

BOARD MEETING DATE: October 1, 2021

AGENDA NO. 21

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held meetings on September 9, 2021 and September 23, 2021. The following are summaries of the meetings.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

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The California Air Resources Board (CARB or Board) held a meeting remotely on September 9, 2021 via a web-based videoconferencing service. The key item presented is summarized below.

DISCUSSION ITEM

21-8-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program - Community Emissions Reduction Program for Eastern Coachella Valley

The Board adopted the Eastern Coachella Valley Community Emissions Reduction Plan (CERP) and directed the South Coast Air Quality Management District and CARB staff to continue to work with the community steering committee to define and implement strategies to reduce exposure to air pollution in the Eastern Coachella Valley. Key courses of action in the CERP include strategies to reduce emissions from traffic, including diesel trucks that traverse the area, and to improve air monitoring networks and notification systems for dust and pesticide application events. In addition, the CERP identifies funding opportunities that will be necessary to replace older diesel school buses and to incentivize the replacement of older high polluting on-road and off-road equipment.

The California Air Resources Board (CARB or Board) held a meeting remotely on September 23, 2021 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

21-9-1: Public Meeting to Consider Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal

The Board adopted the proposed Coso Junction Second PM10 Maintenance Plan addressing the federal 150 $\mu\text{g}/\text{m}^3$ 24-hour PM10 standard (PM10 standard) developed by the Great Basin Unified Air Pollution Control District. On September 3, 2010, the United States Environmental Protection Agency (U.S. EPA) designated Coso Junction as attainment for the PM10 standard and approved the first 10-year maintenance plan. Attainment of the PM10 standard was achieved through controls of windblown PM10 emissions from Owens Lake and other air pollution controls within Coso Junction. Coso Junction has continued to attain the PM10 standard since 2011. The Coso Junction second PM10 Plan demonstrates maintenance of the PM10 standard through 2030 and satisfies the Clean Air Act requirements for a second 10-year maintenance period.

21-9-2: Public Meeting to Consider Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal

The Board adopted the proposed Sacramento County Second PM10 Maintenance Plan addressing the 150 $\mu\text{g}/\text{m}^3$ 24-hour PM10 standard (PM 10 standard) developed by the Sacramento Metropolitan Air Quality Management District. On October 28, 2013, U.S. EPA designated Sacramento County as attainment for the PM10 standard and approved the first 10-year maintenance plan. Sacramento County has continuously attained the PM10 standard since 1998. Attainment of the PM10 standard was achieved through the enforcement of fugitive dust rules and adoption of a residential wood combustion program. The Second PM10 Maintenance Plan demonstrates maintenance of the PM10 standard through 2030 and satisfies the Clean Air Act requirements for the second 10-year maintenance period.

21-9-3: Public Meeting to Hear an Update on the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley and Consider a State Implementation Plan Revision for the 15 $\mu\text{g}/\text{m}^3$ Annual PM2.5 Standard

The Board heard the third annual update on implementation of the San Joaquin Valley (Valley) comprehensive 2018 PM2.5 Plan adopted by the Board in January of 2019. In addition, the Board adopted a proposed State Implementation Plan revision (annual

PM2.5 SIP revision) for the 15 µg/m³ annual PM2.5 standard. The Board also directed staff to return to the Board with contingency measure planning within a year. The 2018 PM2.5 Plan was developed jointly by CARB and the San Joaquin Valley Air Pollution Control District (District) to address four PM2.5 standards: the 15 µg/m³ annual standard with an attainment date of 2020, the 65 µg/m³ 24-hour standard with an attainment date of 2020, the 35 µg/m³ 24-hour standard with an attainment date of 2024, and the 12 µg/m³ annual standard with an attainment date of 2025. The update to the 2018 PM2.5 Plan informed the Board of the actions underway to implement the 2018 PM2.5 Plan including the agricultural equipment turnover program, the residential wood burning program, and the agricultural burning phase-out program. CARB and the District is meeting the commitment to reduce aggregate tons of NO_x outlined in the 2018 Plan. CARB staff also informed the Board that the Valley attained the 65 µg/m³ 24-hour standard in 2020 but did not attain the 15 µg/m³ annual standard. Since the 2020 attainment date for the 15 µg/m³ was no longer achievable, U.S. EPA recently proposed to disapprove the portions of the 2018 PM2.5 Plan pertaining to the 15 µg/m³ annual standard attainment demonstration. CARB and the District worked together to develop the annual PM2.5 SIP revision which demonstrates that the Valley will meet the 15 µg/m³ annual standard in 2023 with the implementation of District control measures and CARB's Heavy-Duty Inspection and Maintenance Program commitment.

21-9-5: Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate

The Board considered proposed amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities where TRUs operate (TRU ATCM). The Board adopted a resolution instructing staff to, among other things, bring the final proposed amendments back to the Board in the first quarter of 2022. The proposed amendments to the TRU ATCM were designed to reduce emissions and near-source health risk at facilities where TRUs operate. The proposed TRU ATCM will accomplish these goals by 1) transitioning diesel-powered truck TRUs to zero emissions beginning December 31, 2023 so that by 2030, all truck TRUs operating in California will be zero-emission; 2) setting a new particulate matter (PM) emission standard for newly manufactured TRU engines in other TRU categories beginning December 31, 2022; and 3) requiring newly manufactured TRUs to use refrigerants with a low global warming potential refrigerant also beginning December 31, 2022. The proposed amendments to the TRU ATCM will also require facility registration and reporting and expand TRU labeling requirements.

Attachments

CARB September 9, 2021 and September 23, 2021 Meeting Agendas



Public Meeting Agenda

Thursday, September 9, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 9, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

Register for the Webinar – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

Phone Number: (669) 900-6833
Webinar ID: 814 5432 4317

To only watch the Board Meeting and not provide verbal comments, please view the webcast. The webcast is the same video stream offered by the California Air Resources Board (CARB or Board) during normal Board Meetings. If you do not wish to provide verbal comments, we strongly recommend watching the webcast as this will free up space on the webinar for those who are providing verbal comments.

Webcast – for those who only plan to observe the hearing.

How to Participate in the Remote Board Meeting
Como Participar en la Reunión del Consejo a Distancia

Agenda de la Reunión del Consejo del 9 de septiembre de 2021

Spanish interpretation will be provided for the September 9, 2021, Board Meeting.

Thursday, September 9, 2021 @ 4:00 p.m.

Discussion Item:

21-8-1: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Eastern Coachella Valley

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the Eastern Coachella Valley Community Steering Committee. The Board will consider the Eastern Coachella Valley

Community Emissions Reduction Program as required by Assembly Bill 617 and will also consider adopting a California Environmental Quality Act exemption as part of its action.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
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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 three 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 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 or (916) 322-5594

CARB Homepage: 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.

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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 electronico al 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.



Public Meeting Agenda

Thursday, September 23, 2021

In accordance with Governor Newsom's Executive Order [N-08-21](#), the September 23, 2021, Board Meeting will not have a physical location to attend in person. This will be a remote-only meeting.

The Board Meeting will be conducted remotely via a web-based videoconferencing service called Zoom. Members of the public who wish to comment verbally can register for the webinar.

[Register for the Webinar](#) – for those who wish to comment verbally at the hearing.

Alternatively, during the Board Meeting, members of the public can offer verbal comments by calling in via telephone. Members of the public do not have to register beforehand if they call in using the number below.

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[Webcast](#) – for those who only plan to observe the hearing.

[How to Participate in the Remote Board Meeting](#)
[Como Participar en la Reunión del Consejo a Distancia](#)

[Agenda de la Reunión del Consejo del 23 de septiembre de 2021](#)

Spanish interpretation will be provided for the September Board Meeting.

Thursday, September 23, 2021 @ 9:00 a.m.

Discussion Items:

21-9-1: Public Meeting to Consider Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal

The Board will consider adopting the proposed Coso Junction PM10 Maintenance Plan State Implementation Plan Submittal.

- [More Information](#)
- [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
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21-9-2: Public Meeting to Consider Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal

The Board will consider adopting the proposed Second 10-Year Sacramento County PM10 Maintenance Plan State Implementation Plan Submittal.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
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21-9-3: Public Meeting to Hear an Update on the 2018 PM2.5 State Implementation Plan for the San Joaquin Valley and Consider a State Implementation Plan Revision for the 15 µg/m³ Annual PM2.5 Standard

The Board will hear an update on the implementation of the 2018 PM2.5 State Implementation Plan (SIP) for the San Joaquin Valley and consider a SIP Revision for the 15 microgram per cubic meter annual PM2.5 standard.

- [More Information](#)
- [Public Meeting Notice](#)
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21-9-5: Public Hearing to Consider Proposed Amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate

The Board will consider staff's proposal for the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate. The amendments are designed to achieve additional emission and health risk reductions by requiring zero-emission truck TRUs, a PM emission standard for newly-manufactured TRU engines, and the use of lower global warming potential refrigerant. This hearing will be the first of two planned Board hearings.

- [Formal Rulemaking Webpage \(includes links to Notice, Staff Report, and Appendices\)](#)
 - [Public Meeting Notice](#)

- [Staff Report](#)
- [Item Summary](#)
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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:

Alliance for California Business v. California State Transportation Agency, et al., Sacramento County Superior Court, Case No. 34-2016-80002491.

American Lung Association, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1140.

Best Energy Solutions & Technology Corp., et al v. California Air Resources Board, et al., Kern County Superior Court, Case No. BCV-20-102198.

California v. Stout, et al., United States District Court, Central District of California, Case No. 2:20-cv-00371.

California v. Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 19-1239.

California, et al. v. United States Environmental Protection Agency, United States Court of Appeals for the District of Columbia Circuit, Case No. 21-1024.

California, et al. v. United States Environmental Protection Agency, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 21-1014.

California Natural Gas Vehicle Coalition v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 20CECG02250.

Clean Energy Renewable Fuels, LLC v. California Air Resources Board, Orange County Superior Court, Case No. 30-2020-01167039-CU-WM-CJC.

Competitive Enterprise Inst. v. NHTSA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1145 (consolidated with No. 20-1167).

Dalton Trucking, Inc. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 13-1283 (dismissed), U.S. Court of Appeals, Ninth Circuit, Case No. 13-74019.

Environmental Defense Fund, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1360.

Friends of Oceano Dunes, Inc. v. California Coastal Commission, et al., San Luis Obispo County Superior Court, Case No. 17CV-0576; U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles County Superior Court, Case No. 20STCP02985.

State of California v. United States Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 18-1096.

State of California v. Wheeler et. al., District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with Nos. 19-1241, 19-1242, 19-1243, 19-1245, 19-1246, and 19-1249.

State of California, et al., v. Andrew Wheeler, et al., United States Court of Appeals, District of Columbia Circuit, Case No. 20-1359.

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, District of Columbia Circuit, Case No. 21-1018.

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 Massachusetts v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1265.

State of New York, et al. v. Andrew Wheeler and the United States Environmental Protection Agency, U.S. District Court, District of Columbia, Case No. 1:18-cv-00773.

State of North Dakota v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 15-1381.

State of North Dakota, et al. v. United States Environmental Protection Agency, U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1242.

State of Wyoming, et al. v. United States Department of the Interior, et al., U.S. District Court, District of Wyoming, Case No. 16-CV-285-SWS; United States Court of Appeals, Tenth Circuit, Case No. 20-8073.

Truck Trailer Manufacturers Association, Inc. v. United States Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 16-1430.

People v. Southern California Gas Company, Los Angeles Superior Court, Case No. BC 602973.

The Two Hundred, et al. v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 18CECG01494.

Western States Petroleum Association v. California Air Resources Board, Los Angeles County Superior Court, Case No. 20STCP03138x.

Westmoreland Mining v. EPA, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1160.

W.O. Stinson & Son LTD. v. Western Climate Initiative, Inc., Ontario Canada Superior Court, Case No. CV-20-00083726-0000.

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