Proposed Membership Rosters for AQMP Advisory Group and Scientific, Technical, and Modeling Peer Review Advisory Group **Rees/2856**

Staff is recommending membership for the AQMP Advisory Group and the Scientific, Technical, and Modeling Peer Review (STMPR) Advisory Group for a new four-year term. The current term of these Advisory Groups has expired, and they are needed to assist staff in the development of the 2022 AQMP. Staff is recommending a four-year membership term because of the length of the 2022 AQMP schedule. The AQMP Advisory Group is comprised of representatives from environmental/community groups, government agencies, academia, and business; and the STMPR Advisory Group includes experts in the fields of socioeconomic modeling, air quality modeling, air quality and meteorological monitoring, and atmospheric science. These Advisory Groups will review and make recommendations to staff regarding the implementation of the 2016 AQMP and development of the 2022 AQMP. This action is to seek approval of the proposed membership rosters for the AQMP and STMPR Advisory Groups. (No Committee Review)

Items 9 through 14 - Information Only/Receive and File

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

This report highlights the June and July 2019 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)

10. Hearing Board Report **Prussack/2500**

This reports the actions taken by the Hearing Board during the period of June 1 through July 31, 2019. (No Committee Review)

11. **Civil Filings and Civil Penalties Report** **Gilchrist/3459**
- This reports the monthly penalties from June 1 through June 30, 2019, and legal actions filed by the General Counsel's Office from June 1 through June 30, 2019. An Index of South Coast AQMD Rules is attached with the penalty report. (No Committee Review)
12. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**
- This report provides, for the Board's consideration, a listing of CEQA documents received by the South Coast AQMD between June 1, 2019 and July 31, 2019, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)
13. **Rule and Control Measure Forecast** **Fine/2239**
- This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2019. (No Committee Review)
14. **Status Report on Major Ongoing and Upcoming Projects for Information Management** **Moskowitz/3329**
- Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, July 19, 2019)
15. **Items Deferred from Consent Calendar**

BOARD CALENDAR

Note: The July meetings of the Legislative and Mobile Source Committees were canceled. The next regular meeting of the Legislative Committee is scheduled for September 13, 2019. The next regular meeting of the Mobile Source Committee is scheduled for September 20, 2019.

16. **Administrative Committee (Receive & File)** **Chair: Burke** **Nastri/3131**
17. **Refinery Committee** **Chair: McCallon** **Nakamura/3105**
- At the February 1, 2019 Board meeting, staff presented hazards, and key issues related to the use of hydrogen fluoride. The Board directed staff to work with both the community and industry over the next 90 days to reach resolution, present proposals to the Refinery Committee for review, with the Committee making recommendations to the full Board. Staff provided an update to the Refinery Committee on Saturday, June 22, 2019. This item includes a summary of the meeting and recommendations from the Refinery Committee. Subsequent to the meeting, both affected refineries sent letters stating their willingness to install additional mitigation measures that are designed to provide additional protection relating to the use of hydrogen fluoride, without the need for rulemaking or a memorandum of understanding. Copies of these letters are attached to the Refinery Committee Board Letter. The Board may take action on, and provide direction to staff, concerning these issues.

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| 18. | Stationary Source Committee (Receive & File) | Chair: Benoit | Dejbakhsh/2618 |
| 19. | Technology Committee (Receive & File) | Chair: Buscaino | Miyasato/3249 |
| 20. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Benoit | Berry/2363 |
| 21. | California Air Resources Board Monthly Report (Receive & File) | Board Rep: Mitchell | Garzaro/2500 |

Staff Presentation/Board Discussion

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| 22. | Recommend Communities for Year 2 Implementation for Assembly Bill 617 | | Ghosh/2582 |
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Assembly Bill (AB) 617 requires CARB, in consultation with air districts, to select communities for community air monitoring and/or the preparation of community emissions reduction programs. AB 617 specifies that the highest priority areas shall be disadvantaged communities with a high cumulative exposure burden for criteria pollutants and/or toxic air contaminants. Staff built on the technical evaluation and public process from the prior year, and has conducted additional public outreach and gathered community input to help prioritize two communities for Year 2 of this program. The first proposed community is the South East Los Angeles community of South Gate, Florence-Firestone (eastern portion), Walnut Park, Huntington Park (western portion), Cudahy, Bell Gardens (southern portion). The second proposed community is the Eastern Coachella Valley community of Indio, Coachella, Thermal, Oasis, Mecca, North Shore. This action seeks approval to submit recommendations to CARB for their consideration in selecting communities for the second-year implementation of AB 617. (Reviewed: Stationary Source Committee, July 26, 2019)

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| 23. | Status Report on Regulation XIII – New Source Review | | Dejbakhsh/2618 |
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This report presents the federal Final Determination of Equivalency for January 2017 through December 2017. It provides information regarding the status of Regulation XIII – New Source Review, in meeting federal NSR requirements and shows that South Coast AQMD's NSR program is in compliance with applicable federal requirements from January 2017 through December 2017. (No Committee Review)

PUBLIC HEARINGS

24. Certify Final Environmental Assessment and Amend Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations **Nakamura/3105**

Staff is recommending that the public hearing on this item be continued to the October 4, 2019 Board Meeting.

Proposed Amended Rule 1407 applies to non-chromium metal melting operations and revises emission standards. In addition, the proposed amended rule enhances monitoring provisions for pollution control equipment, adds building enclosure provisions to limit fugitive emissions, and updates housekeeping, source testing, and monitoring, recordkeeping, and reporting requirements. This action is to adopt the Resolution: 1) Certifying the Final Environmental Assessment for Proposed Amended Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations; and 2) Amending Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations. (No Committee Review)

- 25A. Determine That Community Emissions Reduction Plan for San Bernardino, Muscoy Community Is Exempt from CEQA and Adopt Community Emissions Reduction Plan Per Assembly Bill 617 **Ghosh/2582**

Assembly Bill (AB) 617 requires air districts to prepare Community Emissions Reduction Plans (CERPs) for the Year 1 communities selected by CARB. The CERPs provide a blueprint for achieving air pollution emission and exposure reductions within each community, and are tailored to address the community's air quality priorities. The CERPs include actions to reduce emissions and/or exposures, an implementation schedule, an enforcement plan, a description of the process and outreach conducted to develop the CERP. Community partnership and engagement have been critical throughout the development of the CERPs. This action is to: 1) Determine that the AB 617 CERP for the San Bernardino, Muscoy community is exempt from the California Environmental Quality Act; and 2) Adopt the AB 617 CERP for the San Bernardino, Muscoy community. (Reviewed: Stationary Source Committee, July 26, 2019)

- 25B. Determine That Community Emissions Reduction Plan for East Los Angeles, Boyle Heights, West Commerce Community Is Exempt from CEQA and Adopt Community Emissions Reduction Plan Per Assembly Bill 617 **Ghosh/2582**

Assembly Bill (AB) 617 requires air districts to prepare Community Emissions Reduction Plans (CERPs) for the Year 1 communities selected by CARB. The CERPs provide a blueprint for achieving air pollution emission and exposure reductions within each community, and are tailored to address the community's air quality priorities. The CERPs include actions to reduce emissions and/or exposures, an implementation schedule, an enforcement plan, a description of the process and outreach conducted to develop the CERP. Community partnership and engagement have been critical throughout the development of the CERPs. This action is to: 1) Determine that the AB 617 CERP for the East Los Angeles, Boyle Heights, West Commerce community is exempt from the California Environmental Quality Act; and 2) Adopt the AB 617 CERP for the East Los Angeles, Boyle Heights, West Commerce community. (Reviewed: Stationary Source Committee, July 26, 2019)

- 25C. Determine That Community Emissions Reduction Plan for Wilmington, Carson, West Long Beach Community Is Exempt from CEQA and Adopt Community Emissions Reduction Plans Per Assembly Bill 617 **Ghosh/2582**

Assembly Bill (AB) 617 requires air districts to prepare Community Emissions Reduction Plans (CERPs) for the Year 1 communities selected by CARB. The CERPs provide a blueprint for achieving air pollution emission and exposure reductions within each community, and are tailored to address the community's air quality priorities. The CERPs include actions to reduce emissions and/or exposures, an implementation schedule, an enforcement plan, a description of the process and outreach conducted to develop the CERP. Community partnership and engagement have been critical throughout the development of the CERPs. This action is to: 1) Determine that the AB 617 CERP for the Wilmington, Carson, West Long Beach community is exempt from the California Environmental Quality Act; and 2) Adopt the AB 617 CERP for the Wilmington, Carson, West Long Beach community. (Reviewed: Stationary Source Committee, July 26, 2019)

26. Receive and File 2018 Annual Report on AB 2588 Program and Approve Updates to Facility Prioritization Procedure **Rees/2856**

The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) requires local air pollution control districts to prepare an annual report. The report provides the public with information regarding South Coast AQMD programs to reduce emissions of toxic air contaminants. This annual update describes the various activities in 2018 to satisfy the requirements of AB 2588 and Rule 1402, such as quadrennial emissions reporting and prioritization, the preparation and review of Air Toxics Inventory Reports, Health Risk Assessments, Voluntary Risk Reduction Plans, Risk Reduction Plans, and additional South Coast AQMD activities related to air toxics. Staff is also proposing revisions to the Facility Prioritization Procedure to correct minor transcription errors. These actions are to receive and file the 2018 Annual Report on the AB 2588 Air Toxics "Hot Spots" Program and approve revisions to the Facility Prioritization Procedure. (No Committee Review)

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

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CLOSED SESSION - (No Written Material)

Gilchrist/3459

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- In the Matter of SCAQMD v. Aircraft Heat Treating Co., Inc. and Anaplex Corp., South Coast AQMD Hearing Board Case No. 6066-1 (Order for Abatement);
- SCAQMD v. Anaplex, Los Angeles Superior Court Case No. BC608322 (Paramount Hexavalent Chromium);
- In the Matter of SCAQMD v. Browning-Ferris Industries of California, Inc. dba Sunshine Canyon Landfill, South Coast AQMD Hearing Board Case No. 3448-14;
- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- Communities for a Better Environment v. South Coast Air Quality Management District, Court of Appeals, Second Appellate District, Case No. B294732;
- People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case);
- In the Matter of SCAQMD 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 SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, South Coast AQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- State of California, et al. v. U.S. EPA, et al., U.S. Court of Appeals, D.C. Circuit, Case No. 18-1114 (mid-term evaluation for light-duty vehicles);
- People of the State of California, ex rel South Coast Air Quality Management District v. The Sherwin-Williams Company, an Ohio Corporation, and Does 1 through 50, Inclusive, Los Angeles Superior Court Case No. PSCV 00136; and

- SCAQMD v. City of Moreno Valley, et al., Riverside County Superior Court, Case Nos. RIC 1511213 and RIC 1601988 (World Logistics Center); Center for Community Action and Environmental Justice, et al. v. City of Moreno Valley, et al., California Court of Appeal, Fourth District, Div. 2, Case No. E067200; Albert Paulek, et al v. City of Moreno Valley, et al, California Court of Appeal, Fourth District, Div. 2, Case No. E071184.

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 (two cases).

Seek leave to intervene in Association of Irrigated Residents v. U.S. EPA, Ninth Circuit No. 19-71223 (SJV 8-hr ozone).

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Letter from Steven J. Olson, O'Melveny & Myers LLP, on behalf of ExxonMobil Corporation, dated August 22, 2018.

Email from Somerset Perry, California Deputy Attorney General, dated March 13, 2019, regarding Notice of Violation P61321.

ADJOURNMENT

*****PUBLIC COMMENTS*****

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. All agendas are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers will be limited to a total of three (3) minutes for the Consent Calendar and Board Calendar and three (3) minutes or less for 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, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to cob@aqmd.gov of 10 pages or less including attachment, in MS WORD, PDF, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.

ACRONYMS

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