



South Coast Air Quality Management District

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

REVISED AGENDA

MEETING, JUNE 4, 2021

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 AM.

Pursuant to Governor Newsom’s Executive Orders N-25-20 (March 12, 2020) and N-29-20 (March 17, 2020), the Governing Board meeting will only be conducted via video conferencing 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 Meeting - from PC, Laptop or Phone

<https://scaqmd.zoom.us/j/93128605044>

Meeting ID: 931 2860 5044 (applies to all)

Teleconference Dial In +1 669 900 6833 or +1 253 215 8782

One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#

Spanish Language Only Audience (telephone)

Número Telefónico para la Audiencia de Habla Hispana

Teleconference Dial In/Numero para llamar: +1 669 900 6833

Meeting ID/Identificación de la reunión: 932 0955 9643

One tap mobile: +16699006833,,93209559643#

Audience will be allowed to provide public comment through telephone or Zoom connection.

PUBLIC COMMENT WILL STILL BE TAKEN

Phone controls for participants:

The following commands can be used on your phone’s dial pad while in Zoom Webinar meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Questions About an Agenda Item

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

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 at South Coast AQMD’s web page (www.aqmd.gov).

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. 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 the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov

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
- Swearing in of Newly Appointed Board Member **Benoit**
Veronica Padilla-Campos
- Roll Call
- Opening Comments: Ben Benoit, Chair
Other Board Members
Wayne Nastri, Executive Officer
- Presentation: Air Pollution Triggers Gene Expression Changes **Dr. Keith Black**
In Transgenic Alzheimer’s Mice Brains

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3) The public may comment on any subject within the South Coast AQMD’s authority that **does not** appear on the agenda, during the Public Comment Period. Each speaker addressing non-agenda items may be limited to a total of (3) minutes.

Staff/Phone (909) 396-

CONSENT AND BOARD CALENDAR (Items 1 through 29)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 30.

1. Approve Minutes of May 7, 2021 Board Meeting **Thomas/3268**
2. Set Public Hearing August 6, 2021 to Consider Adoption of and/or **Nastri/3131**
Amendments to South Coast AQMD Rules and Regulations

Set Public Hearing August 6, 2021 to Determine That **Nakamura/3105**
Proposed Rule 1147.1 – NOx Reductions from Aggregate
Dryers, Is Exempt from CEQA and Adopt Rule 1147.1

The adopted Resolution of the Final 2016 AQMP directed staff to achieve additional NOx reductions and to transition the NOx RECLAIM program to a command-and-control regulatory structure as soon as practicable. Proposed Rule 1147.1 (PR 1147.1) will establish NOx and CO emission limits for aggregate dryers at non-RECLAIM, RECLAIM, and former RECLAIM facilities. PR 1147.1 also includes provisions for emissions monitoring, reporting, and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, is exempt from the requirements of the California Environmental Quality Act; and 2) Adopting Rule 1147.1 – NOx Reductions from Aggregate Dryers. (Review: Stationary Source Committee, June 18, 2021)

Items 3 through 15 Budget/Fiscal Impact

3. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer State Reserve Program **Miyasato/3249**

In April 2021, CARB approved the final allocations for the FY 2020-21 Carl Moyer "Year 23" State Reserve Program, including \$3,753,310 to the South Coast AQMD for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program. This action is to adopt a resolution recognizing up to \$3.8 million in FY 2020-21 Carl Moyer State Reserve funds from CARB for the implementation of infrastructure projects supporting zero emission vehicles within the South Coast AQMD. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

4. Recognize Revenue and Execute Contract for Class 8 Fuel Cell Truck Demonstration **Miyasato/3249**

South Coast AQMD has been awarded \$500,000 from U.S. EPA to develop and demonstrate two class 8 hydrogen fuel cell trucks with Hyundai Motor Company. These actions are to recognize revenue, upon receipt, of \$500,000 from the U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund (31) and execute a contract with Hyundai Motor Company in an amount not to exceed \$500,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

5. Recognize Revenue, Transfer Funds, and Execute Contracts to Deploy 100 Battery Electric Drayage Trucks as part of CARB and CEC Pilot Project **Miyasato/3249**

CARB and CEC awarded South Coast AQMD \$16,019,316 and \$10,964,955 respectively for a Zero-Emission Drayage Truck and Infrastructure Pilot Project. The project will deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies at two fleets in disadvantaged communities. These actions, detailed below, are to recognize revenue and co-funding from CARB, CEC and partners into the GHG Reduction Projects Special Revenue Fund (67); transfer funds as part of our cost share and partner cost share, and as a temporary loan from the Clean Fuels Program Fund (31); return unspent funds to the Clean Fuels Fund upon project completion; authorize the Executive Officer to execute contracts to implement this project; and reimburse the General Fund for administrative costs. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

6. **Recognize Revenue and Reimburse General Fund for Administrative Costs for Enhanced Fleet Modernization Program** **Miyasato/3249**

Since 2015, the South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride. For FY 2020-21, CARB allocated \$1.4 million in AB 118 funds to the South Coast AQMD for the continued implementation of the EFMP. These actions are to: 1) recognize up to \$1.4 million from CARB; 2) approve vouchers and other alternative mobility options until all available funds are exhausted; and 3) reimburse the General Fund for administrative costs necessary to implement the EFMP. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

7. **Issue Program Announcement for Combustion Freight and Marine Projects Category Under Statewide Volkswagen Environmental Mitigation Trust Program** **Miyasato/3249**

In December 2019, the Board approved release of a Program Announcement to solicit projects for the Combustion Freight and Marine Projects category considering the first installment of funds totaling \$30 million. This competitive solicitation resulted in approximately \$3.98 million in awarded projects. In an effort to increase participation, CARB and South Coast AQMD propose to release a second solicitation allowing equipment owners to apply on a first-come, first-served basis, however the funding amounts will remain the same. This action is to issue a statewide Program Announcement for the Combustion Freight and Marine Projects category totaling \$26,019,762 for eligible equipment selected on a first-come, first-served basis. This action is also to authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation. (Reviewed: Technology Committee, May 21, 2021; Recommended for Approval)

8. **Recognize Revenue, Transfer and Appropriate Funds, Issue a Solicitation and Execute Contracts and/or Purchase Orders to Meet Operational Needs for Rule 1180 and Community Scale Monitoring Programs** **Low/2269**

In June 2018, the Board created the Rule 1180 Special Revenue Fund (78) to establish community air monitoring near refineries. Also, the FY 2021-22 budget includes annual fees from refineries for community air monitoring of \$4.4 million. These actions are to: 1) transfer and appropriate funds of up to \$1,090,000 from the Rule 1180 Special Revenue Fund (78) and 2) appropriate up to \$970,000 from the General Fund to Science & Technology Advancement's (STA) FY 2021-22 Budget for Rule 1180 activities; 3) execute purchase orders for air monitoring equipment and supplies for the Rule 1180 community air monitoring network; 4) issue a solicitation for an independent audit of the Rule 1180 refinery fence-line and community air monitoring network; and 5) recognize revenue and appropriate up to \$60,000 from the EPA Section 103 Community-Scale Air Toxics grant to STA's FY 2021-22 Budget Service & Supplies and Capital Outlays Major Objects. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

9. **Recognize Revenue for Continued AB 617 Implementation** **Jain/2804**
- The South Coast AQMD was approved for a \$21,880,000 grant under the Community Air Protection Program from CARB. In May 2021, the Board recognized \$19,324,580 for continued AB 617 implementation. This action is to recognize up to an additional \$2,555,420 from CARB into the General Fund for AB 617. (No Committee Review)
10. **Remove Various Fixed Assets from South Coast AQMD Inventory** **Jain/2804**
- South Coast AQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment and motor vehicles determined to be obsolete, non-operational and not worth repairing. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
11. **Authorize Cooperative Purchasing Agreement for Printing Equipment and Multi-Function Devices** **Olvera/2309**
- South Coast AQMD's printing equipment and multi-function devices contract is set to expire on December 31, 2021. The current provider has offered a proposal that ends the existing contract early, with no penalty or costs, and updates existing equipment, multi-function devices, and related software, which will result in cost-savings to South Coast AQMD. This action is for authorization to terminate the existing contract with MRC Smart Technology Solutions, a Xerox company, and execute a new five-year lease and maintenance agreement with the same vendor, beginning July 1, 2021 to June 30, 2026, for a total amount not to exceed \$802,000, utilizing a cooperative purchase program. Funding has been included in the FY 2021-22 budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
12. **Establish List of Prequalified Vendors for Janitorial Supplies** **Olvera/2309**
- On March 5, 2021, the Board approved the release of an RFQ to prequalify vendors for janitorial supplies. This action is to establish a list of prequalified vendors for janitorial supplies for a period of three years. Funds for services using this prequalified vendor list have been included in the FY 2020-21 Budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)
13. **Transfer and Appropriate Funds and Execute Contract for Cybersecurity Assessment** **Moskowitz/3329**
- On March 5, 2021, the Board approved the release of an RFP to perform a comprehensive cybersecurity assessment. This action is to transfer and appropriate funds from the General Fund Undesignated (Unassigned) Fund Balance to Information Management's FY 2020-21 or FY 2021-22 Budget and authorize the execution of a contract with the selected vendor, Securance Consulting, in the amount of \$71,796. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

14. **Appoint Members to South Coast AQMD Hearing Board** **Thomas/3268**

The terms of office for the Hearing Board Attorney Member, Engineer Member and their alternates expire on June 30, 2021. A recruitment was opened from November 13, 2020 through January 8, 2021 to seek candidates for appointment to the new term beginning July 1, 2021 through June 30, 2024. An Advisory Committee appointed by some members of the Governing Board evaluated and ranked each candidate and recommended the top four attorney candidates and top four engineer candidates be interviewed by the Administrative Committee. The Administrative Committee interviewed the candidates at its meeting on May 14, 2021 and made a final recommendation. This action is to appoint members for the July 1, 2021 to June 30, 2024 term. (Reviewed: Administrative Committee, May 14, 2021; Recommended for Approval)

15. **Approve Award as Approved by MSRC** **McCallon**

As part of their FYs 2018-21 Work Program, the MSRC approved an award to provide special transit service to the 2022 Orange County Fair. (Reviewed: Mobile Source Air Pollution Reduction Committee, May 20, 2021; Recommended for Approval)

Items 16 through 21 - Information Only/Receive and File

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

This report highlights the April 2021 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)

17. **Hearing Board Report** **Balogpalan/2500**

This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2021. (No Committee Review)

18. **Civil Filings and Civil Penalties Report** **Gilchrist/3459**

This reports the monthly penalties from April 1, 2021 through April 30, 2021, and legal actions filed by the General Counsel's Office from April 1, through April 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, May 21, 2021)

19. **Lead Agency Projects and Environmental Documents Received** **Nakamura/3105**

This report provides a listing of CEQA documents received by the South Coast AQMD between April 1, 2021 and April 30, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)

20. Rule and Control Measure Forecast **Rees/2856**
This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)
21. 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 item is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, May 14, 2021)

Item 22 - Staff Presentation/Board Discussion

22. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*) **Whynot/3104**
Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, May 14, 2021) (Receive & File)

Items 23 through 29 - Reports for Committees and CARB

Note: The May 21, 2021 meeting of the Mobile Source Committee was canceled. The next meeting of the Mobile Source Committee is scheduled for June 18, 2021.

23. Administrative Committee (Receive & File) **Chair: Benoit Nastri/3131**
24. Investment Oversight Committee (Receive & File) **Chair: Cacciotti Jain/2804**
25. Legislative Committee **Chair: Cacciotti Alatorre/3122**

Receive and file; and take the following actions as recommended:

Agenda Item Recommendation

AB 1260 (Chen) California Environmental Quality Act: exemptions: transportation-related projects No Position

AB 1346 (Berman) Air pollution: Support small off-road engines

26. Stationary Source Committee (Receive & File) **Chair: Benoit Aspell/2491**

27. Technology Committee (Receive & File) **Chair: Buscaino Miyasato/3249**
28. Mobile Source Air Pollution Reduction Review Committee (Receive & File) **Board Liaison: Benoit Katzenstein/2219**
29. California Air Resources Board Monthly Report (Receive & File) **Board Rep: Kracov Thomas/2500**
30. Items Deferred from Consent and Board Calendars

PUBLIC HEARINGS

31. Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1 (***Continued from May 7, 2021 Board meeting***) **Nakamura/3105**
- Proposed Amended Rule 1469.1 would further reduce hexavalent chromium emissions from chromate spray coating operations by including requirements for other related activities such as dried coating removal and demasking, enhancing the point source requirements, enhancing parameter monitoring requirements for air pollution controls, and further minimizing the release of fugitive emissions through additional requirements for building enclosure, housekeeping, and best management practices. The proposed amendments would also remove outdated definitions and provisions. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium. (Reviewed: Stationary Source Committee, March 19, 2021)
32. Determine That Proposed Amendments to Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants, Are Exempt from CEQA; and Amend Rule 1466 **Nakamura/3105**
- Rule 1466 seeks to minimize the amount of off-site fugitive dust emissions containing toxic air contaminants by reducing particulate emissions in the ambient air as a result of earth-moving activities. Proposed Amended Rule 1466 will clarify and streamline existing provisions, update monitoring requirements, enhance dust control measures, revise alternative provisions, and add additional notification and recordkeeping requirements. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants. (Reviewed: Stationary Source Committee, March 19, 2021)

33. **Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard** **Rees/2856**

South Coast Air Basin and Coachella Valley are designated as Extreme and Severe nonattainment areas, respectively, for the 2015 8-hour ozone standard. For these nonattainment areas, U.S. EPA requires submittal of a nonattainment new source review (NSR) plan or plan revision. South Coast AQMD's existing SIP-approved nonattainment NSR program, which covers both the South Coast Air Basin and Coachella Valley and applies to new major stationary sources or major modifications to existing sources, satisfies this requirement. Therefore, no changes to the existing NSR program are needed to comply with the 2015 ozone standard nonattainment NSR requirements. For Extreme ozone nonattainment areas, the Clean Air Act also requires the use of clean fuels or advanced control technologies for electric utility and industrial and commercial boilers that emit more than 25 tons of NOx per year. This requirement is fulfilled through South Coast AQMD's existing rules which regulate NOx emissions from existing, new or modified boilers. This action is to adopt the Resolution: 1) Certifying the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard; and 2) Directing staff to forward the Certification to CARB for approval and subsequent submission to U.S. EPA for inclusion in the SIP. (Reviewed: Stationary Source Committee, May 21, 2021)

34. **Determine That 2021 PM10 Maintenance Plan for South Coast Air Basin Is Exempt from CEQA and Approve 2021 PM10 Maintenance Plan for South Coast Air Basin** **Ghosh/2582**

The South Coast Air Basin was designated as attainment for the 24-hour average PM10 National Ambient Air Quality Standard (NAAQS) by U.S. EPA in July 2013. A PM10 maintenance plan was submitted to U.S. EPA on April 28, 2010, which was approved as part of the redesignation. The Clean Air Act also requires that the State submit a subsequent maintenance plan eight years after an attainment redesignation to provide for maintenance of the NAAQS for the next 10 years after the period covered by the first maintenance plan (2023-2033). This 2021 PM10 Maintenance Plan includes a maintenance demonstration that the South Coast Air Basin will continue to attain the standard, verification of continued attainment, a commitment to a future monitoring network, a contingency plan, and provisions for contingency plan implementation. This plan also includes a description of PM10 sources, concentration trends, and emissions controls and an analysis of past NAAQS exceedances during the first maintenance period. This action is to adopt the Resolution: 1) Determining that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 PM10 Maintenance Plan for the South Coast Air Basin, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (No Committee Review)

35. Determine That Proposed Amendments to Eastern Coachella Valley Community Emissions Reduction Plan Amendments are Exempt from CEQA, and Amend Adopt Eastern Coachella Valley Community Emissions Reduction Plan Amendments Ghosh/2582

Assembly Bill (AB) 617 requires CARB to select communities for the preparation of Community Emissions Reduction Plans (CERPs) and air districts with a selected community to adopt the CERP within one year of selection. CARB selected the Eastern Coachella Valley (ECV) community in December 2019, and the South Coast AQMD Board adopted the AB 617 ECV CERP in December 2020. The Board directed staff to provide additional details on the AB 617 ECV CERP monitoring objectives, collaborations with other entities, incentive strategies, and other emission reduction strategies developed by the Community Steering Committee (CSC) by June 30, 2021. Since December 2020, staff has held more than ~~20~~ 30 meetings with CSC members to develop additional details that further address the CSC's air quality priorities for the AB 617 ECV CERP. This action is to: 1) Determine that the proposed amendments to the AB 617 ECV CERP Amendments are exempt from the requirements of the California Environmental Quality Act; and 2) ~~Adopt Amend~~ the AB 617 ECV CERP ~~Amendments~~. (Reviewed: Stationary Source Committee, May 21, 2021)

OTHER BUSINESS – Board Member Assistants and Board Member Consultants Contracts for FY 2021-22

36. Approve Compensation Adjustments for Board Member Assistants and Board Member Consultants for FY 2021-22 Jain/2804
- The Board Member Assistant and Board Member Consultant compensation is proposed to be amended to adjust the compensation level the South Coast AQMD may make per Board Member, per fiscal year, based on the Board approved assignment-of-points methodology. The points are calculated based on the level of complexity, number of meetings, and role. (No Committee Review)

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:

- 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, Los Angeles Superior Court Case No. 19STCP05239 (Tesoro II);
- 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); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD 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, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 19258941;
- Downwinders at Risk et al. v. EPA, United States Court of Appeals, Ninth Circuit, Case No. 19-1024 (consolidated with Sierra Club, et al. v. EPA, No. 15-1465);
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020; and
- SCAQMD v. City of Los Angeles, Los Angeles City Council, City of LA Harbor Dept., LA Board of Harbor Commissioners, et al. Los Angeles Superior Court, Case No. 20STCP02985.

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 (four cases).

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.

ADJOURNMENT

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

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Persons wishing to speak may do so remotely via Zoom or telephone. To provide public comments via a Desktop/Laptop or Smartphone, click on the "Raise Hand" at the bottom of the screen, or if participating via Dial-in/Telephone Press *9. This will signal to the host that you would like to provide a public comment and you will be added to the list.

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 beginning of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the 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. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to cob@aqmd.gov, on or before 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	OEHA = 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 ≤ 10 microns
CEQA = California Environmental Quality Act	PM2.5 = Particulate Matter ≤ 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	RFQQ=Request for Qualifications and Quotations
EV = Electric Vehicle	SCAG = Southern California Association of Governments
EV/BEV = Electric Vehicle/Battery 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	

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.

For language interpretation:

Click the interpretation Globe icon at the bottom of the screen

Select the language you want to hear (either English or Spanish)

Click "Mute Original Audio" if you hear both languages at the same time.

Para interpretación de idiomas:

Haga clic en el icono de interpretación el globo terráqueo en la parte inferior de la pantalla

Seleccione el idioma que desea escuchar (inglés o español)

Haga clic en "Silenciar audio original" si escucha ambos idiomas al mismo tiempo.

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.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

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.

Directions for Spanish Language TELEPHONE line only:

- The call in number is the same.
- The meeting ID number is 932-0955-9643
- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.

Instrucciones para la línea de TELÉFONO en español únicamente:

- El número de llamada es el mismo (+1 669900 6833 o +1 253215 8782).
- El número de identificación de la reunión es 932-0955-9643
- Si desea hacer un comentario público, marque *9 en su teclado para indicar que desea comentar.

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the May 7, 2021 meeting.

RECOMMENDED ACTION:

Approve Minutes of the May 7, 2021 Board Meeting.

Faye Thomas
Clerk of the Boards

FT:cmw

FRIDAY, MAY 7, 2021

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted remotely via video conferencing and telephone. Members present:

Mayor Pro Tem Ben Benoit, Chairman
Cities of Riverside County

Senator Vanessa Delgado (Ret.), Vice Chair
Senate Rules Committee Appointee

Supervisor Lisa A. Bartlett
County of Orange

William A. Burke, Ed.D.
Speaker of the Assembly Appointee

Council Member Joe Buscaino
City of Los Angeles

Mayor Pro Tem Michael A. Cacciotti
Cities of Los Angeles County – Eastern Region

Gideon Kracov
Governor's Appointee

Supervisor Sheila Kuehl
County of Los Angeles

Mayor Pro Tem Larry McCallon
Cities of San Bernardino County

Supervisor V. Manuel Perez
County of Riverside

Vice Mayor Rex Richardson
Cities of Los Angeles County – Western Region

Mayor Pro Tem Carlos Rodriguez
Cities of Orange County

Supervisor Janice Rutherford
County of San Bernardino

Members absent: None

CALL TO ORDER: Chairman Burke called the meeting to order at 9:00 a.m.

- Pledge of Allegiance: Led by Mayor Pro Tem Benoit
- Roll Call
- Swearing in of Chair and Vice Chair for Term May 2021 to January 2022

Dr. Burke administered the oath of office to Chairman Ben Benoit and Vice Chair Vanessa Delgado who were elected for a term ending January 14, 2022.

- Retirement Presentation to William A. Burke, Ed.D.

Chairman Benoit thanked Dr. Burke for his strong leadership and highlighted major initiatives, programs and accomplishments that were spearheaded under Dr. Burke's leadership.

Assembly Member Autumn Burke expressed deep appreciation for the legacy and impact that her father has made in environmental justice communities and commented on how his legacy of equity for disadvantaged communities has become the benchmark in their family and a motivating factor in her career. She urged the Board to continue the work to ensure that all communities have clean air to breathe.

Executive Officer Wayne Nastri commented on the many accomplishments under Dr. Burke's leadership and the legacy he leaves behind. Mr. Nastri shared the virtual unveiling of the South Coast AQMD auditorium named in honor of Dr. Burke.

Each Board Member expressed appreciation to Dr. Burke for his years of service and leadership and shared memories and highlights of past meetings. A segment of the signature "The Right to Breath" video was played that epitomizes the hallmarks of Dr. Burke's career on the Board.

Cynthia Verdugo-Peralta, former Governing Board member, thanked Dr. Burke for his many years of service to environmental justice communities and his work on the fleet rules and wished him a happy retirement. She congratulated the chair and vice chair on their appointments.

Jack Broadbent, Chief Executive Officer/Air Pollution Control Officer, Bay Area Air Quality Management District thanked Dr. Burke for his leadership and accomplishments and congratulated him on his retirement.

Ray Whitmer, Secretary-Treasurer/International Brotherhood of Teamsters, Local 911, presented a plaque and personalized Teamsters jacket to Dr. Burke on behalf of the represented employees at the South Coast AQMD.

Dr. Joseph Lyou, former South Coast AQMD Board member/Coalition for Clean Air, commented on Dr. Burke's vision years ago to deploy air quality monitors across the South Coast Air Basin and shared a screenshot of the current network of PurpleAir low-cost air sensors. He announced that Dr. Burke would be a recipient of the Coalition for Clean Air's Lifetime Achievement Award at their 50th anniversary event on June 17, 2021.

Dr. Burke expressed appreciation for comments, cards, letters and emails he received. He also thanked staff and expressed appreciation to Marie Patrick, his Board assistant, for her many years of dedicated service. He urged staff to pursue hiring preferences for veterans and the Board to continue their work on environmental justice, equity and educational programs.

Harvey Eder, Public Solar Power Coalition, expressed concerns about democracy and the future of our country, climate change and reliance on fossil fuels. Expressed support for the Solar New Deal.

Javier Sanchez acknowledged Dr. Burke as a hero in the environmental community and thanked him for his years of service and leadership.

Keri Then, retired U.S. Air Force veteran, thanked Dr. Burke for his many years of leadership and allowing public speakers adequate time to make comments. Expressed appreciation for Dr. Burke's comments about respecting the sacrifices made by veterans.

Robina Suwol, California Safe Schools, thanked Dr. Burke for decades of service.

Patty Senecal, Western States Petroleum Association (WSPA), thanked Dr. Burke for his many years of service. She announced that WSPA is making a donation in Dr. Burke's name to the R.M. Pyles Boys Camp Legacy Wall.

Rita Loof, RadTech International, expressed appreciation to Dr. Burke for his many years of service and for his common sense approach to discussions.

Todd Campbell, Clean Energy, expressed appreciation to Dr. Burke for always taking the time to meet with people and trying to understand their concerns about air quality. Thanked him for his leadership and work on the fleet rules.

Lucy Garcia, Sierra Club, expressed appreciation for the gains that have been made in air quality over the years. She urged the Board to adopt the warehouse Indirect Source Rule (ISR) without delay for the sake of underrepresented communities of color.

Yvonne Martinez Watson, Sierra Club, thanked Dr. Burke for his many years of service and for taking her concerns about the gas industry's operations seriously.

Angelica Balderas, Sierra Club/AB 617 San Bernardino, Muscoy Community Steering Committee co-host, thanked Dr. Burke for his many years of public service.

Al Sattler thanked Dr. Burke for his years of service and reflected on a hearing that was held in San Pedro many years ago about the coal and coke terminal.

Ranji George, a member of public, thanked Dr. Burke for his many years of service and leadership, especially with the Lower Emissions School Bus Program. Urged the Board to consider how our actions impact the Global South.

Steven Goldsmith, Torrance Refinery Action Alliance, thanked Dr. Burke for his help and guidance on efforts to replace hydrofluoric acid (HF) with safer alternatives.

Council Member Ben Reynoso, City of San Bernardino, thanked Dr. Burke for his dedication to cleaning the air and environment. Stated that he is calling for a moratorium on new warehouses in the City of San Bernardino.

Ana Gonzalez, Center for Community Action and Environmental Justice (CCA EJ) and President of Chicano Latino Caucus of San Bernardino County, thanked Dr. Burke for his many years of service.

Hector De Leon stated that voting to adopt the warehouse ISR would positively affect people's lives and add to Dr. Burke's legacy.

Tracy Hernandez, Los Angeles County Business Federation (BizFed) acknowledged Dr. Burke's leadership over the years and expressed gratitude for all he has done to clean the air.

Kareem Gongora, County of San Bernardino Planning Commissioner/CCA EJ/Fontana resident, thanked Dr. Burke for his leadership and work on electric school buses. He reflected on a memorable moment during a Board meeting in 2017 that kept him interested and engaged in the South Coast AQMD's work. Thanked Senator Delgado for her leadership at Environmental Justice Advisory Group meetings.

William Zobel, California Hydrogen Business Council, thanked Dr. Burke for his leadership. He commented on meeting with Dr. Burke many years ago as a young policy advisor at the Coalition for Clean Air.

- Opening Comments

Vice Mayor Richardson announced that May 6, 2021 was his last day as president of the Southern California Association of Governments (SCAG) and noted the critical role that SCAG plays in the community. He commented on a recent meeting he convened with South Coast AQMD staff, SCAG, the Ports and the Los Angeles County Metropolitan Transit Authority to discuss coordinating efforts for a clean vehicle infrastructure plan. He also announced that Electrify America is investing \$25 million in Long Beach and Wilmington electric vehicle charging infrastructure as part of its Green City program.

Mayor Pro Tem McCallon thanked Vice Mayor Richardson for his leadership on SCAG.

Chairman Benoit announced that Item No. 27 would be taken out of order and moved to the beginning of the agenda.

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This item was taken out of order.

PUBLIC HEARING

27. Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions

Ian MacMillan, Assistant DEO/Planning, Rule Development and Area Sources gave the staff presentation on Item No. 27. Barbara Baird, Chief Deputy Counsel, commented on South Coast AQMD's legal authority to adopt PR 2305 and PR 316.

Supervisor Kuehl commended staff for their efforts to address numerous concerns that were raised throughout the three-year rulemaking process. She reminded everyone that the warehouse ISR was included in the 2016 AQMP as a control measure strategy and is needed to assist in meeting air quality standards to avoid the federal government imposing sanctions for nonattainment. She commented on the health impacts from poor air quality and the related costs. She expressed support for the staff recommendation, noting that the menu of options allows flexibility for warehouse operators to meet the rule requirements.

Supervisor Rutherford acknowledged that the South Coast region needs to do more to improve air quality and accelerate the turnover of truck fleets to zero emission technology; however, she questioned whether PR 2305 was the best way to do it. She inquired about the amount of pollution attributed to warehouses that have been built in recent years, noting the decrease in NOx and PM emissions.

Mr. MacMillan responded that heavy-duty trucks are the largest source of NOx emissions in the South Coast Basin and warehouses are a key destination for trucks. The emissions associated with warehouses is approximately equal to all stationary sources and a significant fraction of the NOx profile. NOx and PM emissions have decreased over time due to new emissions controls for heavy-duty trucks; however, existing and anticipated controls will not be enough to meet attainment.

Supervisor Rutherford questioned the role of PR 2305 in transitioning truck fleets because it does not hasten or increase the availability of zero emission trucks, noting that CARB regulations will accelerate the turnover of fleets. She commented on how warehouse operators accrue points for the purchase of clean trucks and questioned the cost assumptions.

Mr. MacMillan stated that Class 8 zero emission trucks are not widely commercially available yet but more are expected to become available beginning later this year with more becoming available in 2022, and near-zero emission trucks are available today. He clarified that the costs shown in the slide presentation were incremental costs that would be incurred when fleet turnover occurs or new trucks are purchased.

Supervisor Rutherford asked whether warehouse operators can earn WAIRE Points for mitigation actions that are already required by local programs or those contained in the World Logistics Center (WLC) settlement agreement.

Mr. MacMillan stated that many of the mitigation actions in the WLC settlement agreement or existing requirements from local programs that are on the WAIRE menu are eligible for points but added that WAIRE Points may be earned only for actions that go beyond existing U.S. EPA and CARB regulations.

Supervisor Rutherford inquired about the process for determining how Mitigation Program Funds will be spent and emphasized the importance of having AB 617 communities provide input into what needs to be done in their communities. She highlighted the need to ensure that priority is given to owners who purchase clean trucks that are domiciled in the communities where they live.

Mr. MacMillan stated that public outreach will be conducted, and Board approval is required prior to releasing solicitations or awards. Funds will be segregated by geographic areas to track where the funds originate from and where projects occur. Through the solicitation process, funds would be used to incentivize the purchase of near-zero emissions or zero emissions trucks and zero emissions charging/fueling infrastructure in the communities near warehouses that paid the fee. There is no provision in the rule that requires the truck be domiciled in the community where the owner lives because a truck may be domiciled in one community but have most of its activities concentrated in another community.

Supervisor Rutherford expressed concerns with reporting and recordkeeping requirements and associated costs.

Mr. MacMillan responded that there are a variety of methods that exist to count trucks and warehouse operators may already have some of those measures in place for either security or tracking purposes. If a warehouse operator chose to track near-zero or zero emission trucks that visited their facility to earn WAIRE Points, staff has provided guidance and implementation on several potential recordkeeping methods.

Supervisor Rutherford expressed concerns with the concept of an ISR, noting that CARB regulations, technology advancements and the market will lead to more zero- and near-zero emission trucks. She stated that PR 2305 will not achieve that goal any faster and will cause higher costs to the logistics industry. She noted that the ports are the starting point for the trucks and recommended looking at the connection with the ports.

Mayor Pro Tem Cacciotti inquired about the phase-in schedule for CARBs adopted or proposed heavy-duty truck regulations.

Mr. MacMillan responded that it depends on the specific regulation but requirements are scheduled to begin in 2023 at the earliest.

Mayor Pro Tem Cacciotti asked staff to provide a brief update on the Volvo LIGHTS (Low Impact Green Heavy Transport Solutions) project.

Dr. Matt Miyasato, Chief Technologist/Science and Technology Advancement, responded that the Volvo LIGHTS project is a seminal project undertaken by the South Coast AQMD to work with the two largest truck manufacturers in the world, Daimler and Volvo. Volvo is on the cusp of demonstrating that Class 8 battery electric trucks will become a viable product. They began taking customer orders for Class 8 battery electric trucks, with customer deliveries scheduled for next year; Daimler will follow shortly thereafter.

Mayor Pro Tem Cacciotti inquired about what some of the leading logistics providers that serve as models for others in the industry are doing to transition their fleets, equipment and infrastructure to zero emissions technology.

Dr. Miyasato commented on the efforts of fleet partners that have been willing to test the early deployment of new technology, noting there have been challenges in the deployment of infrastructure and getting the groundwork done. These efforts are a pathway toward full commercialization and deployment of zero emission trucks but they will not be produced in volume for several years.

In response to Mayor Pro Tem Cacciotti, Mr. MacMillan confirmed that Class 2b through Class 8 trucks are eligible to earn WAIRE Points.

Mayor Pro Tem Cacciotti asked whether evaluating the state of technology every five years is adequate, since technology advances quickly.

Mr. MacMillan stated that the five-year interval was to allow the full phasing in of the rule and for technology to continue to mature; however, staff is planning to provide annual updates to the Mobile Source Committee.

Mr. Nastri added that updates can also be included as part of the Technology Advancement Office Clean Fuels Program Annual Report and Program Plan Update.

Mayor Pro Tem Cacciotti recommended reducing the time interval for the state of technology evaluation. He also emphasized the need to provide training and guidance on implementing the rule to applicable warehouse operators, especially small businesses. He recommended that contact information be provided to businesses who may need assistance. Mr. Nastri commented on the ability to do enhanced outreach through the collective efforts of staff.

Mayor Pro Tem Cacciotti commented on the Gladstein, Neandross & Associates study and inquired about the available supply of renewable natural gas (RNG). He also asked staff to address comments that contend RNG is not as good as electricity.

Mr. MacMillan noted that there is an increase in the production of RNG. This can be attributed to the California Low Carbon Fuel Standard that encourages the use of alternative sources of clean energy in the transportation sector, noting that there are a lot of mechanisms available to increase the use RNG.

Dr. Miyasato added that financial incentives are available for providers to provide RNG and the majority are providing natural gas as a selling point to fleets. RNG is one of the few fuels that is currently available to use for Class 8 trucks and the combination of using near-zero natural gas trucks with a renewable fuel achieves significant air quality and greenhouse gas benefits.

Mayor Pro Tem Cacciotti commented on the high rents for warehouse space and asked about the likelihood of warehouse operations relocating to nearby areas outside of South Coast AQMD's jurisdiction or cargo owners shipping their goods through other ports due to PR 2305 compliance costs.

Mr. MacMillan stated that the Industrial Economics, Inc. (IEc) study commissioned by the South Coast AQMD found that PR 2305 would not result in warehouses relocating. He noted that the rents and space for the warehousing industry has increased dramatically for at least the past decade and the ports have reported record-breaking cargo traffic as consumer demand has increased. The goods movement industry is a key economic engine for the region and is expected to stay strong.

Vice Mayor Richardson noted that due in large part to Dr. Burke's leadership and legacy the South Coast AQMD is on the cusp of taking one of the most meaningful steps to address air pollution in the region. He commented on the importance of getting the economy back on track but it should not be at the expense of vulnerable communities experiencing health, economic and environmental disparities. He emphasized the need to commit to a clean and modern goods movement system with the creation of local quality jobs. He inquired about language in the Resolution requiring that a skilled and trained workforce and local certified apprentices be used for projects funded with the WAIRE Mitigation Program Funds.

Mr. MacMillan responded that provisions were added to the Resolution that requires the use of a skilled and trained workforce, as defined by the California Public Contract Code, for projects funded by WAIRE Mitigation Program Funds; and that electricians involved in related projects must have the appropriate license and training certification.

Vice Mayor Richardson asked if the mitigation funds will be invested directly into communities near warehouses and whether the rule will be reevaluated and phased out as trucks get cleaner.

Mr. MacMillan stated that the structure of the mitigation program is set up so that the funds will be pooled in local communities, and then directed back into that community. Staff will seek projects through the solicitation process and award contracts to those that have a local focus so that communities around warehouses are the first to benefit. Staff will provide annual updates and progress reports on the implementation of the rules to the Mobile Source Committee, evaluate the state of technology every five years and a sunset provision has been added to the rule that would apply when the federal and state air quality standards have been achieved.

Vice Mayor Richardson thanked staff and acknowledged the contribution of stakeholders, community members and labor advocates for their hard work in crafting a rule that focuses this transition on creating local jobs to help benefit our communities, reduce vehicle miles traveled and invest in electrification and clean vehicle infrastructure. He emphasized the importance of partnering with federal, state and local governments, industry and other entities, and the significant investment and resources needed to make the transition.

Senator Delgado asked if warehouse operators can use Carl Moyer Program funds to buy new equipment.

Mr. MacMillan noted that incentive programs such as the Carl Moyer Program have their own restrictions on how funds can be spent; however, PR 2305 does not prohibit using incentive funding to earn WAIRE Points. He noted that a

warehouse operator that purchases a truck using Carl Moyer funds cannot earn WAIRE Points for the purchase but would earn WAIRE Points for the visits the truck makes to a warehouse.

Dr. Burke asked what is being done to make sure people of color are included in the skilled workforce training and apprenticeship programs.

Mr. MacMillan stated that the apprenticeship programs do their own outreach and there is no requirement in the Resolution language that specifically addresses the diversity of the workforce.

Council Member Buscaino commented that we need to balance growing cleanly with maintaining jobs, but help is needed from the state and federal government to reduce mobile source emissions. South Coast AQMD's primary regulatory authority is stationary sources but mobile sources are the major source of emissions. He mentioned that he grew up near the Ports, noting that emissions have improved but more can be done. He supports the warehouse ISR and asked his colleagues for an "Aye" vote to adopt as it will help disadvantaged communities surrounded by warehouses. He expressed appreciation for all the letters he has received and meetings held to discuss this topic.

The public hearing was opened, and the following individuals addressed the Board on Agenda Item 27.

*Jessica Craven, North East Los Angeles (NELA) Climate Collective/California Democratic Party Platform Committee
Julie Weatherford, Riverside resident/350 Riverside
Daniel Weatherford, Riverside resident/350 Riverside
*Sari Fordham, 350 Riverside
*Chris Lovekin, 350 Riverside
Robina Suwol, California Safe Schools
Jeri John, Riverside County resident
Hector De Leon, UCLA student
Council Member Ben Reynoso, City of San Bernardino
Susan Debounty, Pasadena resident
Emily Spokes, NELA Climate Collective
*Carolina Forni, NELA Climate Collective
Ana Gonzalez, Center for Community Action and Environmental Justice (CCA EJ)/
Latino Caucus of San Bernardino County
Elizabeth Sena, South Fontana Concerned Citizens Coalition
Abigail Rosales Medina, San Bernardino school board member
Elliott Gonzales, Long Beach resident
Rosario Cardenas, University of Redlands student
Alma Marquez, CCA EJ
Faraz Rizvi, CCA EJ
Shane Ysais, CCA EJ
Daniel Reyes, CCA EJ

Liz Penny Muguia, CCAEJ
*Gabriela Mendez, CCAEJ
Robert Nothoff, Los Angeles County Federation of Labor
*Tiffany Sanchez, East Yard Communities for Environmental Justice (EYCEJ)
Carina Sanchez, EYCEJ
Jose Lopez, EYCEJ
Taylor Thomas, EYCEJ
Laura Cortez, EYCEJ
Arturo Orozco, San Bernardino Valley College student
Robin Sales, Reseda resident/retired registered nurse
Enrique Camacho, San Bernardino resident/Service Employees International
Union Local 2015
*Kathy Hoang, Partnership for Working Families, Warehouse Worker Resource
Center, Orange County Communities for Responsible Development and
Los Angeles Alliance for a New Economy
Melissa Gonzalez, South Fontana resident
Eddie Sanchez, Redlands resident
Angelica Balderas, Sierra Club/AB 617 San Bernardino, Muscoy Community
Steering Committee co-host
Steve Jimenez, American Lung Association
Christina Ross, Irvine resident
Luis Montes, Jr., Inside Sustainability
Cynthia Gonzalez, Fontana resident
Noelle Pulaski, Orange County resident
Arthur Levine, Robert Redford Conservancy for Southern California Sustainability
Mirella Deniz-Zaragoza, Warehouse Worker Resource Center
Rosalie Preston, Los Angeles resident
Kiarra Shelby, Riverside resident
Amparo Munoz, Fontana resident
Yvonne Martinez Watson, Sierra Club
Mariela Loera, Leadership Council
Ariana Rodriguez, City Terrace resident
Al Sattler, Sierra Club and San Pedro resident
Daryl Gale, Los Angeles resident
Jeff Clark, Natural Gas Vehicles for America
Angel Orozco, San Bernardino high school student
Pamela Amaya, Long Beach resident
Lucy Garcia, Chatsworth resident
Roxanna Barrera, UC Santa Barbara student
Fauzia Rizvi, Riverside resident
*Andrea Vidaurre, Anthony Victoria, People's Collective for Environmental Justice
Adan Alvarez, International Brotherhood of Teamsters, Local 296
David Marrett, Ph.D., Riverside resident/environmental science teacher
Esmeralda Vasquez, Inland Empire resident
Leonardo Pilosa, San Bernardino resident/student
Jocelyn Del Rio, Bell Gardens resident/AB 617 member/EYCEJ

*Cheryl Auger, Pasadena resident
Dee Ariano, Santa Ana Unified School District parent
Martha Dina Arguello, Physicians for Social Responsibility
*Keri Then, Moreno Valley resident
Ricardo, Inland Empire resident/student
*Silvia Betancourt, Long Beach Alliance for Children with Asthma
Nancy Madsen
Ryan, East Los Angeles resident
Resa Barillas, California League of Conservation Voters
Ben Powell, City Terrace resident
*Michelle Ghafar, Earthjustice
Darby Osnaya, Colton resident
Sandy Kasper, Hemet resident/teacher
Vice Mayor Vilma Cuellar Stallings, City of Paramount
Stephanie Tong, Los Angeles resident
*Jeremy Santos, Fullerton resident/Cal Poly Pomona student
Diana Sanchez, Los Angeles resident
*Donatella Galella, Riverside resident/UC Riverside Professor
James Christofoli, Los Angeles resident
Robert Apodaca, United Latinos Vote
*Justin Lowery, Murrieta resident
Janet Bernabe, Riverside resident/CCAEEJ/League of United Latin American
Citizens Council 3190/ League of Women Voters Riverside
Linda Cleveland, Watts Clean Air & Energy Committee and AB 617 South
Los Angeles Co-Lead
Michael Munoz, Los Angeles Alliance for a New Economy
*Gustavo Hurtado, Rainbow Pride Youth Alliance and Perris resident
(*Submitted Written Comments)

These commenters expressed support for a strong ISR. Commented on the adverse health impacts that disproportionately affect residents in disadvantaged communities due to the proliferation of warehouses. Noted the record-breaking profits the logistics industry is earning due to increased e-commerce.

Joseph Sullivan, National Electrical Contractors, expressed support for the warehouse ISR, noting that poor air quality can be largely attributed to the growing logistics industry. The warehouse ISR will protect workers and communities in the South Coast Air Basin and create projects and high road careers for skilled trades people.

Terry Manies, Orange EV
*Kitty Christensen, Palm Springs resident
Jasmine Vargas, Food, Water and Watch
Jose Trinidad Casteneda, Climate Action campaign
(*Submitted Written Comments)

These commenters expressed support for a strong warehouse ISR that prioritizes zero emissions technology and infrastructure and creates job opportunities in clean energy.

Clayton Heard, on behalf of Congressman Alan Lowenthal, emphasized the need to ensure that economic growth is not at the expense of the health and safety of the communities that have suffered from the poorest air quality in the nation. He urged the Board to prioritize zero emissions technology and infrastructure, continue to strengthen the rule and to not delay the implementation. (Submitted Written Comments)

Dr. Karen Jakpor, American Lung Association, expressed support for the warehouse ISR and commented on the exponential growth in e-commerce during the pandemic and record profits the logistics industry has been earning. With the rapid growth of the logistics industry, the warehouse ISR is needed to meet air quality standards. She added that the warehouse ISR is flexible and offers many choices. (Submitted Written Comments)

Dr. Christine James, Climate Health Now, stated that adopting the warehouse ISR would reduce exposure to high pollution and cited studies showing that exposure to high levels of air pollutants increases the risk of high blood pressure in children and adolescents and increases their risk for hypertension as adults. She commented on the rising costs of healthcare and the need to seek participation from all stakeholders to address pollution. Urged the Board to adopt a strong warehouse ISR to protect the health and future of people.

Florence Gharibian, Del Amo Action Committee, commented on heavy-duty trucks using residential streets in Torrance and their detrimental impacts to the neighborhood. She added that a new warehouse will be built nearby on a contaminated superfund site and urged the Board to adopt the warehouse ISR. (Submitted Written Comments)

Tammy Yamasaki, Southern California Edison (SCE)/San Bernardino, Muscoy AB 617 Community Steering Community member, commented on SCE's support of the ISR, noting that the proposed rule has flexible compliance options, while emphasizing the critical need for zero emission technologies to achieve emission reductions. Commented on the challenges faced by warehouse owners and operators and expressed SCE's commitment to do their part to ensure successful implementation of the rule.

Kareem Gongora, County of San Bernardino Planning Commissioner/CCA/EJ/Fontana resident, commented on aerial photos he submitted of warehouses in the Inland Empire and added that many did not have solar panels on their rooftops. He commented that warehouse owners/operators could earn WAIRE Points by installing solar panels, which is a technology that is already available. He expressed support for the warehouse ISR and noted that the City of Colton is considering a moratorium on warehouses. (Submitted Written Comments)

Maha Rizvi, representing Assembly Member Eloise Gomez Reyes, commented on a letter of support for the warehouse ISR that was submitted by several members of the California Legislature, including Assembly Speaker Anthony Rendon. She emphasized the need to prioritize frontline communities that are being detrimentally impacted by the many diesel trucks associated with warehouses. She noted that the socio-economic analysis in the staff report indicates no projected job loss because of the rule. (Submitted Written Comments)

Mike Townsend representing Senator Connie Leyva, echoed Maha Rizvi's comments. (Submitted Written Comments)

Tommy Faavae, International Brotherhood of Electrical Workers (IBEW), Local 11, expressed strong support for the warehouse ISR. He commended the inclusion of workforce development language that ensures the use of a skilled and trained workforce and certified electricians on projects funded through the WAIRE Mitigation Program. He noted their commitment to hire locally and bring people of color into their apprenticeship program.

Chris Chavez, Coalition for Clean Air/Wilmington, West Long Beach, Carson AB 617 Community Steering Committee member, stated that nearly 200 people had signed their petition in support of a strong ISR. He expressed support for requests to increase the stringency of the rule and prioritizing immediate and actual emission reductions rather than air filtration systems. He expressed concerns about warehouse operators using the mitigation fee as a pay-to-pollute option by banking points but noted that the warehouse ISR will reduce air pollution and save lives. He noted that the economic impacts of the rule will be minimal and will be outweighed by public health benefits. (Submitted Written Comments)

Les Swizer, California New Car Dealers Association, expressed support for efforts to reduce emissions from large warehouse operations. Expressed concern with potential unintended consequences as the broad definition of warehouse may include facilities not intended to fall under purview of the rule, such as larger car dealerships that house a service center, parts department and showroom.

Ranji George, member of the public, expressed support for the transition toward zero emissions technology. He noted RNG is far cleaner than diesel but the combustion RNG also results in air toxics emissions and is inefficient. He requested that more points be allocated for fuel cell technologies.

Chris Shimoda, California Trucking Association, commented on the NOx reductions achieved in the South Coast Basin over the last two decades as a result of CARB and U.S. EPA regulations. He noted that the state's economy relies on the goods movement industry and job loss will result from the warehouse ISR.

William Zobel, California Hydrogen Business Council expressed support for the warehouse ISR, noting that it will create new jobs. He urged the Board to

increase the stringency in the rule to prioritize zero emission technologies and remove indoor air filters from the WAIRE menu options. Expressed their commitment to continuing to work with staff to integrate hydrogen and fuel cell technology. (Submitted Written Comments)

Marc Carrel, BREATHE Southern California, expressed support for the ISR, noting that the technology is available to implement the requirements and achieve significant air quality and public health benefits. He requested the mitigation fee be increased to incentivize investing in the WAIRE menu, remove air filtration as an option as it does not achieve emission reductions and apply the rule to all warehouses. (Submitted Written Comments)

Iván Nicholas Cisneros, Columbia University doctoral researcher/Fontana resident, expressed support for the ISR, noting that the rule applies to warehouses over 100,000 square feet so many of the small to medium-sized trucking and logistics industries in Fontana and the Inland Empire will not be negatively affected.

Jerilyn Lopez Mendoza, commented that she served on the Los Angeles Port Commission when the Clean Air Action Plan was developed and commented that industry expressed the same concerns about job and business loss as they are today with the ISR. The Clean Air Action Plan has significantly reduced air pollution for people living and working near the ports and is in its third iteration. She expressed support for the ISR noting that change is always difficult, but communities heavily impacted by warehouses need support.

Carlo De La Cruz, Sierra Club
Yassi Kavezade, Sierra Club

Expressed support for the warehouse ISR and noted that the Sierra Club submitted close to 6,000 signatures and comments from residents and families in the South Coast Air Basin. Urged the Board to increase the stringency of the rule to maximize NOx emission reductions and public health benefits. (Submitted Written Comments and 5,644 digital petition signatures)

Gracie Torres, Western Municipal Water District/CCAIEJ, noted that for 30 years water agencies have been working through regulations to stop indirect water polluters. These regulations have created jobs in both private and public sectors and continue to identify and plan a more sustainable water future. She urged the Board to adopt a strong warehouse ISR and hold indirect polluters accountable.

Tom Swenson, Cummings Inc., expressed support for the ISR with two modifications: 1) to eliminate air filtration because it does not support direct emission reductions; and 2) points should be given for emission reductions achieved and not indexed on the cost of a technology. He also commented on the availability of near-zero natural gas heavy-duty engines, noting that Cummings currently offers three engine platforms ranging from local delivery trucks to 80,000-pound heavy-duty trucks. (Submitted Written Comments)

Brett Barry, Clean Energy
Ryan Kenny, Clean Energy
*Todd Campbell, Clean Energy

Expressed support for the warehouse ISR. Noted that low-NOx trucks are commercially available and already being deployed by leading fleets. Low-NOx trucks provide significant NOx reductions, and when fueled by RNG, greatly reduce carbon emissions. RNG is certified by CARB as a carbon negative fuel and there is a robust supply to support this rule. (*Submitted Written Comments)

John McNamara, CR&R
Katrina Au, Hexagon Agility

Expressed support for the ISR and requested removing the cost component from the points methodology in the compliance menu and award points based on emission reductions. Removing the cost component from the compliance menu will assist those who have invested in low NOx fleets to comply with the warehouse ISR. Added that low NOx medium and heavy-duty trucks remain one of the most effective remedies to address greenhouse gas and NOx emissions and are economically and commercially available and technologically feasible.

Sarah Wiltfong, BizFed
Maria Salinas, Los Angeles Chamber of Commerce
Peter Herzog, NAIOP/Commercial Real Estate Development Association
Luis Portillo, Inland Empire Economic Partnership
Giancarlo Rubio, Valley Industry and Commerce Association
Michael Lewis, Construction Industry Air Quality Coalition
Stephen Lamar, American Apparel and Footwear Association
Paul Granillo, Inland Empire Economic Partnership
Steve McCarthy, California Retailers Association
Christine Bos, Long Beach Chamber of Commerce
Connor Medina, Orange County Business Council
Thomas Jelenic, Pacific Merchant Shipping Association
Mike Williams, International Warehouse Logistics Association
Rex Hime, California Business Properties Association
*Bill LaMarr, California Small Business Alliance
Marne Sussman, Holland and Knight LLP, representing California Trucking Association
Jeff Malin
Mayor Acquanetta Warren, City of Fontana
(*Submitted Written Comments)

These commenters expressed opposition to the warehouse ISR. Some of their concerns include: increased costs to the logistics industry to implement the rule, which will be passed on to consumers, loss of jobs and businesses leaving the state, jurisdictional/legal authority of the South Coast AQMD to impose fees, will not result in achievable and quantifiable emissions reductions and would not result in SIP credit, unavailability of technology needed to earn WAIRE Points, the ability of warehouse operators to control trucks that visit their facilities, and

inadequate opportunity for the public to review the draft Environmental Assessment (EA).

There being no further testimony on this item, the public hearing was closed.

Chairman Benoit asked staff to respond to some of the issues raised by public commenters.

Mr. Nastri stated that the emission reductions achieved or facilitated by PR 2305 are quantifiable, real, permanent and enforceable. He emphasized that NOx and PM emission reductions will be achieved and noted that the proposed rule implements a control measure in the 2016 AQMP. He expressed confidence that the rule would get SIP approval when submitted. He noted that PR 2305/PR 316 were developed through a thorough public process that allowed sufficient time for discussion with all stakeholders.

Barbara Baird, Chief Deputy Counsel, noted that the optional mitigation fee is not a tax because it is voluntary and not compulsory. She cited provisions in the Health and Safety code that authorizes air districts to adopt ISRs and added that the warehouse ISR is not preempted by federal law. There are other ISRs that have already been adopted in California, including a similar rule adopted by the San Joaquin Valley Air Pollution Control District that was upheld by the courts.

In response to the comment that the CEQA document should have been recirculated, Ms. Baird explained that there was no need for the CEQA document to be recirculated because changes made after the draft EA was released did not involve any significant new environmental impacts.

Mr. MacMillan commented that the public health benefits that will occur due to emission reductions would be focused more on the disadvantaged communities located near warehouses and noted for the record that the public hearing documents were made available to the public on May 1, 2021.

Supervisor Perez expressed appreciation to staff and the many different groups and community members for their efforts and working together to come to a compromise and expressed support for PR 2305 and PR 316.

Supervisor Bartlett thanked everyone for their time and participation in the rule development process. She expressed concerns that the proposed rule is complex, will cost jobs, raise consumer prices and do little to improve air quality. She stated that we all want to strive for cleaner air, but does not believe the proposed rule is the best mechanism to get there.

Supervisor Kuehl noted that the rule appropriately focuses on warehouses because they are the source that attracts much of the truck traffic and reiterated her support for the warehouse ISR.

Vice Chair Delgado expressed an understanding of the need to ensure that regulations balance public health without undue impacts to the business sector. She expressed support for the warehouse ISR as it is an important step towards measurable air quality improvements that will save lives in mostly disadvantaged communities of color. However, she committed to monitoring the implementation of the rule for unintended consequences to small businesses and ensure that fees are used as envisioned.

Mayor Pro Tem Cacciotti inquired about the consequences if the South Coast region does not meet the federal air quality standards

Mr. Nastri explained that the proposed rules would fulfill South Coast AQMD's commitment in the 2016 AQMP to adopt a control measure to regulate indirect source emissions from warehouse facilities to help attain air quality standards. Since U.S. EPA approved the 2016 AQMP, the South Coast AQMD is legally obligated under the Clean Air Act to undertake all feasible measures committed to in the AQMP and it can also be enforced through citizen suit. U.S. EPA can take various actions up to and including sanctions, the most significant of which would be the loss of transportation funding. Mr. Nastri added that the warehouse ISR will have a significant impact and help the region to reach attainment.

Mayor Pro Tem Cacciotti inquired about the installation of air filtration systems or the replacement of air filters as a WAIRE menu option.

Ms. Baird stated that it is appropriate to include installation of air filtration systems at sensitive receptor locations in the WAIRE menu of options. The Health and Safety Code gives South Coast AQMD the authority to reduce or mitigate emissions from indirect sources. The installation of air filters will not result in emission reductions, but mitigate emissions and adverse impacts by reducing exposure to emissions. It also provides additional flexibility by including another option that warehouse operators can chose from to earn WAIRE Points, consistent with the design of the rule.

Mayor Pro Tem Cacciotti commented on the moral and social responsibility to respond to the serious health and environmental impacts from diesel-polluting trucks and that companies also have a responsibility to do their part to protect the environment. He stated that the protection of public health and the economy are not mutually exclusive goals.

Mayor Pro Tem Rodriguez expressed support for reducing emissions and improving air quality but opposes PR 2305 as currently written because it will result in substantial operational costs to warehouse owners/operators, increase the cost of goods and services to consumers and drive jobs out of the region. He recommended that staff continue working with the industry to address key concerns related to energy reliability, alternative fuel infrastructure needs and technology considerations prior to imposing a stringent regulation.

Mayor Pro Tem McCallon noted that he voted against the 2016 AQMP because of the ISRs. He emphasized the need to balance clean air and a good economy. The logistics industry is the economic driver of the Inland Empire and the warehouse ISR will cause jobs to leave the area. He explained that while air quality affects public health, the biggest impact on public health is poverty and unemployment. He believes it would have been better to work with the industry through an MOU.

Supervisor Rutherford stated that the problems many of the speakers raised should be addressed by local land use authorities, cities and counties. Improving air quality and the quality of life for residents in disadvantaged communities will not be accomplished through an ISR but could be accomplished by directly cleaning up heavy-duty trucks. Time, technology, the market and CARB rulemaking will move fleets toward cleaner technology. She reiterated her concerns with the cost to implement the rule that will be passed on to consumers.

Dr. Burke commented that people interested in cleaning the environment know that it will have a cost but they are willing to pay for that. He questioned why the installation of indoor air filters at sensitive receptor sites is included as a WAIRE menu option.

Ms. Baird responded that it is a benefit to the warehouse operators in being able to carry out their obligation to reduce the impact of their emissions. The more options that are available on the WAIRE menu makes the rule stronger.

DR. BURKE MOVED TO APPROVE THE STAFF RECOMMENDATION FOR PR 2305 AND PR 316 WITH AN AMENDMENT TO REMOVE THE INSTALLATION OF INDOOR AIR FILTERS FROM THE WAIRE MENU OF OPTIONS. MAYOR PRO TEM CACCIOTTI SECONDED THE MOTION.

Supervisor Rutherford opposed removing air filters because AB 617 communities want funding spent on air filters to mitigate emissions.

Chairman Benoit expressed support for the rule with the air filter option because it is an important part of the rule and makes it stronger.

DR. BURKE WITHDREW HIS MOTION.

Mayor Pro Tem Cacciotti moved, seconded by Richardson, to approve the staff recommendation for PR 2305 and PR 316 with an amendment to modify the Resolution to change the state of technology evaluation from five years to three, and provide contact information to identify who businesses can call if they need assistance.

MOVED BY CACCIOTTI, SECONDED BY RICHARDSON; AGENDA ITEM NO. 27 APPROVED AS RECOMMENDED, ADOPTING RESOLUTION NO. 21-9 CERTIFYING THE FINAL ENVIRONMENTAL ASSESSMENT FOR PROPOSED RULE 2305 – WAREHOUSE INDIRECT SOURCE RULE – WAREHOUSE ACTIONS AND INVESTMENT TO REDUCE EMISSIONS PROGRAM, AND PROPOSED RULE 316 – FEES FOR RULE 2305, ADOPTING RULE 2305 – WAREHOUSE INDIRECT SOURCE RULE – WAREHOUSE ACTIONS AND INVESTMENTS TO REDUCE EMISSIONS PROGRAM, AND RULE 316 – FEES FOR RULE 2305 AND SUBMITTING RULE 2305 – WAREHOUSE INDIRECT SOURCE RULE – WAREHOUSE ACTIONS AND INVESTMENTS TO REDUCE EMISSIONS PROGRAM TO EPA FOR INCLUSION IN THE STATE IMPLEMENTATION PLAN WITH AN AMENDMENT TO MODIFY RESOLUTION 21-9 AS SET FORTH BELOW BY THE FOLLOWING VOTE:

AYES: Benoit, Burke, Buscaino, Cacciotti, Delgado, Kuehl, Kracov, Perez and Richardson

NOES: Bartlett, McCallon, Rodriguez and Rutherford

ABSENT: None

Modify the Resolution as follows:

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby direct the Executive Officer to evaluate the state of technology and the WAIRE Menu every **three five** years from the date of adoption of Proposed Rule 2305 and to report the results and make any recommendations for potential updates to the WAIRE Mitigation Program Menu to the Mobile Source Committee;

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to conduct outreach to applicable warehouse operators to provide training and guidance on how to comply with PR 2305 with emphasis on warehouse operators that are small businesses, **and to establish single points of contact including a hotline for the regulated community;**

The list of written comments submitted for Agenda Item 27 can be found in Attachments 1A and 1B to the Minutes.

(Senator Delgado left the meeting at 4:25 p.m.)

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This item was taken out of order.

25. Adopt Executive Officer's FY 2021-22 Proposed Goals and Priority Objectives, and Proposed Budget.

Sujata Jain, Chief Financial Officer, gave the staff presentation on Item No. 25.

The public hearing was opened, and the following individuals addressed the Board on Agenda Item 25.

Fernando Gaytan, Earthjustice, commended staff for identifying the development of cleaner advanced technologies as a priority. He expressed optimism at the South Coast AQMD's commitment to develop zero emission heavy-duty trucks and EV infrastructure, and recommended that zero emissions be prioritized over other options. He noted that robust regulations that set zero emission standards for appliances are equally important and incentives for zero emission appliances will become important to address NOx emissions from buildings. He expressed concern about the reduced number of employees allocated to enforcement activities. (Submitted Written Comments)

There being no further testimony on this item, the public hearing was closed.

MOVED BY PEREZ, SECONDED BY
BUSCAINO, AGENDA ITEM 25 APPROVED
AS SET FORTH BELOW:

- 1) REMOVE FROM RESERVES AND DESIGNATIONS ALL AMOUNTS ASSOCIATED WITH THE FY 2020-21 BUDGET;
- 2) APPROVE TOTAL APPROPRIATIONS OF \$179,883,403;
- 3) APPROVE REVENUES FOR FY 2020-21 OF \$179,883,403;

- 4) APPROVE THE ADDITION OF EIGHT NET AUTHORIZED/FUNDED POSITIONS AS DETAILED IN THE FY 2021-22 BUDGET;
- 5) APPROVE THE EXECUTIVE OFFICER'S FY 2021-22 GOALS AND PRIORITY OBJECTIVES;
- 6) APPROVE A PROJECTED JUNE 30, 2022 FUND BALANCE FOR TOTAL RESERVED AND UNRESERVED DESIGNATIONS OF \$19,429,673 AND TOTAL UNDESIGNATED FUND BALANCE OF \$62,096,338; AND
- 7) INSTRUCT STAFF TO ACTIVELY REVIEW AND ASSESS FISCAL CHANGES AND REPORT MONTHLY TO THE ADMINISTRATIVE COMMITTEE AND BOARD.

BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Buscaino, Cacciotti, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: Delgado

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(Council member Buscaino left the meeting at 4:30 p.m.)

This item was taken out of order.

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

Jeff Malin explained how plastic pollution in the ocean negatively affects the ability of tiny marine phytoplanktons in reducing carbon dioxide from the atmosphere and generating breathable oxygen on earth. He suggested looking into innovative strategies to curb plastic pollution.

Linda Cleveland, Watts Clean Air & Energy Committee/AB 617 South Los Angeles co-lead, expressed the need for additional funding for their communities and requested the boundary be expanded.

Written Comments Submitted by:

Andy Abele Re: Clean Fuels Program

Robert Benz Re: Rule 1146

CONSENT AND BOARD CALENDAR

1. Approve Minutes of April 2, 2021 Board Meeting
2. Set Public Hearing June 4, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations
 - A. Determine That Proposed Amendments to Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants, Are Exempt from CEQA, and Amend Rule 1466
 - B. Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard
 - C. Determine That 2021 PM10 Maintenance Plan for South Coast Air Basin Is Exempt from CEQA and Approve 2021 PM10 Maintenance Plan for South Coast Air Basin

Items 3 through 9 - Budget/Fiscal Impact

3. Execute Contract for Global Positioning Systems Installation and Monitoring, Amend Awards for Carl Moyer and Community Air Protection Programs and Appropriate Funds for Proposition 1B - Goods Movement Emission Reduction and Lower Emission School Bus Programs
4. Amend Contracts to Develop and Demonstrate Zero Emission Drayage Trucks and Add Funds for Administrative Assistance
5. Recognize Revenue, Appropriate and Transfer Funds for Air Monitoring Programs, Issue RFQ and Purchase Orders for Air Monitoring Equipment and One Vehicle, and Execute Contract

6. Execute Contract to Upgrade Real-time Public Alerts of Hydrogen Sulfide Events in Coachella Valley
7. Establish Lists of Prequalified Counsel to Represent and Advise South Coast AQMD on Legal Matters Related to Environmental Law and General Matters
8. Authorize Purchase of OnBase Software Support
9. Approve Award Modification as Approved by MSRC

Items 10 through 15 – Information Only/Receive and File

10. Legislative, Public Affairs and Media Report
11. Hearing Board Report
12. Civil Filings and Civil Penalties Report
13. Lead Agency Projects and Environmental Documents Received
14. Rule and Control Measure Forecast
15. Status Report on Major Ongoing and Upcoming Projects for Information Management

Item 16 - Staff Presentation/Board Discussion

16. Budget and Economic Outlook Update (*Presentation in Lieu of Board Letter*)

PRESENTATION ONLY; NO ACTION REQUIRED

Items 17 through 23 - Reports for Committees and CARB

17. Administrative Committee
18. Legislative Committee
19. Mobile Source Committee

- 20. Stationary Source Committee
- 21. Technology Committee
- 22. Mobile Source Air Pollution Reduction Review Committee
- 23. California Air Resources Board Monthly Report
- 24. Items Deferred from Consent and Board Calendar

Board Member Kracov noted that he has no financial interests in Item No. 4 but is required to identify for the record that he is a Board Member of CARB, which is involved in this item.

MOVED BY CACCIOTTI, SECONDED BY KUEHL, AGENDA ITEMS 1 THROUGH 15 AND 17 THROUGH 23 APPROVED AS RECOMMENDED, TO RECEIVE AND FILE THE COMMITTEE, MSRC AND CARB REPORTS, AND APPROVE THE LEGISLATIVE COMMITTEE'S RECOMMENDATIONS ON LEGISLATION AS SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Cacciotti, Kuehl, Kracov, McCallon, Perez, Richardson, Rodriguez, and Rutherford

NOES: None

ABSENT: Buscaino and Delgado

LEGISLATIVE COMMITTEE RECOMMENDATIONS

Agenda Item	Recommendation
AB 365 (O'Donnell) Sales and use taxes: exclusion: zero-emission and near-zero-emission drayage trucks	Support
AB 762 (Lee) Hazardous emissions and substances: school sites: private and charter schools	Support

AB 1001 (C. Garcia) Environmental permitting and air pollution	Work With Author
SB 596 (Becker) Environmental permitting and air pollution	Oppose Unless Amended
HR 848 (Thompson) Growing Renewable Energy and Efficiency Now (GREEN) Act of 2021	Work With Author
HR 1512 (Pallone, Tonko, Rush) Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act	Work With Author

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PUBLIC HEARING

26. Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1

Chairman Benoit recommended that the public hearing on this item be continued to the June 4, 2021 Board meeting.

MOVED BY KUEHL, SECONDED BY BENOIT,
TO CONTINUE AGENDA ITEM 26 TO THE
JUNE 4, 2021 BOARD MEETING, BY THE
FOLLOWING VOTE:

AYES: Bartlett, Benoit, Burke, Cacciotti,
Kuehl, Kracov, McCallon, Perez,
Richardson, Rodriguez, and
Rutherford

NOES: None

ABSENT: Buscaino and Delgado

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CLOSED SESSION

There was no closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Benoit at 4:35 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on May 7, 2021.

Respectfully Submitted,

Faye Thomas
Clerk of the Boards

Date Minutes Approved: _____

Ben Benoit, Chairman

Attachments: 1A and 1B

ACRONYMS

AQMP = Air Quality Management Plan
CARB = California Air Resources Board
CEQA = California Environmental Quality Act
FY = Fiscal Year
ISR = Indirect Source Rule
MOU = Memorandum of Understanding
MSRC = Mobile Source (Air Pollution Reduction) Review Committee
NOx = Oxides of Nitrogen
PM = Particulate Matter
RFP = Request for Proposals
U.S. EPA = United States Environmental Protection Agency
VOC = Volatile Organic Compound
WAIRE = Warehouse Actions and Investments to Reduce Emissions

**ATTACHMENT 1A TO THE MINUTES – MAY 7, 2021 GOVERNING BOARD
MEETING: WRITTEN COMMENTS SUBMITTED FOR PR 2305 AND PR 316**

Michael Nguyen	Bryan Bradford, Resident of Riverside
Vilma E Letosky	David Nester, Exemplis, LLC
Verzhine Uzunyan	Timur Tecimer, Overton Moore Properties
Louisa Marie Henry	Anita Smith
Fred Sabine	Erika Kauzalarich-Bird
Diane Sydell	Mark Ahlers, Paige Electric Co. L.P.
Tony Wang, Southland Industries	Bob Niedbalski, Paige Electric Co. L.P.
Jack MacDonald, Matco-Norca	Mason Controls
Charlie Williams, Matco-Norca	David A. Cummins, Cummins Logistics
Rudy Vasquez, Swat Fame, Inc.	Ryan Howard, HD Supply, Inc.
Travis Fletcher, Enviser	Ryan Ole Hass
Wayne Ulanski, SVF Flow Controls	Gregg Pawlik
Michael Bonino, Three Way Logistics, Inc.	Jordan Kort
Wendy McCain, Performance Machine accounting@xovision.com	Pat Donohoe, Bay Cities
Dallas Roster, Silver Spur Corporation	Melinda Andrade
Bob Khalsa	Averil Edwards, United Airlines
Elizabeth de Carteret	Randall J. Steward, Quidel
Mayor Jon E. Peat, City of Cypress	Sadaf Foods
Tom Simmons	Clare Bachman, Breathe Southern California
Lucy Dunn	Amy Vasquez
Austin Ra	Daniel Curtin, Progressive Converting, Inc.
Stephan Schwarzl	Jim Jennison, DCG Fulfillment
Nancy Starczyk	Shirley Price
Dan Hoffman, Wilmington Chamber	David Lanzer, Rexford Industrial Realty, LP
Ruth Drizen-Dohs	John Pourmoradi, Great Buy Products
Tim Chicoine, Minka Group	Tracy Hernandez, Biz Fed
Joseph Medlin, Dart International	Donna Duperron, Biz Fed
Stanley Greschner, GRID Alternatives	David Fleming, Biz Fed
Rebecca J. Walsh, Ventura Foods, LLC	Peter Hoffman
Nicolette Rohr, Resident of Riverside	Robert Taylor
Amy Litt, Resident of Riverside	Mark W. Wilbur
	Robert Evans

Brissa Sotelo
Joanne McClaskey
Pat Anderson
Douglas Williams
Gene Zarillo
Danny De La Mora
Corporate Green
Long John
Ann Dorsey
Sig Fried
Yassamin Kavezade
Ben Dijo
Jeffrey Clarke, NGVAmerica
Timothy A. Pohle, Airlines for America
Manny Vivanco, The Kroger Co.
Barry Pressman, PureTek Corp.
Jennifer Mandel, Los Angeles resident
Allyson Lambert, Los Angeles resident
Bryn Lindblad, Los Angeles resident
Elise Kalfayan, Glendale resident
Joshua Bowe, El Segundo resident
Dennis Orr, Apple Valley resident
Tara Platt, Hollywood resident
Judith Glass, Ph.D., Studio City resident
Cord Thomas, Westchester resident
Parris Hare, Moreno Valley resident
Barbara Delgleize, Huntington Beach resident
Rebecca Hall, Costa Mesa resident
Dave Stefanides, Laguna Hills resident
Vikki Cavalletto, Santa Barbara resident
Linda Torn, Los Angeles resident
Alyssa D. Bell, Los Angeles resident
Kathleen Duffy, La Canada Flintridge resident
Leah Pressman, Culver City resident
Doug Bender, Torrance resident
Polly Estabrook, Los Angeles resident

Catherine
Jennifer Rodriguez, Los Angeles resident
Lisa Beebe, Studio City resident
Mike Wodkowski, Los Angeles resident
Emiliana Dore, Los Angeles resident
Mr. Dency L. Nelson, Hermosa Beach resident
Erica Silverman, Los Angeles resident
Laura Shady, North Hollywood resident
Jessica Eason, Los Angeles resident
Sarah Eggers, Pasadena resident
Saba Harouni Lurie, Los Angeles resident
Alice DuBois, Los Angeles resident
Vincent V, Commerce resident
Robert Hufnagel, Rancho Cucamonga resident
Gary Clevenger, Oxnard resident
Alberto Mendiola, Fontana resident
Bob Smith, Glendale resident
Amelie Cherlin, Los Angeles resident
Emily Falappino, Temecula resident
Moriah Radin, Los Angeles resident
Sharon Greenspan, Sherman Oaks resident
Valerie Hurt
Caitlin Brady, Burbank resident
Jennifer Ward, Orange County Business Council
Bob Schroeder, WSI Supply Chain Solutions
Scott Kelrick, AL2 LLC
Rachael Mason
Elease Stemp
Ariel Nazryan
Tamsin Rawady
Alan Bell
Katie Covell
Katy Norris
Elisabeth Kiernan Averick
Sarah Bassak
Grace Medrano, South Gate resident

Jessica Tardieu Haines, Glendale resident
Vicki Friesen, South Pasadena resident
Grayson Hanson, Los Angeles resident
Michael MacDonald, Los Angeles resident
Jonathan Ekno
Barbara Thomas
Heidi L. Gallegos
Indivisible Ventura, Board of Directors
Laura Payne, Los Angeles resident
Mindy Do
Carolyn Cavecche, Orange resident
Daniel Carpenter-Gold, Long Beach resident
Jibiana Jakpor,
Luis Cetina
Sheri Alto
Tanya Veluz, Altadena resident
Valerie Stidean, San Bernardino resident
Jesse Sanford, Los Angeles resident
Leslie Warren, Camarillo resident
Linda Warren, Camarillo resident
Kevin Henning, Victorville resident
Ramona Natividad, Riverside resident
Olivia Ramirez, Glendale resident
Saba Harouni Lurie
Katherine Steck, Glendale resident
Joline Sattarelle, Los Angeles resident
Alain V. Berrebi, Los Angeles resident
Armando D. Guerra
Dawn Pia
Erin Snyder, Riverside resident
Steve Grushen
Kathleen Phillips, Riverside resident
Alana Langdon, Nikola Corporation
Jimmy O'Dea, Ph.D., Union of Concerned
Scientists
James M. Casso, Casso & Sparks, LLP,
representing City of Industry

Sam Wade, Coalition for Renewable Natural Gas
Adrian Martinez, Earthjustice, GIS images
David Hawkins, Natural Resources Defense Council
Rita Elizabeth Tayenaka
Mallory Cremin
Jim Gilmore
Mike Royce, Los Angeles resident
John Luly
Robotics Robothomies, Moreno Valley resident
Luana Barajas, Filmore resident
Rachel Kelley, Los Angeles resident
Patrick Ellis, Murrieta resident
Jiyoun Carolyn Park, Los Angeles resident
Cora Went, Encino resident
Koren Bell, Malibu resident
Emily Shesh
Jamie Roe Graham
Linda Lehnkering, Anaheim resident
Jason Gardea-Stinnett, Commerce resident
Abby Austin, Los Angeles resident
Timothy Jemal, NAIOP SoCal
Robert Evans, NAIOP Inland Empire
Nikki, Los Angeles resident
Amir Levi, Los Angeles resident
Don Dwiggin, Northridge resident
Marianna Tekosky, Los Angeles resident
Brett, Los Angeles resident
Ann Bermingham, Santa Barbara resident
Mike Royce
Robert Swanson, State of California Dept of Justice
Joanna Bowe, El Segundo resident
Environmental Justice Advisory Group
Jessica Craven, NELA Climate Collective
Sari Fordham, 350 Riverside
Chris Lovekin, 350 Riverside
Carolina Forni, NELA Climate Collective

Gabriela Mendez, Center for Community Action and Environmental Justice
Tiffany Sanchez, East Yard Communities for Environmental Justice
Kathy Hoang, Partnership for Working Families
Andrea Vidaurre, People's Collective for Environmental Justice
Anthony Victoria, People's Collective for Environmental Justice
Cheryl Auger, Pasadena resident
Keri Then, Moreno Valley resident
Silvia Betancourt, Long Beach Alliance for Children with Asthma
Jeremy Santos, Fullerton resident/Cal Poly Pomona student
Donatella Galella, Riverside resident/UC Riverside Professor
Justin Lowery, Murieta resident
Gustavo Hurtado, Rainbow Pride Youth Alliance and Perris resident
Dr. Karen Jakpor, American Lung Association
Florence Gharibian, Del Amo Action Committee
Kareem Gongora, County of San Bernardino Planning Commissioner
Chris Chavez, Coalition for Clean Air
William Zobel, California Hydrogen Business Council
Marc Carrel, BREATHE Southern California
Tom Swenson, Cummings Inc.
Todd Campbell, Clean Energy
Bill LaMarr, Southern California Business Alliance
Roberto C. Arnold, Multicultural Business Alliance
Cindy Roth, Greater Riverside Chambers of Commerce
Richard W. Corey, California Air Resources Board
Mark Linville, 1-800-Pack-Rat, LLC; Zippy Shell, Inc.
Michael Tunnell, American Trucking Associations
Joanne Winteler-McClaskey, City of Industry resident
Catherine "Kitty" Christensen, Riverside County Resident
Ron Herrera, International Brotherhood of Teamsters
Susan St Louis, Courageous Resistance of the Desert
Andrea Antony-Morr, Resident of Long Beach
Devon Bhakta, Resident of Los Angeles and Laguna Niguel
Adam Holt, Association of California Recycling Industries
Stuart Waldman, The Valley Industry and Commerce Association
Joel Barton, International Brotherhood of Electrical Workers
Carolyn Cavecche, Orange County Taxpayers Association

The South Coast AQMD Youth Leaders Advisory Council

Michael Colvin and Timothy O'Connor, Environmental Defense Fund

Manuel A. Mancha, City of Moreno Valley Community Development Department

Allyssa J. Holcomb, Garrett Stiepel Ryder, LLP, on behalf of Warland Investments Company

Ellen M. Peter, California Air Resources Board; Enclosure: May 6, 2021 letter from
the Attorney General's Office

- Letter Submitted by Earthjustice, with World Logistics Center Settlement Agreement
- Letter Submitted by Redondo Beach Chamber of Commerce on behalf of: Garden Grove Chamber of Commerce and South Bay Association of Chambers of Commerce
- Letter submitted by: Partnership for Working Families on behalf of: Los Angeles Alliance for a New Economy; Orange County Communities Organized for Responsible Development and Warehouse Workers Resource Center
- Letter Submitted by the California Legislature on behalf of: Eloise Gomez Reyes, 47th Assembly District; Anthony Rendon, 63rd Assembly District; Cristina Garcia, 58th Assembly District; Phil Ting, 19th Assembly District; Luz Rivas, 39th Assembly District; Mike A. Gipson, 64th Assembly District; Wendy Carrillo, 51st Assembly District; Eduardo Garcia, 56th Assembly District; Laura Friedman, 43rd Assembly District; Monique Limon, 19th Senate District; Chris Holden, 41st Assembly District; Lena Gonzalez, 33rd Senate District; Ed Chau, 49th Assembly District; Connie Leyva, 20th Senate District; Josh Newman, 29th Senate District; Scott Weiner, 11th Senate District; Ben Allen, 26th Senate District; Dave Min, 37th Senate District; Adrin Nazarian, 46th Assembly District and Miguel Santiago, 53rd Assembly District
- Letter Submitted by Earthjustice on behalf of: 350 Riverside; Environmental Justice Committee and Asian Pacific Policy & Planning Council; California League of Conservation Voters; Center for Community Action & Environmental Justice; Coalition for a Safe Environment; East Yard Communities for Environmental Justice; Long Beach Alliance for Children with Asthma; Los Angeles County Electric Truck & Bus Coalition; Natural Resources Defense Council; People's Collective for Environmental Justice; Robert Redford Conservancy for Southern California Sustainability, Pitzer College; San Pedro & Peninsula Homeowners Coalition; Sierra Club; Stop Fracking Long Beach; Union of Concerned Scientists and Warehouse Worker Resource Center
- Letter Submitted by Biz Fed on behalf of: American Trucking Associations, Association of California Recycling Industries, Auto Care Association, Building Owners and Managers Association, California Beer and Beverage Distributors, California Building Industry Association, California Business Properties Association, California Business Round Table, California Distributors Association, California Fuels and Convenience Alliance, California Manufactures & Technology Association, California Retailers Association, California Small Business Alliance, California Taxpayers Association, California Trucking Association, Carson Dominguez Employers Alliance, CAWA –

Representing the Automotive Parts Industry, Chemical Industry Council of California, Construction Industry Air Quality Coalition, El Segundo Chamber of Commerce, Engineering Contractors' Association, Foreign Trade Association of Southern California, Greater Ontario Business Council, Harbor Trucking Association, Inland Empire Economic Partnership, International Bottled Water Association, Long Beach Area Chamber of Commerce, Los Angeles Area Chamber of Commerce, Los Angeles County Business Federation, Majestic Realty, NAIOP Inland Empire, NAIOP SoCal, National Retail Federation, Orange County Business Council, Pacific Merchant Shipping Association, Pacific Mountain Logistics, LLC, PactivEvergreen, Quik Pick Express, LLC, San Gabriel Valley Economic Partnership, Southern California Leadership Council, The Toy Association, Valley Industry and Commerce Association, Watson Land Company, Western Aerosol Information Bureau, Western Independent Refiners Association

– Letter Submitted by Snell & Wilmer, LLP on behalf of NAIOP, Re: Public Records Act Request

**ATTACHMENT 1B TO THE MINUTES – MAY 7, 2021 GOVERNING BOARD
MEETING: WRITTEN COMMENTS SUBMITTED FOR PR 2305 AND PR 316**

(These comments were received after the May 7, 2021 meeting.)

Michaela Boyce, Orange resident	Danuelle Wilson, Colton resident
Greg Tippin, Irvine resident	Mr. Jayden, Corona resident
Elizabeth Delay, Mission Viejo resident	Tim Walborn, Arrowhead Farm resident
Lime V	Clinton McClurkin, Hemet resident
John Davis, San Francisco resident	Christopher Shaw, Moreno Valley resident
Fabio Conti, Menifee resident	Joyce Myers, Corona resident
John Weigel, Baldwin Park resident	Daniel Eide, Phelan resident
Katie Grodd, Los Angeles resident	Andrea Adame, San Bernardino resident
Joan Kover, Menifee resident	Pamela Dailey, Riverside resident
Derek Hansen, Santa Barbara resident	B. Maxson, Arrowhead Farm resident
Robert Matthews, San Bernardino resident	Peggi Hazlet, Ontario resident
Michael Bourgeois, Thousand Oaks resident	Paul Rams, Banning resident
Debi Cagle, Ontario resident	Nancy Nichols, San Bernardino resident
Allison Duran, Banning resident	Sick Off, Victorville resident
Precious Mackey, San Bernardino resident	John Luly, Loma Linda resident
Rosie Armijo, Victorville resident	Timothy Roberts, San Clemente resident
George Miller, Hemet resident	Emily Smiles, Los Angeles resident
Lonni Mullins, San Jacinto resident	Debra Cooper, Temecula resident
Muhammad Bhatti, Chino Hills resident	Tom Nightingale, Rancho Cucamonga resident
Christopher Shaw, Moreno Valley resident	Oscar Valdepena, Moreno Valley resident
Derrick Pulce, Barstow resident	George Gray, Fontana resident
Dave Lamb, Upland resident	Kristin Hansen, Cherry Valley resident
Cesar Vazquez, Rancho Cucamonga resident	Zeb Welborn, Chino resident
Dale Anderson, Murrieta resident	
Tamara King, Redlands resident	
Michael Lopez, Wildomar resident	
Mark Fugate, Nipomo resident	
Robert Mock, Lake Arrowhead resident	
Terri Galdo, Rancho Cucamonga resident	
Marlo Snelbaker, Rancho Cucamonga resident	
Sondra Tumlin, Menifee resident	

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 2

PROPOSAL: Set Public Hearing August 6, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

Determine That Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, Is Exempt from CEQA and Adopt Rule 1147.1
The adopted Resolution of the Final 2016 AQMP directed staff to achieve additional NOx reductions and to transition the NOx RECLAIM program to a command-and-control regulatory structure as soon as practicable. Proposed Rule 1147.1 (PR 1147.1) will establish NOx and CO emission limits for aggregate dryers at non-RECLAIM, RECLAIM, and former RECLAIM facilities. PR 1147.1 also includes provisions for emissions monitoring, reporting, and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, is exempt from the requirements of the California Environmental Quality Act; and 2) Adopting Rule 1147.1 – NOx Reductions from Aggregate Dryers. (Reviewed: Stationary Source Committee, June 18, 2021)

The complete text of the proposed rule, staff report and other supporting documents will be available from the South Coast AQMD's publication request line at (909) 396-2001, or from: Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, dalatorre@aqmd.gov and on the Internet (www.aqmd.gov) as of July 7, 2021.

RECOMMENDED ACTION:

Set public hearing August 6, 2021 to determine that Proposed Rule 1147.1 – NOx Reductions from Aggregate Dryers, is exempt from CEQA and adopt Rule 1147.1

Wayne Nastri
Executive Officer

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2020

AGENDA NO. 3

PROPOSAL: Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer State Reserve Program

SYNOPSIS: In April 2021, CARB approved the final allocations for the FY 2020-21 Carl Moyer “Year 23” State Reserve Program, including \$3,753,310 to the South Coast AQMD for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program. This action is to adopt a resolution recognizing up to \$3.8 million in FY 2020-21 Carl Moyer State Reserve funds from CARB for the implementation of infrastructure projects supporting zero emission vehicles within the South Coast AQMD.

COMMITTEE: Technology, May 21, 2021; Recommended for Approval

RECOMMENDED ACTION:

Adopt the attached Resolution recognizing, upon receipt, up to \$3.8 million in FY 2020-21 Carl Moyer State Reserve funds from CARB into the Carl Moyer Program Fund (32).

Wayne Natri
Executive Officer

MMM:VW:TL:YJT

Background

Pursuant to Section 44286(d) of the Health and Safety Code, CARB may reserve up to ten percent of the Carl Moyer Program funds available each year for projects that are eligible for funding through the Carl Moyer Program. These funds are referred to as the State Reserve funds. CARB reserves the sole authority to distribute the State Reserve funds each year. For FY 2020-21, approximately \$9.3 million in State Reserve funds are available. In March 2021, CARB approved allocations for the FY 2020-21 (Year 23)

Carl Moyer Program State Reserve funds to seven air districts and designated the funds for the implementation of infrastructure projects supporting zero emission vehicles. The allocation for South Coast AQMD is \$3,753,310, which is approximately 40.4 percent of the total State Reserve funds available. South Coast AQMD's allocation includes 6.25 percent in administrative funds.

Proposal

This action is to adopt the attached Resolution recognizing up to \$3.8 million in FY 2020-21 Carl Moyer Program State Reserve funds from CARB into the Carl Moyer Program Fund (32). The State Reserve funds will be used for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program.

Benefits to South Coast AQMD

The State Reserve funds will be utilized to fund infrastructure projects supporting zero emission vehicles within the South Coast AQMD. These funds will lower the incremental costs of infrastructure to support the deployment of zero emission vehicles that will reduce emissions of both NOx and PM.

Resource Impacts

The State Reserve funds, upon receipt from CARB, will be recognized into the Carl Moyer Program Fund (32). Total State Reserve funds for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program will not exceed \$3.8 million.

Attachment

Resolution

RESOLUTION NO. 21-

A Resolution of the South Coast Air Quality Management District Governing Board Recognizing Grant Funds and Approving South Coast Air Quality Management (South Coast AQMD) Participation in the FY 2020-21 (Year 23) Carl Moyer Program State Reserve Program.

WHEREAS, under Health & Safety Code § 40400 *et seq.*, the South Coast AQMD is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures; and

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code §§ 40402, 40440, and 40448.5 as well as the Carl Moyer Memorial Air Quality Standards Attainment Program (§§ 44275, *et seq.*) to implement programs to reduce transportation emissions, including programs to encourage the use of alternative fuels and low-emission vehicles; to develop and implement other strategies and measures to reduce air contaminants and achieve the state and federal air quality standards; and

WHEREAS, the Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, including the Carl Moyer Program; and

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards.

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on June 4, 2021, does hereby accept the FY 2020-21 (Year 23) Carl Moyer Program State Reserve grant award and recognize up to \$3.8 million from CARB in the Carl Moyer Program (32) for eligible battery charging and hydrogen fueling infrastructure projects under the Carl Moyer Program.

BE IT FURTHER RESOLVED that the Board approves the South Coast AQMD's participation in the State Reserve portion of the FY 2020-21 (Year 23) Carl Moyer Program, and the acceptance of funds allocated and awarded to the South Coast AQMD for eligible projects and program administration.

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

Date

Clerk of the Boards



BOARD MEETING DATE: June 4, 2021

AGENDA NO. 4

PROPOSAL: Recognize Revenue and Execute Contract for Class 8 Fuel Cell Truck Demonstration

SYNOPSIS: South Coast AQMD has been awarded \$500,000 from U.S. EPA to develop and demonstrate two class 8 hydrogen fuel cell trucks with Hyundai Motor Company. These actions are to recognize revenue, upon receipt, of \$500,000 from the U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund (31) and execute a contract with Hyundai Motor Company in an amount not to exceed \$500,000 from the Clean Fuels Program Fund (31).

COMMITTEE: Technology, May 21, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Recognize revenue, upon receipt, of \$500,000 from the U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund (31); and
2. Authorize the Chairman to execute a contract with Hyundai Motor Company to develop and demonstrate two class 8 hydrogen fuel cell trucks in an amount not to exceed \$500,000 from the Clean Fuels Fund (31).

Wayne Natri
Executive Officer

MMM:JI:SH

Background

In the United States, 40 percent of Class 8 trucks travel between 250 and 750 average miles per workday (261 days per year), representing 70 percent of total tractor trailer mileage. Fuel-cell technology is an attractive solution for this sector because of hydrogen's high energy storage density and fast refueling times, enabling longer range and higher vehicle utilization. Hyundai Motor Company (HMC) is in the process of delivering 50 Class 8 fuel cell trucks to fleets for operation in the Swiss Alps where they

will replace pre-commercial versions that have been in operation there for over a year. The project that HMC is proposing in the South Coast Air Basin will demonstrate advancements in fuel cell technology (over the current Hyundai European truck, and other OEM prototypes) in the United States with a redesigned Class 8 day-cab tractor.

Proposal

For this project, HMC is proposing to demonstrate two day-cab tractors with their fleet partner and their commercial operations in existing goods movement routes to validate fuel cell technology's ability to meet the real-world needs of long-haul freight movement in the United States. The first phase of the project will focus on deployment preparation where FirstElement Fuel, the project partner responsible for infrastructure, will retrofit existing fueling stations. HMC engineers will convert the XCIENT 6x2 base vehicle into a day cab, cab-over Class 8 tractor. Final vehicle assembly will occur in Jeon-Ju, Korea. At the end of this first budget period, HMC will deliver two Class 8 fuel cell trucks to the fleet's Riverside facility.

The trucks will be demonstrated for 12 months in a variety of routes to fully utilize up to 500-mile range. This deployment will allow the project team to gain valuable insight through real world operations in a range of driving conditions including significant grades and climates including extreme heat, cold and snow conditions. During the demonstration, truck maintenance will be supported by Ryder System, Inc.

This action is to authorize the Chairman to recognize revenue, upon receipt, of \$500,000 from the U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund (31) and execute a contract with HMC in an amount not to exceed \$500,000 from the Clean Fuels Program Fund (31).

Sole Source Justification

Section VIII.B.3 of the Procurement Policy and Procedure identifies four major provisions under which contracts funded in whole or in part with federal funds may be made as a sole source award. This request for sole source award is made under provision B.3.c, which states the awarding federal agency authorizes noncompetitive proposals; the project is being funded by U.S. EPA. Sole source is also justified under B.2.c.(2) because the project involves the use of proprietary technology and B.2.c.(3) because the desired service is only available from the sole source based on ownership of key assets required for project performance.

Benefits to South Coast AQMD

Projects to support development and demonstration of zero emissions drayage truck technologies are included in the Technology Advancement Office Clean Fuels Program 2021 Plan Update under the categories of "Hydrogen and Fuel Cell Technologies and Infrastructure." This project is to develop and demonstrate zero emissions fuel cell drayage truck technologies for goods movement operations. Successful demonstration

of such projects will contribute to the attainment of clean air standards in the South Coast Air Basin by eliminating PM and NOx emissions from replaced diesel drayage trucks.

Resource Impacts

The U.S. EPA FY21 Clean Air Technology Initiative Program awarded \$500,000 to develop and demonstrate two class 8 hydrogen fuel cell trucks with HMC. The proposed project budget of \$2,832,566 includes \$500,000 from U.S. EPA and \$2,332,566 in cost-share from HMC.

Proposed Partners	Funding Amount	% of Project
HMC (cost share)	\$2,332,566	83
U.S. EPA	\$500,000	17
Total	\$2,832,566	100

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 5

PROPOSAL: Recognize Revenue, Transfer Funds, and Execute Contracts to Deploy 100 Battery Electric Drayage Trucks as part of CARB and CEC Pilot Project

SYNOPSIS: CARB and CEC awarded South Coast AQMD \$16,019,316 and \$10,964,955 respectively for a Zero-Emission Drayage Truck and Infrastructure Pilot Project. The project will deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies at two fleets in disadvantaged communities. These actions, detailed below, are to recognize revenue and co-funding from CARB, CEC and partners into the GHG Reduction Projects Special Revenue Fund (67); transfer funds as part of our cost share and partner cost share, and as a temporary loan from the Clean Fuels Program Fund (31); return unspent funds to the Clean Fuels Fund upon project completion; authorize the Executive Officer to execute contracts to implement this project; and reimburse the General Fund for administrative costs.

COMMITTEE: Technology, May 21, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Adopt the attached Resolution committing the South Coast AQMD to the terms of the GFO-20-606 Zero-Emission Drayage Truck and Infrastructure Pilot Project;
2. Authorize Executive Officer to execute agreements with CARB, CEC, Port of Long Beach (POLB), Port of Los Angeles (POLA) and recognize upon receipt, up to the following amounts into the GHG Reduction Projects Special Revenue Fund (67):
 - a. \$16,019,316 in FY 2019-20 Funding Plan for Clean Transportation Incentives from CARB;
 - b. \$10,964,955 in Clean Transportation Program funds from CEC;
 - c. \$1,500,000 from POLB; and
 - d. \$1,500,000 from POLA;
3. Transfer up to \$5,605,704 and \$8,000,000 from the Clean Fuels Program Fund (31) into the GHG Reduction Projects Special Revenue Fund (67) for project cost-share by South Coast AQMD and project partners cost-share, respectively, and return funds for project partners' cost-share when partner cost-share is received;

4. Transfer up to \$2,000,000 as a temporary loan, as needed, from the Clean Fuels Program Fund (31) to the GHG Reduction Projects Special Revenue Fund (67);
5. Authorize the Executive Officer to execute contracts with the following entities:
 - a. NFI Interactive Logistics, Inc. to deploy Class 8 battery electric trucks, charging infrastructure and distributed energy resource technologies in an amount not to exceed \$23,212,238 which consists of \$20,212,238 from the GHG Reduction Projects Special Revenue Fund (67) and \$3,000,000 from the Mobile Source Air Pollution Reduction Fund (23); and
 - b. Daimler Trucks North America, LLC to deploy Class 8 battery electric trucks and charging infrastructure in an amount not to exceed \$16,022,704 which consists of \$11,022,704 from the GHG Reduction Projects Special Revenue Fund (67) and \$5,000,000 from the Mobile Source Air Pollution Reduction Fund (23);
6. Authorize the Executive Officer to execute contracts from the GHG Reduction Projects Special Revenue Fund (67) with the following entities:
 - a. Ricardo, Inc. to collect and analyze data on Class 8 battery electric trucks in an amount not to exceed \$1,351,924;
 - b. Green Paradigm Consulting, Inc. for administrative project implementation support in an amount not to exceed \$649,164;
 - c. CALSTART, Inc. for charger pricing analysis and fleet case studies in an amount not to exceed \$197,582;
 - d. Los Angeles Cleantech Incubator for stakeholder outreach and ZEV workforce plan in an amount not to exceed \$155,000;
 - e. Electric Power Research Institute for charger performance analysis and fleet reliability uptime dashboard in an amount not to exceed \$209,588;
 - f. Coalition for Clean Air for community outreach in disadvantaged communities in an amount not to exceed \$99,553;
 - g. University of California Riverside CE-CERT for eco-routing for battery electric trucks in an amount not to exceed \$99,500;
 - h. Gladstein, Neandross and Associates for ZEV workforce plan in an amount not to exceed \$46,133; and
7. Reimburse the General Fund up to \$1,546,589 from the GHG Reduction Projects Special Revenue Fund (67) for administrative costs necessary to implement the Zero-Emission Drayage Truck and Infrastructure Pilot Project.

Wayne Natri
Executive Officer

MMM:JI:PSK

Background

On February 13, 2021, South Coast AQMD submitted a proposal in response to a joint CARB and CEC solicitation for zero-emission Class 8 drayage and regional haul trucks

and vehicle fueling infrastructure for two fleets in the South Coast Air Basin (Basin). On April 5, 2021, CEC released a Notice of Proposed Awards in which South Coast AQMD was awarded \$16,019,316 in CARB funds and \$10,964,955 in CEC funds for South Coast AQMD's Zero-Emission Drayage Truck and Infrastructure Pilot Project. CARB notified South Coast AQMD on April 22, 2021 of the preliminary award.

South Coast AQMD is leading a regional collaborative with the Mobile Source Air Pollution Reduction Review Committee (MSRC), Southern California Edison (SCE), POLB, and POLA to cost share the deployment of 100 Class 8 battery electric regional haul and drayage trucks. The regional collaborative partners are providing \$21.4 million in funding for this effort, and fleet partners NFI Interactive Logistics, Inc. (NFI) and Schneider National, Inc. (Schneider) are providing \$25.4 million in cost-share. NFI will operate 50 trucks in drayage operations and Schneider will operate 50 trucks in regional haul and drayage operations. This project will significantly advance market penetration of Class 8 battery electric trucks (BETs) through at-scale manufacturing production by Daimler Trucks North America, LLC (Daimler) and Volvo Group North America (Volvo). To support the BETs, the project team will deploy heavy-duty electric vehicle supply equipment (EVSE), and distributed energy resource (DER) technologies including solar and battery energy storage. The BETs will be domiciled in disadvantaged communities (DACs) in Ontario and South El Monte and operate almost solely through DACs, including several designated under the AB 617 Community Air Protection Program.

Proposal

As a requirement of CARB and CEC joint solicitation GFO-20-606, staff proposes to adopt a Governing Board Resolution prior to the execution of grant agreements, recognize the revenue from CARB and CEC, agree to the terms of the solicitation, and commit to South Coast AQMD and project partner cost-share. These actions are to also recognize revenue up to \$16,019,316 from CARB, up to \$10,964,955 from CEC, up to \$1.5 million from the POLB, and up to \$1.5 million from the POLA, and transfer up to \$5,605,704 and \$8,000,000 from the Clean Fuels Program Fund (31) into the GHG Reduction Projects Special Revenue Fund (67) for cost share by South Coast AQMD and any shortfall in project partner funding to deploy BETs, infrastructure and DER technologies, and execute contracts for the Zero-Emission Drayage Truck and Infrastructure Pilot Project. Any unused funds will be returned when project partners funds are received.

NFI Deployment

NFI will deploy the following technologies at its fleet in Ontario. DER technologies such as solar and battery energy storage will utilize energy management systems to optimize vehicle charging by balancing requirements of trucks, facility, and the grid. SCE's Charge Ready Transport (CRT) program has approved NFI's application and committed to fund up to \$2.5 million towards EVSE and installation services towards

make-ready infrastructure at NFI. Infrastructure installed will be UL certified and meet Open Charge Point Protocol and Open Automated Demand Response requirements. The NFI deployment includes the following:

- Up to 50 Daimler or Volvo BETs
- Up to 34 175 kW or 350 kW DC fast chargers
- Up to 1 MW solar installation
- Up to 5 MWh battery energy storage

Daimler/Schneider Deployment

Schneider, through its partner Daimler, will deploy the following technologies at its fleet in South El Monte. SCE's CRT program has approved Schneider's application and committed to fund up to \$2.5 million towards EVSE and installation services towards make-ready infrastructure at Schneider. The Schneider deployment includes the following:

- Up to 50 Daimler or Volvo BETs
- Up to 16 175 kW or 350 kW DC fast chargers

Daimler/Volvo

Daimler eCascadia and Volvo VNRe trucks will be deployed at NFI and Schneider. These trucks are certified by U.S. EPA and CARB and available for commercial sale in California. The Daimler eCascadia will have the following vehicle specifications: GCWR up to 80,000 lbs, up to 200-250-mile electric range, 475 kWh lithium-ion battery pack, with a two-speed transmission, and 6x4 configuration. The Volvo VNRe will have the following vehicle specifications: GCWR up to 80,000 lbs, up to 195-220-mile electric range, 564 kWh lithium-ion battery pack, with a two-speed transmission, and 6x2 configuration. Trucks will utilize Society of Automotive Engineers (SAE) Combined Charging System (CCS) Type 1 connectors for fast charging with a combination of 175- and 350-kW DC fast chargers depending on fleet operational needs.

Data Collection and Analysis

Ricardo, Inc. (Ricardo), CALSTART, Inc. (CALSTART) and Electric Power Research Institute (EPRI) will collaborate on data collection and analysis for the BETs, infrastructure and DER. Ricardo will perform data logging on a subset of baseline trucks as well as the deployed BETs for 12-24 months, conduct surveys and fleet/driver interviews, analyze data and provide quarterly and final reports on the trucks. CALSTART will focus on charger pricing analysis and fleet case studies. EPRI will focus on charger performance/utilization analysis, development of a fleet reliability uptime dashboard, and grid impacts. The fleet reliability uptime dashboard will create a project database from real time BET and charger data to perform automated queries to make determinations and identify issues affecting operations, alert fleet managers, perform remote diagnoses or dispatch service calls to ideally maintain a 90 percent and higher charger uptime. In addition, University of California Riverside (UCR) College of

Engineering, Center for Environmental Research and Technology (CE-CERT) will analyze data from the first 10 BETs at each fleet to evaluate energy-savings potential from energy-efficient routing software for BETs.

Project Implementation Assistance

Green Paradigm Consulting, Inc. (GPCI) will provide project implementation assistance for this project, including compilation of quarterly progress reports, invoices, disbursement requests, mileage tracking and technical deliverables.

ZEV Workforce Plan

Los Angeles Cleantech Incubator (LACI) and Gladstein, Neandross and Associates (GNA) will partner on developing the required ZEV Workforce Plan including performance metrics and collection/analysis of data on workforce training and job creation and impacts. This will document training efforts by the project partners including NFI, Schneider, Daimler, Volvo, Rio Hondo College, and San Bernardino Valley College. LACI will also convene incubator startup roundtable meetings to encourage further dissemination of technologies in this project.

Outreach

Coalition for Clean Air (CCA) will conduct project stakeholder meetings including meetings with environmental organizations, community-based organizations, and local government leaders. This includes targeted outreach to stakeholders in DACs.

These actions are to transfer up to \$2 million as a temporary loan from the Clean Fuels Program Fund (31) to the GHG Reduction Projects Special Revenue Fund (67) to provide cash flow for contractor payments as a buffer for the slower CARB and CEC cost-reimbursement process and reimburse the General Fund up to \$1,546,589 from the GHG Reduction Projects Special Revenue Fund (67) for administrative costs necessary to implement the Zero-Emission Drayage Truck and Infrastructure Pilot Project.

Sole Source Justification

Section VIII.B.2. of the Procurement Policy and Procedure includes four possible provisions under which a sole source award may be justified. The request for sole source awards for the technology and fleet partners in this project is made under the provisions B.2.c.(1): The unique experience and capabilities of the proposed contractor or contractor team; B.2.c.(2): The project involves the use of proprietary technology; and B.2.d.(1): Projects involving cost-sharing by multiple sponsors. Volvo, Daimler, NFI and other partners have extensive knowledge and experience in advanced EV technologies that are needed to successfully complete this project. The manufacturers will utilize their proprietary technologies in the development of commercial heavy-duty trucks to improve system: reliability, efficiency and costs over previous generations. This project will be cost-shared by project partners as discussed in the Resource Impacts section.

Benefits to South Coast AQMD

The Zero-Emission Drayage Truck and Infrastructure Pilot Project supports development and demonstration of various electric container and freight transport technologies and infrastructure, as well as solar and energy storage technologies to enable development and demonstration of microgrids for fleets charging heavy-duty trucks, yard tractors, and forklifts. These technologies are included in the *Technology Advancement Office Clean Fuels Program 2021 Plan Update* under the categories of “Develop and Demonstrate Electric and Hybrid Vehicles,” “Develop and Demonstrate Electric Container Transport Technologies,” “Develop and Demonstrate Electric Charging Infrastructure,” and “Develop and Demonstrate Microgrids with Photovoltaic/Fuel Cell/Battery Storage/EV Chargers and Energy Management.” These projects are to develop and demonstrate zero emission heavy-duty trucks, freight handling equipment, infrastructure and solar. Successful demonstrations of such projects will contribute to the attainment of national ambient air quality standards in the Basin by eliminating PM and NOx emissions from replaced diesel heavy-duty trucks and off-road freight handling equipment. The project also includes installation of infrastructure powered by solar and energy storage.

Resource Impacts

The execution of contracts will not exceed CARB, CEC, and project partner funds for the Zero-Emission Drayage Truck and Infrastructure Pilot Project. Funding sources and amounts for the Zero-Emission Drayage Truck and Infrastructure Pilot Project are detailed in the following table:

Proposed Pilot Project Costs

Source	Amount	Percent*
CARB	\$16,019,316	22%
CEC	\$10,964,955	15%
NFI	\$16,772,200	23%
Daimler (Schneider)	\$8,655,000	11%
MSRC	\$8,000,000	11%
South Coast AQMD (<i>requested</i>)	\$5,605,704	7%
SCE	\$5,000,000	7%
POLB	\$1,500,000	2%
POLA	\$1,500,000	2%
Total	\$74,017,175	100%

*Rounded to nearest whole percentage point

The MSRC is contributing up to \$8 million from the Mobile Source Air Pollution Reduction Fund (23) towards this project, which was approved by the Board on January 8, 2021. SCE funding of \$5 million will be administered through their CRT program and provided directly to NFI and Daimler.

Sufficient funds will be available from CARB, CEC, and project partner funding in the GHG Reduction Projects Special Revenue Fund (67) and the Mobile Source Air Pollution Reduction Fund (23) to execute contracts for the Zero-Emission Drayage Truck and Infrastructure Pilot Project.

Attachments

- 1 - Resolution
- 2 - CEC/CARB Zero-Emission Drayage Truck and Infrastructure Pilot Project - Addendum 2: GFO-20-606

RESOLUTION NO. 21-

**A Resolution of the South Coast Air Quality Management District Board
Recognizing Grant Funds and Approving the South Coast AQMD's Participation
in the California Energy Commission (CEC) and CARB Joint Zero-Emission
Drayage Truck and Infrastructure Pilot Project**

WHEREAS, under Health & Safety Code § 40400 *et seq.*, the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures; and

WHEREAS, the South Coast AQMD is designated as an extreme non-attainment area for ozone and as such is required to utilize all feasible measures to meet national ambient air quality standards; and

WHEREAS, the South Coast AQMD Governing Board has adopted several programs to reduce emissions from on-road and off-road vehicles, as well as emissions from other equipment, and participated extensively in projects intended to demonstrate new technologies for on-road and off-road vehicles with the intention of reducing emissions of air pollutants; and

WHEREAS, CARB and CEC announced the availability of \$44.1 million in funds to support large-scale deployments of on-road, zero-emission Class 8 drayage and regional haul trucks as well as the necessary zero-emission vehicle fueling infrastructure needed for revenue service; and

WHEREAS, the solicitation was open to local air districts, California-based public entities, and California-based non-profit organizations; and

WHEREAS, on February 13, 2021, the South Coast AQMD submitted a proposal in response to CEC GFO-20-606 with project partners the Mobile Source Air Pollution Reduction Review Committee (MSRC), Southern California Edison (SCE), and the Ports of Long Beach and Los Angeles, to deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies at two fleets, NFI Interactive Logistics, Inc. (NFI) and Schneider National, Inc. (Schneider), both located within the South Coast Air Basin and specifically in disadvantaged communities; and

WHEREAS, on April 5, 2021, CEC released a Notice of Proposed Awards in which South Coast AQMD was awarded \$16,019,316 in CARB funds and \$10,964,955 in CEC funds for South Coast AQMD's Zero-Emission Drayage Truck and Infrastructure Pilot Project; and

WHEREAS, on April 22, 2021, CARB released a Preliminary Award Letter in which South Coast AQMD was awarded \$16,019,316 in CARB funds for South Coast AQMD's Zero-Emission Drayage Truck and Infrastructure Pilot Project; and

WHEREAS, CARB and CEC require applicants to submit a resolution of its Governing Board prior to execution of the grant agreements that commit the agency to comply with the requirements of the solicitation, accept the funds, and commit to cost-share provided by South Coast AQMD and its project partners.

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on June 4, 2021, does hereby accept the Zero-Emission Drayage Truck and Infrastructure Pilot Project grant award and recognizes up to \$16,019,316 in CARB funds and \$10,964,955 in CEC funds to deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies, with project partners, at two fleets, NFI and Schneider.

BE IT FURTHER RESOLVED that the Governing Board approves the South Coast AQMD's participation in the Zero-Emission Drayage Truck and Infrastructure Pilot Project and agrees to comply with the terms in the solicitation GFO-20-606 and commits to cost-share by South Coast AQMD and its project partners in the amount of up to \$13,605,704 at the time that South Coast AQMD executes grant agreements with CARB and CEC.

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution, including making modifications to the grant agreements with CARB and CEC, as needed, to implement the Zero-Emission Drayage Truck and Infrastructure Pilot Project.

Date

Clerk of the Boards

GRANT FUNDING OPPORTUNITY

Zero-Emission Drayage Truck and Infrastructure Pilot Project

**California Energy Commission
Clean Transportation Program**

and

**California Air Resources Board
Mobile Source Control Division**



Disclaimer: Textual content contained within brackets to be removed.

Addendum 2

GFO-20-606

www.energy.ca.gov/contracts/index.html

State of California
California Energy Commission
[January] **February** 2021

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I. Introduction

A. PURPOSE OF SOLICITATION

This is a competitive grant solicitation. The California Energy Commission (CEC) and California Air Resources Board (CARB or Board) announce the availability of \$44.1 million in funds to support large-scale deployments of on-road, zero-emission Class 8 drayage and regional haul trucks as well as the necessary zero-emission vehicle fueling infrastructure needed for service operation.

For the purpose of this solicitation, drayage trucks are defined as on-road heavy duty trucks that transport containers and bulk to and from the ports and intermodal railyards as well as many other locations¹ and have a minimum daily range of at least 150 miles on a single charge or refueling event. Regional haul truck, for the purpose of this solicitation, have a minimum daily range of at least 200 miles on a single charge or refueling event and are designed for day use and typically return to a home base each night.

Funds provided through this proposed solicitation include \$20.1 million from the CEC's Clean Transportation Program (formerly known as the Alternative and Renewable Fuel and Vehicle Technology Program)² and \$24 million for projects eligible under CARB's FY 2019-20 Funding Plan for Clean Transportation Incentives (FY 2019-20 Funding Plan).³ CEC funding will support zero-emission vehicle infrastructure and installation, and workforce training and development. CARB funding will be allocated towards the purchase of on-road zero-emission Class 8 trucks. Other costs associated with administrative and data collection tasks will be supported by either CEC or CARB.

The overarching goals for the Zero-Emission Drayage Truck and Infrastructure Pilot Project solicitation are to: (1) advance zero-emission technology for Class 8 on-road trucks with a focus on regional haul or drayage service; (2) understand fleet dynamics when deploying a large number of zero-emission trucks and supporting infrastructure, including assessing the ability of fleets to recharge or refuel large numbers of trucks on a daily basis – sometimes multiple times per day; (3) support zero-emission, on-road heavy-duty truck manufacturers to realize economies of scale that come with larger production volumes; (4)

¹ [Drayage Trucks at Seaports & Railyards](https://ww2.arb.ca.gov/our-work/programs/drayage-trucks-seaports-railyards) (https://ww2.arb.ca.gov/our-work/programs/drayage-trucks-seaports-railyards)

² [California Energy Commission Clean Transportation Program](https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program) (https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program)

³ [California Air Resources Board FY 2019-20 Funding Plan](https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low-1) (https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low-1)

holistically reduce greenhouse gas (GHG),⁴ criteria pollutant,⁵ and toxic air contaminant⁶ emissions in and around ports and freight facilities; and (5) provide economic, environmental, and public health benefits to disadvantaged and low-income communities.⁷

B. BACKGROUND

California continues to fight for energy security, climate change resiliency, and healthy air for all Californians. Grant funding and purchase incentives from the CEC and CARB, paired with regulatory actions, has allowed California to be a global leader in advancing alternative fuels, on-road vehicle and off-road equipment technologies.

In 2007, Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007, was signed into law. This created the CEC's Clean Transportation Program. This statute authorizes the CEC to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. AB 8 (Perea, Chapter 401, Statutes of 2013) re-authorized the Clean Transportation Program through January 1, 2024.

To be eligible for funding under the Clean Transportation Program, a project must be consistent with the CEC's annual *Investment Plan Update for the Clean Transportation Program*.⁸ The CEC's Clean Transportation Program has an annual budget of approximately \$100 million and provides financial support for projects that:

- Reduce California's use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.
- Produce sustainable alternative and renewable low-carbon fuels in California.
- Expand alternative fueling infrastructure and fueling stations.

⁴ [Definition of greenhouse gases](https://www.arb.ca.gov/cc/inventory/background/ghg.htm) (https://www.arb.ca.gov/cc/inventory/background/ghg.htm)

⁵ [Definition of criteria pollutants](https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards) (https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards)

⁶ [Definition of toxic air contaminants](https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants) (https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants)

⁷ [California Climate Investments to Benefit Disadvantaged Communities](http://www.calepa.ca.gov/EnvJustice/GHGInvest/) (http://www.calepa.ca.gov/EnvJustice/GHGInvest/)

⁸ [Clean Transportation Program Investment Plans](https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program/clean-transportation-program-investment) (https://www.energy.ca.gov/programs-and-topics/programs/clean-transportation-program/clean-transportation-program-investment)

- Improve the efficiency, performance, and market viability of alternative light-, medium-, and heavy-duty vehicle technologies.
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets to alternative technologies or fuel use.
- Expand the alternative fueling infrastructure available to existing freight fleets, public transit, and transportation corridors.
- Establish workforce-training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

Additionally, AB 118 created CARB’s Air Quality Improvement Plan (AQIP), a voluntary incentive program administered by CARB, to fund clean vehicle and equipment projects, air quality research, and workforce training. In 2014, the Legislature appropriated Greenhouse Gas Reduction Fund (GGRF) monies to establish a Low Carbon Transportation program that CARB is implementing in coordination with the AQIP AB 118 programs.

This solicitation utilizes the process established under AB 118 and AQIP, with project funds from the Cap-and-Trade auction proceeds deposited into the GGRF as part of the California Climate Investments (CCI). The Low Carbon Transportation Program is intended to fund a wide array of technologies that further the purposes of AB 32 (Nunez, Chapter 488, Statutes of 2006) and the more recent SB 32, which codified a 2030 GHG emissions reduction target of 40 percent below 1990 levels⁹.

In 2012, the Legislature passed, and Governor Brown signed into law, three bills – AB 1532 (Pérez, Chapter 807, Statutes of 2012), Senate Bill (SB) 535 (De León, Chapter 830, Statutes of 2012), and SB 1018 (Budget and Fiscal Review Committee, Chapter 39, Statutes of 2012) – that established the GGRF to receive Cap and Trade auction proceeds and to provide the framework for how the auction proceeds will be administered in furtherance of the purposes of AB 32 including supporting long-term, transformative efforts to improve public health and develop a clean energy economy. The suite of implementing legislation offers strong direction for investing a portion of the auction proceeds to benefit disadvantaged communities, including specific allocation requirements in SB 535 and bolstered by AB 1550 (Gomez, Chapter 369, Statutes of 2016).

In 2016, AB 1550 revised SB 535 requirements, increasing the percent of the State’s auction proceeds that must be invested within disadvantaged communities and adding new requirements to direct additional investments to low-income communities and low income households. AB 1550 requires at least 25 percent of auction proceeds be invested for projects within and benefiting

⁹ [Senate Bill 32](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32) (https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32)

disadvantaged communities; 5 percent for projects within and benefiting low-income communities or benefiting low-income households statewide; and 5 percent for projects within and benefiting low-income communities, or low-income households, that are within one half of a mile of a disadvantaged community. These communities are identified by the California Environmental Protection Agency (CalEPA).

SB 1403 (Lara, Chapter 370, Statutes of 2018) guides CARB's heavy-duty vehicle investments funded with Cap-and-Trade auction proceeds. SB 1403 extended the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program created under SB 1204 (Lara, Chapter 524, Statutes of 2014) that helps accelerate the introduction of the next generation of cleaner heavy-duty vehicles and engines with a priority on projects that benefit disadvantaged communities. This heavy-duty truck project supports SB 1204's overarching vision, described in Appendix B, of the FY 2019-20 Funding Plan for the phases of technology development and deployment, with a focus on moving these zero-emission technologies through the commercialization process.

In order to identify the priority investments that facilitate GHG emission reductions, the Legislature directed the development of the Cap-and-Trade Auction Proceeds Investment Plan (Investment Plan). The third three-year Investment Plan, which was released in January 2019, calls for projects that support the large-scale deployment of alternative technologies, such as zero- and near zero-emission vehicles and equipment, to help achieve the State's near-term and longer-term GHG emission reduction goals.

Furthermore, this solicitation is also supportive of Executive Order B-32-15, which directed the development of the California Sustainable Freight Action Plan¹⁰. This action plan was released July 29, 2016, and includes three main targets:

- Zero-Emission Technology Target – Deploy over 100,000 freight vehicles and equipment capable of zero-emission operation and maximize near zero-emission freight vehicles and equipment powered by renewable energy by 2030.
- System Efficiency Target – Improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030.
- Competitiveness and Economic Target – Establish a target(s) for increased State competitiveness and future economic growth within the freight and goods movement industry.

¹⁰ [California Sustainable Freight Action Plan](https://dot.ca.gov/programs/transportation-planning/freight-planning/california-sustainable-freight-action-plan) (https://dot.ca.gov/programs/transportation-planning/freight-planning/california-sustainable-freight-action-plan)

In December 2019, the Board approved the Fiscal Year 2019-20 Funding Plan, which will support California’s ambitious air quality and climate change goals and require a transformation of the on-road fleet. CARB’s investments for heavy-duty vehicles and off-road equipment are intended to support this transformation by demonstrating emerging technologies, advancing commercial viability through pilot deployment projects, and catalyzing further technological development by the private sector. CARB’s investment in this transformation also supports progress towards creating the jobs of the future and achieving and maintaining healthy and sustainable communities for all Californians.

C. NEED FOR EMISSION REDUCTIONS

Drayage and long-haul activities throughout California rely predominately on the use of diesel-fueled heavy-duty vehicles. These activities are a large source of GHG, criteria pollutant, and toxic air contaminant emissions. Since these trucks, as part of their normal activities, operate at ports, railyards, warehouse districts and some as regional haul, large amounts of oxides of nitrogen (NOx) and diesel particulate matter (PM) emissions significantly impact nearby communities. Reducing emissions from these activities is not only necessary to meet federally imposed clean air standards but also to reduce adverse health effects from their emissions, especially in disadvantaged communities.

The continued development and deployment of zero-emission technologies are necessary in order to meet California’s long term GHG emission reduction goals, protect public health, and reach attainment with increasingly more stringent federal air quality standards. Projects selected under this solicitation should be able to provide a significant reduction in GHG emissions and improve air quality for many affected areas within the State when this technology is fully integrated into the marketplace. Selected projects should be a model to other fleets when it comes to adopting zero-emission technologies, thus magnifying the future emission reduction potential of wide scale adoption.

D. KEY ACTIVITIES AND DATES

Key activities including dates and times for this solicitation are presented below. An addendum will be released if the dates change for the asterisked (*) activities.

KEY ACTIVITIES SCHEDULE

ACTIVITY	ACTION DATE
Solicitation Release	November 19, 2020
Deadline for Written Questions by 5:00 p.m.*	December 14, 2020
Pre-Application Workshop*	December 17, 2020
Anticipated Distribution of Questions/Answers	January 15, 2021

Deadline to Submit Applications by 5:00 p.m.*	[February 15, 2021] February 16, 2021
Anticipated Notice of Proposed Awards Posting and Preliminary Award Letters	March 2021
Anticipated CEC Business Meeting	April 2021
Anticipated Grant Agreement Execution	Second Quarter 2021

E. HOW AWARD IS DETERMINED

Applicants passing administrative and technical screening (Section IV A) will compete based on evaluation criteria (Section IV E) and will be scored and ranked based on those criteria. Unless the CEC and CARB exercise any of its other rights regarding this solicitation (e.g., to cancel the solicitation or reduce funding), applications obtaining at least the minimum passing score will be recommended for funding in ranked order until all funds available under this solicitation are exhausted.

If the funds available under this solicitation are insufficient to fully fund a grant proposal, the CEC and CARB reserve the right to recommend partially funding that proposal. In this event, the proposed Applicant/Awardee, the CEC staff and CARB staff shall meet and attempt to reach agreement on a reduced scope of work commensurate with the level of available funding.

F. AVAILABILITY OF FUNDS

A total of \$44.1 million is available for awards under this solicitation. The CEC and CARB, at their sole discretion, reserve the right to increase or decrease the amount of funds available under this solicitation.

The highest scoring, passing application will be recommended for funding. The remaining funds will then be allocated to the next overall highest scoring application(s) in ranked order until all funds available under this solicitation are exhausted.

If additional funds become available and passing applications remain unfunded, those projects may be funded without reissuing a solicitation. If additional funding becomes available, the expenditure timeline of those new funds may extend the project end date beyond those listed in this solicitation.

G. MAXIMUM AWARD AMOUNTS

Projects are eligible for up to 50 percent of total project costs, or \$44.1 million, whichever is less. This solicitation offers \$24 million for the purchase of on-road zero-emission Class 8 trucks, \$20 million for supporting zero-emission vehicle infrastructure, and \$100,000 for workforce training and development. Selected Awardees will enter into two grant agreements: one with the CEC to fund

infrastructure and workforce training and development, and one with CARB to fund trucks.

H. MAXIMUM NUMBER OF APPLICATIONS

Applicants may submit multiple applications under this solicitation. Each proposed project must be separate and distinct and adhere to all requirements contained in this solicitation.

I. PRE-APPLICATION WORKSHOP

There will be one Pre-Application Workshop. Participation in this workshop is optional but encouraged. The Pre-Application Workshop will be held remotely through Zoom at the date and time listed below. Please call (916) 654-4381 or refer to the [CEC's website](http://www.energy.ca.gov/contracts/index.html) at www.energy.ca.gov/contracts/index.html to confirm the date and time.

December 17, 2020
9:30 AM
Remote Access Only

Remote access is available by computer or phone through Zoom.

J. PARTICIPATION THROUGH ZOOM

Zoom is the CEC's online meeting service. When attending remotely, presentations will appear on your computer/laptop/mobile device screen, and audio may be heard via the device or telephone. Please be aware that the Zoom meeting will be recorded.

Zoom Instructions:

To join this workshop, go to [Zoom](https://zoom.us) at <https://energy.zoom.us/j/96655305513?pwd=MHBMBmFoyMlgybEhlQXFUU2hoWjBUdz09>. You may also access the workshop by going to the [Zoom web page](https://zoom.us) at <https://join.zoom.us> and enter the unique meeting ID and password below:

Meeting ID: 966 5530 5513

Meeting Password: Drayage20

Topic: GFO-20-606 Pre-Application Workshop - Zero-Emission Drayage Truck and Infrastructure Pilot Project

Telephone Access Only:

Call (888) 853-5257 or (888) 475-4499 (toll-free). When prompted, enter the unique meeting ID number above. To comment over the telephone, dial *9 to "raise your hand" and *6 to mute/unmute your phone line.

Technical Support:

For assistance with problems or questions about joining or attending the meeting, please call Zoom technical support at (888) 799-9666 ext. 2, or you may contact the CEC's Public Advisor's Office at publicadvisor@energy.ca.gov, or (800) 822-6228.

K. QUESTIONS

During the solicitation process, questions of clarification about this solicitation must be directed to the CEC's Commission Agreement Officer (CAO) listed in the following section. You may ask questions at the Pre-Application Workshop, and you may submit written questions via electronic mail. However, all questions must be received by 5:00 pm on the date listed in the Key Activities and Dates table earlier in this solicitation.

The questions and answers will also be posted on both the [CEC's website](http://www.energy.ca.gov/contracts/index.html) at: www.energy.ca.gov/contracts/index.html, and [CARB's website](https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low) at: <https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low>.

Any verbal communication with a CEC or CARB employee concerning this solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the solicitation. All questions will be addressed during the Pre-Application Workshop and formal responses will be posted approximately three weeks after the public meeting. This will be the only opportunity to have questions answered. All communication must be directed in writing to the CAO assigned to the solicitation.

L. CONTACT INFORMATION

Kevyn Piper, Commission Agreement Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: [~~(916) 654-4845~~] **(916) 827-9241**
FAX: (916) 654-4423
E-mail: Kevyn.Piper@energy.ca.gov

M. REFERENCE DOCUMENTS

Applicants responding to this solicitation may want to familiarize themselves with the following documents.

- [FY 2019-20 Funding Plan for Clean Transportation Incentives](https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low-1)
<https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low-1>
- [2019-2020 Investment Plan Update for the Clean Transportation Program](#)
(CEC-600-2018-005-CMF)

<https://www.energy.ca.gov/proceedings/energy-commission-proceedings/2019-2020-investment-plan-18-alt-01>

- [2018-2019 Investment Plan Update for the Alternative and Renewable Fuel and Vehicle Technology Program](https://www.energy.ca.gov/proceedings/energy-commission-proceedings/inactive-proceedings/2018-2019-investment-plan-proceeding) (CEC-600-2017-010-CMF)
<https://www.energy.ca.gov/proceedings/energy-commission-proceedings/inactive-proceedings/2018-2019-investment-plan-proceeding>
- [California Sustainable Freight Action Plan](https://dot.ca.gov/programs/transportation-planning/freight-planning/california-sustainable-freight-action-plan)
<https://dot.ca.gov/programs/transportation-planning/freight-planning/california-sustainable-freight-action-plan>

N. RELEVANT LAWS, REGULATIONS, AND REPORTS

This section covers only a subset of the laws, regulations, and reports that are relevant to the various types of projects that might be proposed.

If the Applicant proposes electric vehicle charging stations, then the chargers proposed for funding shall conform to the ***most recent version*** of the following:

- California Code of Regulations (CCR) Title 24, California Building Standards Code, Part 3 California Electrical Code.
- National Fire Protection Association (NFPA) 70: *National Electric Code with California Amendments*.
- California Public Utilities Code, Division 1 Regulation of Public Utilities, Part 1 Public Utilities Act, Chapter 4 Regulation of Public Utilities, Article 2 Rates, Section 740.20.

If the Applicant proposes hydrogen stations, then the hydrogen stations proposed for funding shall conform to the ***most recent version*** of the following:

- CCR Title 4: Business Regulations, Division 9 Measurement Standards, Chapter 1 Tolerances and Specifications for Commercial Weighing and Measuring Devices, Article 1 National Uniformity, Exceptions and Additions, Sections 4001 and 4002. Additional Requirement, Subsection 4002.9, Hydrogen Gas-Measuring Devices (3.39).
- CCR Title 4: Business Regulations, Division 9 Measurement Standards, Chapter 6 Automotive Products Specifications, Article 8 Specifications for Hydrogen Used in Internal Combustion Engines and Fuel Cells, Sections 4180 and 4181.
- CCR Title 24: California Building Code, Part 2, Volume I, Chapter 11B, Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing.

- California Health and Safety Code Section 25510(a).
- Compressed Gas Association (CGA) [G-5.3, Commodity Specification for Hydrogen](#).
<https://portal.cganet.com/Publication/Details.aspx?id=G-5.3>
- NFPA 2, Hydrogen Technologies Code.
- SAE International J2600 Compressed Hydrogen Surface Vehicle Fueling Connection Devices.
- SAE International J2601-2 Fueling Protocols for Heavy Duty Gaseous Hydrogen Surface Vehicles.
- SAE International J2719 Hydrogen Fuel Quality for Fuel Cell Vehicles.
- SAE International J2799 Hydrogen Surface Vehicle to Station Communications Hardware and Software.
- U.S. Department of Commerce/National Institute of Standards and Technology (NIST), Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices, NIST Handbook 44.

Applicants are encouraged to use the ***most recent version*** of the following tools, programs, codes, and handbooks when applying for hydrogen refueling infrastructure funding under this solicitation:

- California Department of Food and Agriculture, Division of Measurement Standards. [California Type Evaluation Program \(CTEP\)](#).
<https://www.cdfa.ca.gov/dms/programs/ctep/CTEPInfoGuide.pdf>
- California Department of Food and Agriculture, Division of Measurement Standards. [California Type Evaluation Program \(CTEP\) Certificates of Approval Database Search](#).
<https://www.cdfa.ca.gov/dms/ctep.html>
- California Environmental Protection Agency. [California Climate Investments to Benefit Disadvantaged Communities](#). SB 535 Disadvantaged Communities Map (June 2018 Update)
<https://calepa.ca.gov/EnvJustice/GHGInvest/>
- Division of the State Architect (DSA) [Access Compliance Advisory Manual](#).
<https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Access-Compliance-Reference-Materials>
- California Air Resources Board. [Low Carbon Fuel Standard Program](#).
<https://ww3.arb.ca.gov/fuels/lcfs/lcfs.htm>
- [California Department of Tax and Fee Administration](#).
<https://www.cdtfa.ca.gov>
- California Department of Tax and Fee Administration. [Sales & Use Tax in California](#).

<https://www.cdtfa.ca.gov/taxes-and-fees/sutprograms.htm>

- Governor's Office of Business and Economic Development. [Hydrogen Station Permitting Guidebook, Best Practices for Planning, Permitting and Opening a Hydrogen Fueling Station](http://www.businessportal.ca.gov/wp-content/Documents/ZEV/Hydrogen-Permitting-Guidebook.pdf). 2015.
<http://www.businessportal.ca.gov/wp-content/Documents/ZEV/Hydrogen-Permitting-Guidebook.pdf>
- Pacific Northwest National Laboratory (PNNL). [Safety Planning for Hydrogen and Fuel Cell Projects](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf).
[https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen and Fuel Cell Projects.pdf](https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf)

II. Eligibility Requirements

A. APPLICANT AND PROJECT TEAM REQUIREMENTS

1. Eligibility

This solicitation is open to local air districts, California-based public entities, and California-based non-profit organizations.

Private sector parties (i.e., technology manufacturers and end-users) interested in securing funding for a technology or strategy, must partner with an eligible Applicant. Only projects submitted by eligible Applicants will be evaluated.

Along with an eligible Applicant, applications should include a project team, consisting of identified end users of the proposed vehicles or equipment, technology manufacturer(s), data collection and analysis provider(s), community-based organization(s) (CBOs)¹¹, infrastructure provider(s), and subcontractor(s).

The Applicant must demonstrate its expertise at implementing large scale advanced technology deployment projects and providing sufficient administration and oversight.

2. Responsibilities of Awardee and Project Team

Should an Applicant be awarded a grant, the Awardee will be responsible for administration of the pilot project.

- a. The Awardee's major responsibilities will include, but are not limited to, the following:
 - Developing and maintaining a project team that includes technology manufacturers, subcontractors, end-users, CBOs, and a data collection and analysis provider.
 - Administering the project.
 - Ensuring completion of required California Environmental Quality Act (CEQA) documents.
 - Overseeing truck technology manufacturer(s) and construction and installation subcontractors.

¹¹ A community-based organization is defined as an organization that works at a local level to meet community needs. Organizations may include, but are not limited to, nonprofit organizations, formal and informal community groups, neighborhood groups, faith-based organizations, or special-interest clubs.

- Overseeing project budget, completion of milestones, and verifying the receipt of deliverables and the amount of funds being used for the project's match requirement.
 - Reporting to the CEC and CARB on project status, grant performance, and match expenditures.
 - Developing and implementing a Zero-Emission Workforce Training and Development Plan (ZEV Workforce Plan) (Attachment 8).
 - Submitting quarterly project reports to the CEC and CARB.
 - Prepare and present at least two Critical Project Reviews to CEC and CARB staff as detailed in Attachment 5.
 - Submitting periodic grant disbursement requests to the CEC and CARB.
 - Ensuring purchase, installation, and maintenance of data logging or other data collection equipment.
 - Submitting data, as requested by the CEC and CARB.
 - Coordinating periodic project status update meetings.
- b. The technology manufacturers' (vehicles and infrastructure) major responsibilities in the project will include, but are not limited to, the following:
- Providing the technical expertise in performance of the vehicles or infrastructure equipment throughout the project.
 - Timely achievement of stated project goals.
 - On-time reporting to the Awardee on project status and grant performance.
- c. The data collection and analysis provider's major responsibilities in this project will include, but are not limited to, the following:
- Installation and maintenance of data collection equipment on advanced technology and baseline vehicles, refueling equipment, and facilities.
 - Ensuring the data collection equipment works with the vehicles being demonstrated for this project.
 - Coordination with the Awardee and other project partners on data to be collected.
 - Collection, analysis, and reporting of collected data.

- d. The community-based organization must, at a minimum:
- Provide a letter of support for the project.

3. Awardee and Project Team Reporting Requirements

- a. Progress reports from all project partners will be submitted to the Awardee quarterly. The Awardee is responsible for forwarding all progress reports, unaltered, to the CEC and CARB by the 10th of the month on a quarterly basis. Additionally, every grant disbursement request shall be accompanied by a progress report, in addition to any other required reports, that documents the time interval, expenditure of both reimbursable and match funds, and the completion of specific project milestones, including any specific deliverables as defined for that milestone.
- b. In order to ensure consistent data analysis across all CEC- and CARB-funded projects, specific data elements will be required to be collected. Formats for data collection are listed in Attachment 20.

Data collection will be accomplished by an identified member of the proposed project team with experience in collecting and analyzing data from large and complex projects. The types of data to be collected will be determined at the CEC and CARB's sole discretion, as outlined in Attachment 20 or as modified by the CEC and CARB at its sole discretion, in consultation with the project's technology manufacturer(s), end-users, data collection and analysis provider and Awardee. The Awardee and project team must work cooperatively with the data analysis provider and supply data as requested in a timely manner. The sharing of data collected from truck packages, funded infrastructure and facility improvements, and other relevant equipment with the Awardee and project team, the CEC and CARB is required.

Data collection will be required throughout the project and submitted to the CEC and CARB as part of project milestones and in the quarterly progress reports. The Awardee must coordinate the installation of data logging or other equipment to facilitate data collection. The type of data to be collected includes, but is not limited to, fuel/electricity consumption and cost, fueling/charging times, state of charge information for battery and fuel cell electric vehicles and equipment, odometer readings, scheduled and unscheduled maintenance information, labor hours and cost for scheduled and unscheduled maintenance, relevant telematics and Global Positioning System (GPS) data, operating costs, hours of operation, vehicle and equipment idle times, temperatures, facility

efficiency improvement metrics, workforce trainee feedback, and end user experience.

- c. A final report must be submitted to the CEC and CARB by the Awardee at the conclusion of the project. The project will not be complete until the final report has been accepted by the CEC and CARB. The final report will include, but will not be limited to, a summary of the progress reports, any deliverables that were committed to in the project, the results from any emission testing performed, and any other information required by the CEC and CARB. The CEC and CARB each retain the right to withhold up to 10 percent of each grant award amount in retention until the CEC and CARB accept the final report under their respective agreements. For grant agreements resulting under this solicitation, 10 percent retention will be withheld on Administrative and Outreach expenses. See II.C., Eligible Project Costs for more details.

4. Terms and Conditions

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the Awardee's rights and responsibilities. By providing the required authorizations and certifications, each Applicant agrees to enter into two separate grant agreements, if awarded (one with the CEC and one with CARB), to conduct the proposed project according to the terms and conditions without negotiation (Attachment 17 and 18).

Failure to agree to the terms and conditions by taking actions such as failing to provide the required authorizations and certifications or indicating that acceptance is based on modification of the terms may result in rejection of the application. Applicants must read the terms and conditions carefully. The CEC and CARB reserve the right to modify the terms and conditions prior to executing grant agreements.

5. California Secretary of State Registration

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at a CEC Business Meeting. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State's Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful). For more information, contact the [Secretary of State's Office](#) via its website at www.sos.ca.gov. Sole proprietors using a fictitious business name must be registered with the appropriate county

and provide evidence of registration to the CEC and CARB prior to their project being recommended for approval at a CEC Business Meeting and approved by CARB staff.

B. PROJECT REQUIREMENTS

1. Eligible Projects

- All proposed projects must be located in California.
- All proposed projects must deploy on-road zero-emission Class 8 trucks and the necessary charging or refueling infrastructure and include a ZEV Workforce Plan.
- All technologies, including trucks and supporting infrastructure, should be a commercial product at the time of application. For the purpose of this solicitation, the CEC and CARB will be using the federal procurement policy definition of “commercial product”¹². If the trucks are not yet commercially available¹³ when the application is submitted, then the Awardee must have a reasonable, realistic, and expedited plan to obtain an Executive Order from CARB by June 1, 2022. If the supporting infrastructure technology is not commercially available, the proposed project technology must have demonstrated successful continuous operation for at least six months and the Awardee must submit a reasonable, realistic, and expedited plan for commercialization of the technology from its project partner(s).
- Vehicle technologies must produce no tailpipe emissions of GHG, criteria pollutant, or toxic air containment during the truck’s entire duty cycle, whether stationary (idling) or operating.
- Applicants must demonstrate that the proposed projects will reduce on-road motor vehicle air emissions.
- Applicants must demonstrate how proposed projects will support air quality improvements in and provide measurable benefits to disadvantaged and low-income communities, priority populations, and/or tribal lands.
- Projects are not required to be located in disadvantaged communities to be eligible for funding; however, in accordance with the evaluation criteria, projects will be evaluated, in part, on the degree to which the proposed project is located in disadvantaged

¹² [Commercial Product Definition. Federal Procurement Policy. 41 U.S. Code § 103.Commercial product](https://codes.findlaw.com/us/title-41-public-contracts/41-usc-sect-103.html) (https://codes.findlaw.com/us/title-41-public-contracts/41-usc-sect-103.html)

¹³ [Commercially Available Definition 41 U.S. Code § 104.Commercially available off-the-shelf item](https://codes.findlaw.com/us/title-41-public-contracts/41-usc-sect-104.html) (https://codes.findlaw.com/us/title-41-public-contracts/41-usc-sect-104.html)

or low income communities. Refer to Section III.D.7. for requirements.

- For purposes of this solicitation, tribal lands refer to lands located in the State of California that are tribally owned lands, buildings, or facilities.
- Each funded project must provide a minimum of 12 months of data collection on the full deployment of vehicles and infrastructure, submitted electronically as part of the quarterly progress reports, rather than in a summary report at the conclusion of the 12 months (Attachment 20).

2. Eligible Vehicle Technologies and Fleet Requirements

- Applicants are encouraged to deploy at least 50 on-road, zero-emission Class 8 trucks in a single fleet. Applicants may propose less than 50 on-road, zero-emission Class 8 trucks in a single fleet or may propose multiple fleets; however, the number of vehicles per single fleet will be evaluated (see Section IV.E. Evaluation Criteria). In accordance with the evaluation criteria, applications will be evaluated, in part, on the degree to which the proposed project maximizes the number of zero-emission trucks deployed in a single fleet.
- Vehicles must be zero-emission, on-road Class 8 trucks.
- Technologies that are eligible include battery-electric trucks, fuel-cell trucks, and battery-electric trucks utilizing fuel cells acting as range extenders.
- Fleets may choose to have up to two vehicle manufacturers within a fleet.
- The integration of some battery electric and some fuel cell trucks in a single fleet is allowable.
- On-road heavy duty trucks that transport containers and bulk to and from the ports and intermodal railyards as well as other locations must be able to operate in the fleet's typical duty cycle for a minimum of 150 miles on a single fueling. Regional haul trucks must be able to operate in the fleet's typical duty cycle for a minimum of 200 miles on a single fueling.
- The fleet and truck manufacturer must agree that truck performance and specifications are met before payment of trucks occur.
- The reimbursable amount for any truck or truck package is based on range and payload capacity. Amount of funding available per truck package is the lesser of the following:

- \$1,600 per mile of minimum daily range per single fueling event multiplied by actual cargo capacity plus the weight of the trailer divided by 56,000 lbs.;
- Half of the cost of the truck; or
- \$500,000.
- Truck package includes:
 - Class 8 zero-emission truck
 - Intelligent Transportation Systems (ITS)
 - Zero-emission transportation refrigeration units
 - Low rolling resistance tires
 - Aerodynamic and/or hybrid trailers
- All trucks must be deployed by **June 15, 2023**.
 - Truck roll-out over time is anticipated; however, applications will be evaluated, in part, on the degree to which the project timeline is expedited and the timeline for vehicle deployment aligns closely with infrastructure installation.
 - Data collection shall begin upon the deployment of each truck, with a minimum of 12 months of data from a fully deployed fleet.
- Manufacturers must demonstrate economies of scale.
- All trucks, no matter the technology, must have a CARB Executive Order by **June 1, 2022**.
 - Applicants must have either a CARB Executive Order¹⁴ at time of application or provide a reasonable, realistic and expedited plan to obtain a CARB Executive Order by June 1, 2022.
 - The CEC and CARB have the discretion to adjust this date.
- Stacking of public funds is permissible, with the exception of the Volkswagen Beneficiary Mitigation Trust and the Clean Truck and Bus Voucher project (HVIP). Any public funds used for stacking must be declared at the time of application and must comply with all requirements associated with the stacking funding source.
- At the end of this project, fleets will maintain ownership of the trucks.

¹⁴ [Executive Orders, Certifications, & Verifications](https://ww2.arb.ca.gov/executive-orders-certifications-verifications) (https://ww2.arb.ca.gov/executive-orders-certifications-verifications)

- Lease options are eligible under this project. Lease terms must be in place throughout the project term.
- The proposed on-road trucks must be approved for use by the fleet that will be using them in the demonstration, and confirmation of that approval must be indicated in a memorandum of understanding or letter between the fleet and the truck manufacturer.
- Applicants must include documentation in the application that all vehicles in the proposed project will be operated more than 50 percent of the time on California roadways. Applicants must also include proof that they are compliant with all State requirements, such as, but not limited to, Department of Motor Vehicles licensing, California Highway Patrol requirements, and others.

3. Eligible Infrastructure Technologies for Project Pilot Trucks

CEC funding under this solicitation must be utilized for new or upgrades to existing charging or refueling infrastructure to support the proposed zero-emission Class 8 trucks in each project. This can include battery-electric charging infrastructure and equipment and hydrogen refueling stations and equipment.

No proprietary charging or refueling receptacles will be permitted within this solicitation—the proposed project should help further the infrastructure standardization efforts to facilitate medium- and heavy-duty (MD/HD) vehicle charging and hydrogen refueling.

Charging and refueling equipment should be placed at one location, preferably the physical address from where the trucks operate and return after each duty cycle. Applications may request funding for a single secondary site; however, Applicants must describe the purpose and function of the secondary site in their application. One of the goals of this solicitation is to understand fleet dynamics when deploying a large number of zero-emission trucks and supporting infrastructure, including assessing the ability of fleets to recharge or refuel large numbers of trucks on a daily basis—sometimes multiple times per day.

Zero-Emission Vehicle Charging.

Zero-emission vehicle infrastructure projects must include deployment of chargers for eligible vehicles and may include funding for panels, conduit, and wiring at the facility level, as well as upgrades to distribution infrastructure including meters and transformers, to support current and

future deployment of on-road zero-emission Class 8 vehicles. Projects may also include deployment of renewable distributed energy resources (DER) for supplying power to zero-emission vehicle chargers provided the DER is permanently installed on site. Transportable DER or DER not used to power zero-emission vehicle chargers or the onsite production of hydrogen are not eligible.

AB 841 (Ting, 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install electric vehicle charging infrastructure and equipment for work performed on or after January 1, 2022, subject to certain exceptions. As a policy matter, the CEC is applying the EVITP certification requirements to project work resulting from this GFO, regardless of whether it might be performed prior to January 1, 2022, unless an exception applies.

Therefore, applying PUC 740.20 EVITP requirements to this GFO means that all electric vehicle charging infrastructure and equipment located on the customer side of the electrical meter shall be installed by a contractor with the appropriate license classification, as determined by the Contractors' State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification. Projects that include installation of a charging port supplying 25 kilowatts or more to a vehicle must have at least 25 percent of the total electricians working on the crew for the project, at any given time, who hold EVITP certification. One member of each crew may be both the contractor and an EVITP certified electrician. The requirements stated in this paragraph do not apply to any of the following:

1. Electric vehicle charging infrastructure installed by employees of an electrical corporation or local publicly owned electric utility.
2. Electric vehicle charging infrastructure funded by moneys derived from credits generated from the Low Carbon Fuel Standard Program (Subarticle 7 (commencing with Section 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the California Code of Regulations).
3. Single-family home residential electric vehicle chargers that can use an existing 208/240-volt outlet.

Zero-emission vehicle charging infrastructure eligible for funding shall:

- Facilitate vehicle-charger interoperability. Eligible charging equipment shall utilize charging connectors and/or charging

interfaces that are compatible for use with MD/HD trucks sold by multiple original automotive equipment manufacturers for widespread use across California and North America. Such connectors/interfaces may include but are not limited to SAE J1772 CCS1, SAE J3105, or others.

- Leverage open standards-based network communications. Each individual electric vehicle supply equipment (EVSE) or charger shall be capable of open standards-based communications with an electric vehicle service provider (EVSP), local fleet energy management system (EMS), or utility. These communications should enable remote monitoring and help maintain reliable equipment operations. These functions and their associated design include:
 - Network connectivity (one of the following):
 - IEEE 802.11n for high-bandwidth wireless networking
 - IEEE 802.3 for Ethernet for local- or wide- area network applications
 - Ability to receive remote software updates, real-time protocol translation, encryption, and decryption:
 - Internet Protocol (IP)-based processor must support multiple protocols
 - Compliant with Transmission Control Protocol (TCP)/IP and IPv6

To encourage customer choice, these network communication standards may include but are not limited to Open Charge Point Protocol (OCPP, versions 1.6 or later), Open Automated Demand Response (OpenADR, IEC 62746-10-1 ED1), or those outlined by the Smart Grid Interoperability Panel (SGIP) Catalog of Standards, the NIST Smart Grid Framework, the American National Standards Institute (ANSI), or other well-established international standards organizations such as the International Organization for Standardization (ISO), International Electrotechnical Commission (IEC), International Telecommunication Union (ITU), Institute for Electrical and Electronics Engineers (IEEE), or Internet Engineering Task Force (IETF).

- Be capable of managing charging costs and supporting grid reliability. Eligible charging equipment shall, leveraging the open standards-based network communications described above, be capable of receiving energy management signals (such as hourly prices or direct load controls) from an EVSP, EMS, or utility. Eligible charging equipment shall be capable of automatically adjusting

charging load in consideration of the energy management signal, subject to the constraints of driver preferences, and vehicle energy and operational schedule requirements.

- *Optionally*, be capable of bidirectional power flow. Eligible equipment shall be capable of facilitating and metering bidirectional or reverse power flow between the vehicle and the grid. Communications between the charger and other electrical control signals (for example, those of a utility, islanded load, or building) are not specifically defined to allow for project-specific implementation.

Hydrogen Refueling. Hydrogen infrastructure is limited to private-access stations only.

Applicants shall commit to developing a Hydrogen Safety Plan for the proposed project that addresses the hydrogen fueling infrastructure that will support the fleet's Class 8 trucks. Applicants shall also commit to participate in an early design review by the Pacific Northwest National Laboratory's or Center for Hydrogen Safety's Hydrogen Safety Panel (HSP) and work with the HSP on any safety related incidents. Applicants are encouraged to meet with a representative of the HSP prior to submitting their application to establish a common understanding of the Hydrogen Safety Plan and design review requirements.

- **Hydrogen Safety Plan:** After an award, each of the Awardee's grant agreements will require a Hydrogen Safety Plan to demonstrate that hydrogen safety has been adequately incorporated into project planning and execution. The Awardee must prepare (a) preliminary Hydrogen Safety Plan(s) and submit it to the HSP to review. If the Awardee wishes the plan to be kept confidential by the HSP, the Awardee must work directly with the HSP to obtain confidentiality. The Awardee must share a non-confidential copy of the Hydrogen Safety Plan with the CEC and CARB. The HSP will assess the preliminary Hydrogen Safety Plan(s) for adherence to the most recent version of public guidelines titled Safety Planning for Hydrogen and Fuel Cell Projects. The Hydrogen Safety Plan shall describe the Awardee's work and activities to ensure safety, the technologies being demonstrated, and the evaluation results of any hazard analysis performed. The Awardee shall also include the following in the Hydrogen Safety Plan:
 - A detailed description about how the Awardee will conform to the National Fire Protection Association (NFPA) 2, Hydrogen Technologies Code 2020 edition. The current edition of NFPA 2 should be used unless another edition is

specifically required by the authority having jurisdiction (AHJ) where the facilities and equipment will be located. If the AHJ is using an older edition, the Awardee is recommended to work with the AHJ to consider using the latest edition as it has been updated to better address fueling infrastructure safety. Should the Awardee's compliance lapse, the CEC and CARB reserves the right to cancel the Awardee's grant agreements funded by this solicitation.

- A detailed description about how the Awardee will provide safety training for the hydrogen fueling infrastructure's initial operation and safety training for all operators. Should the training lapse, without limitation to any other rights, the CEC and CARB reserves the right to cancel the Awardee's grant agreements funded by this solicitation.

The HSP will forward their non-confidential assessment of the preliminary Hydrogen Safety Plan to the CEC, CARB, and the Awardee. The Awardee shall prepare a final Hydrogen Safety Plan following the HSP assessment. As with the preliminary Hydrogen Safety Plan, it is up to the Awardee to work directly with the HSP to submit the Awardee's final Hydrogen Safety Plan to the HSP. If the Awardee wishes the plan to be kept confidential by the HSP, it is up to the Awardee to work with the HSP to achieve that.

Should the Awardee opt to not accept comments from the HSP assessment, the Awardee shall provide an explanation of their rationale to the CEC and CARB. These activities shall be completed by the dates specified in the Schedule of Products and Due Dates.

- **Hydrogen Safety Design Review:** After an award, the Awardee shall commit to participate with the HSP in early design reviews for the hydrogen fueling infrastructure, before submitting the design plans to the authority having jurisdiction. The Awardee shall work with the HSP to determine the timing and scope of their design review participation, including options for remote or in-person reviews.

Participating in HSP design reviews will be a mandatory technical task and shall be completed by the dates specified in the Schedule of Products and Due Dates. Should the Awardee cease participating in design reviews, without limitation to any other rights, the CEC and CARB reserve the right to cancel any of the grant agreements funded by this solicitation.

- **Reporting Safety Incidents:** Hydrogen refueling stations funded by this solicitation shall conform to the California Health and Safety Code Section 25510(a). The Awardee shall submit report(s) of any

unintended hydrogen releases to the Certified Unified Program Agency (CUPA), the CEC and CARB. The Awardee shall also report safety incidents using the National Renewable Energy Laboratory (NREL) Data Collection Tool (Attachment 19). The Awardee shall include the HSP in any fact-finding or investigation of any safety incident. Should the Awardee not follow the requirements for reporting safety incidents, without limitation to any other rights, the CEC and CARB reserve the right to cancel or amend any of the grant agreements funded by this solicitation.

- Coordination with the Awardee and other project partners on data to be collected.
- Collection, analysis, and reporting of collected data.

4. ZEV Workforce Plan

Workforce training and development data must include, but is not limited to, the following:

- Total number of workers trained and/or hired, job titles, occupations and specific role(s) in the project, and status of each trainee at the end of the project.
- Curricula, training materials, and trainee feedback.
- Number of hours of training provided for each trainee.
- Itemized budget, expenditures, and training costs.
- Data in compliance with the EVITP including certification data of allowable personnel.
- Findings and recommendations.

5. Ineligible Projects

The following stand-alone project types are not eligible:

- Surveys
- The use of DER for purposes other than supplying power to zero-emission charging/fueling infrastructure
- Test for regulatory compliance

C. ELIGIBLE PROJECT COSTS

Costs incurred for the following are eligible for the CEC or CARB reimbursement or as the Applicant's match share and can include:

1. For Vehicle Technology
 - Truck purchase as defined in Section II, subsection B-2.
 - Vehicle maintenance

- Data collection equipment
2. For Battery Electric Vehicle Charging Infrastructure
 - Electric vehicle supply equipment (EVSE or chargers)
 - Transformers
 - Electric Panels
 - Electricity transmission materials (wiring, conduit, hangers, etc.)
 - Energy storage equipment
 - Photovoltaic solar panels separately metered for electric charging
 - Installation/construction costs
 - Maintenance facility upgrades
 - Utility service upgrades
 - Planning and engineering design costs
 - Network agreement with network provider
 - Extended warranties
 - Stub-outs
 - Demand management equipment
 - Equipment maintenance
 - Data collection equipment
 3. For Hydrogen Refueling Infrastructure
 - Subcontracts
 - Compressors
 - Heat exchangers
 - Hydrogen transmission materials (piping, etc.)
 - Chillers
 - Dispensers with hose and nozzles
 - High pressure hydrogen storage tanks
 - Onsite hydrogen production
 - Planning and engineering design costs
 - Electrical upgrades necessary to power hydrogen station
 - Installation/construction costs
 - Maintenance facility upgrades
 - Mobile refueling trucks
 - Equipment maintenance
 4. For the ZEV Workforce Plan (No more than \$100,000 in project funds funding per project)

- ZEV Workforce Plan development (Attachment 8)
 - Workforce training and development
 - Hiring plan
 - ASE certification costs for non-fossil fuel technologies
 - Tuition reimbursement at community colleges, trade schools, etc.
 - Train-the-trainers
 - Curricula development
 - Data Collection
5. For Administration (10 percent retention will be withheld on Administration expenses)
- Project management
 - Report preparation
 - Invoicing
6. For Outreach (10 percent retention will be withheld on Outreach expenses)
- Public outreach on the benefits of alternative transportation fuels and vehicle technologies
 - Community outreach and equity engagement that highlights environmental, economic, and jobs benefits of zero-emission vehicle and infrastructure technologies and supply chains.

Awardees will not be reimbursed for permitting, electricity for charging or fuel costs, or EVITP training and certification. These expenses may be counted towards match share only. Utility incentives for behind-the-meter infrastructure and rebates for charging equipment may also be counted towards match share. Costs for any planned charging or refueling sites, beyond a secondary site, are not eligible as reimbursed or match share costs. Additionally, costs for any equipment related to public access hydrogen refueling stations are not eligible as reimbursed or match share costs. See Match Funding Requirements below.

NOTE: Costs incurred prior to executing the grant agreements will not be reimbursed by the CEC or CARB.

D. MATCH FUNDING REQUIREMENTS

1. Total Match Share Requirement

Applications must include a minimum 50 percent total match share of the **total allowable project costs** (i.e., the sum of requested grant amount plus the Applicant's match share). Match costs for infrastructure and

workforce training and development may be counted towards the CEC's grant agreement; match costs for trucks may be counted towards CARB's grant agreement. Other match costs associated with administrative and data collection tasks may be split between CEC and CARB.

"Match funding" or "match share" means cash or in-kind (non-cash) contributions provided by the Applicant, subcontractors, or other parties that will be used in performance of the proposed project. Match share percentage is calculated by dividing the total match share contributions by the total allowable project cost.

Match share expenditures for both the CEC and CARB have the following requirements:

- a. The Applicant and its team must demonstrate that their technical and financial resources are sufficient to meet their cost share commitment and complete the proposed project.
- b. At a minimum, total match share must conform to the "Cash Match Share Requirement" contained in this solicitation.
- c. All match share expenditures must conform to the terms and conditions of this solicitation and the resulting grant agreements (Attachments 17 and 18).
- d. Applicants must disclose the source and provide verification and documentation for the match share funding committed to the project.

If a project partner proposes to provide any part of the required match, the Applicant must include a letter from each project partner stating that it is committed to providing a specific dollar value and the source of those funds. Match letters from project partners must be signed by someone who has the authority to commit those funds and will be considered binding on the Applicant. Letters that do not have specific dollar amounts may not be considered.

For any additional match share beyond the required match that may be committed by a project partner, Applicants are encouraged to submit a letter from each match share project partner identifying the source(s) and availability of match funding.

- e. During the term of the grant agreements, Awardees will be required to document and verify all match share expenditures through invoices submitted to the CEC and CARB.

- f. Match share funding may be in the form of cash, such as compensated labor hours, including allowable fringe benefit and overhead, travel, materials, supplies, equipment, subcontractor costs, and other miscellaneous expenditures, such as electricity and hydrogen costs.
- g. Match share expenditures (cash and/or in-kind) must be documented, reasonable, allowable, and allocable to the project as determined by the CEC and CARB.
- h. Equipment, facilities, and property may count as match funds as long as the value of the contribution is based on documented market values or book values, prorated for its use in the project, and depreciated or amortized over the term of the project using generally accepted accounting principles (GAAP).
- i. Match share expenditures are allowable under the grant agreements once the CEC and CARB notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA) and Preliminary Award Letters. Match expenditures incurred prior to the approval and execution of the grant agreements are made at the Applicant's own risk. The CEC and CARB are not liable for Applicant's match share costs if the grants are not approved, if approval is delayed, or if the match share expenditure is not allowable under the terms and conditions of the grants or this solicitation. Please note that non-match expenditures incurred prior to execution of the grant agreements are not reimbursable from CEC or CARB funds.

2. Cash Match Share Requirement

There is no cash match requirement.

Cash match means the net of any funds actually expended by the Applicant or the project team for the project. Net means after any sort of discount or rebate is applied. Expenditures for Applicant's compensated labor hours, including allowable fringe benefit and overhead rates, travel, materials, supplies, equipment, subcontractor costs, and other miscellaneous expenditures may be claimed as cash match if the expenditures are included in both of the approved agreement budgets, paid in full with funding sources other than grant funds, and supported with appropriate documentation, including proof of payment. For indirect overhead, backup documentation, such as a cost allocation plan based on actual expenditures incurred and paid, is required. Cost allocations must be reasonable and allocable to the proposed project.

3. **In-Kind Match Share**

The balance of the total match share requirement beyond the cash match share requirement (if any) may be met through in-kind match share contributions.

In-kind match share contributions are: 1) non-cash contributions provided by the Applicant; 2) cash or non-cash contributions provided by a subcontractor; and 3) cash or non-cash contributions provided by other third parties. Applicant in-kind match share can be in the form of volunteer labor, real property, existing equipment, existing supplies, services provided by a third-party or subcontract, and other expendable property. The value of in-kind match is based on the fair market value of the goods and services provided at the time it is claimed as match. In-kind match share must be included in both of the approved grant agreement budgets and supported with appropriate documentation. Cost allocations must be reasonable and allocable to the proposed project.

4. **Match Share Restrictions**

- a. ***Other Sources of CARB and CEC Funding*** – CEC and CARB funded assets may not be used as match. Other sources of CEC funding, Volkswagen Environmental Mitigation Trust funding and Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) vouchers, may not be used as match share; other federal, state, and local funds may be allowable as long as they are identified at the time of application.
- b. ***Valuation of Land*** – Land cannot be depreciated. If the value of land is claimed as match, the Applicant must provide documentation to support a fair market value for the use of the land (i.e., rent or lease cost) for the time period it is used. Appraised value of land cannot be used since this represents the full value of the land if it is sold which includes value beyond the term of the proposed project.
- c. ***Prorated Value of Property*** – The allowable claimed value of property must be prorated based on the percentage the property is used for the proposed project. For example, if only half of a building is being used for the proposed project, then only 50 percent of the monthly fair market value of the entire building can be claimed as match while the building is being used for the project.
- d. ***Documentation*** – If selected for an award under this solicitation, all claimed match share expenditures must be adequately documented to the CEC and CARB during the grant agreement invoicing process, which may include, but is not limited to: the fair

market value of existing property, methodology to allocate existing property on a prorated basis, lease agreements, and other appropriate documentation.

E. UNALLOWABLE COSTS (REIMBURSABLE OR MATCH SHARE)

For an item of cost to be allowable, it must be included in the approved grant agreements' budget and allowable per the terms and conditions of the resulting agreements. The following are examples of unallowable costs under the grant agreements resulting from this solicitation. This list is not comprehensive and additional items of cost may be unallowable in accordance with the terms and conditions.

1. ***Forgone Profit*** – For example, if a company usually charges 10 percent profit but only charges 4 percent to the CEC. The unclaimed difference is not an allowable item of cost.
2. ***Forgone Rent*** – For example, rents that are not paid is not an allowable item of reimbursable cost.
3. ***Discounted or Refunded Equipment Costs*** – For example, a claim that equipment costs \$10,000 but recipient only pays \$6,000 due to some "special" discount. The difference of \$4,000 is not an allowable match share expense. Another example is if the recipient actually pays \$10,000 but the vendor refunds \$4,000 – only the net \$6,000 is an allowable expense.
4. ***Foregone Salary, Fringe, Indirect or Other Types of Cost*** – For example, a person normally charges or is paid \$100 per hour but will only charge \$50 per hour towards the CEC and CARB award. Only actual costs incurred and paid to the employee are allowable. Therefore, if an employee is **actually** paid \$100 per hour and the CEC only reimburses at \$40 per hour, then the unreimbursed \$60 per hour is an allowable match share cost because this is an actual payment as opposed to a foregone salary amount. Volunteer labor (i.e., labor from a person who does not receive any compensation for their labor) may be an allowable in-kind match share expense if the value of the labor is reasonable and justified.
5. ***Property Not Owned by the Applicant*** – Donated property may not be claimed as match share.
6. ***Existing Property Owned by the Applicant*** – Applicants may not use the property's depreciation expense as a method to allocate the value of the property to the project.
7. ***Property Owned by a Related Party*** – Applicants may not use property owned by a related party as match share. Related parties are

individuals or other entities that are able to control or substantially influence the actions of the Applicant and includes spouses, board members, family members of principals or employees of the Applicant as well as property owned by principals/employees of the Applicant or project team.

8. ***Transportable DER***—DER for supplying power to electric vehicle chargers must be permanently installed on site. Transportable DER or DER not used to power electric vehicle chargers or the onsite production of hydrogen are not eligible as a reimbursable or match share expense.
9. ***Training for Compliance*** – Training for Occupational Safety and Health Administration (OSHA) requirements and other required compliance or regulatory training is not eligible as a reimbursable or match share expense.

III. Application Format, Required Documents, and Delivery

A. REQUIRED FORMAT FOR AN APPLICATION

This section contains the format requirements and instructions on how to submit an application. The format is prescribed to assist the Applicant in meeting State requirements and to enable the CEC and CARB to evaluate each application uniformly and fairly. Applicants must follow all application format instructions, answer all questions, and supply all requested data.

All applications submitted under this solicitation must use a standard 12-point font, single-spaced and a blank line between paragraphs. Pages must be numbered and sections titled.

B. METHODS OF DELIVERY

Electronic Submission through the Grant Solicitation System

The method of delivery for this solicitation is the CEC's [Grant Solicitation System](https://gss.energy.ca.gov/), available at <https://gss.energy.ca.gov/>. This online tool allows Applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation. Electronic files must be in Microsoft Word (.doc or .docx), Excel Office Suite (.xls or .xlsx), and Portable Document Format (.pdf) formats unless originally provided in the solicitation in another format. Completed Budget Forms (Attachment 6) must be in Excel format. The system will not allow applications to be submitted after the due date and time.

First time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. You may contact the CAO identified in the Questions section of the solicitation for more assistance.

C. PAGE LIMITATIONS

The number of pages for each Project Narrative is limited to 25 pages. Application forms, table of contents, Executive Summary, resumes, scopes of work, schedules of products and due dates, budget forms, contact lists, letters of support/commitment, CEQA worksheets, Local Health Impacts Information form, and vehicle Executive Orders do not count towards this page limitation.

D. APPLICATION ORGANIZATION

The table below describes the order in which the application documents must be submitted. Column three states the action the Applicant must take in either: 1) completing and submitting the document, template, or form included as part of this solicitation; or 2) providing the required information by creating their own

document. All attachments listed below are required as part of the application package. Failure to provide any attachments may result in disqualification of the application. Attachment requirements are expanded and explained below in this section.

Item	Attachment Number	Action Needed by Applicant
Application Form	Attachment 1	Complete form
Project Executive Summary	Attachment 2	Create referenced document
Project Narrative	Attachment 3	Create referenced document
Scope of Work/Work Plan	Attachment 4	Complete document from supplied template
Schedule of Products and Due Dates/Milestones	Attachment 5	Complete form
Budget Forms	Attachment 6	Complete form
Disadvantaged Communities Eligibility Determination	Attachment 7	Create referenced document
ZEV Workforce Plan	Attachment 8	Create referenced document
Procedure for Handling Confidential Information	Attachment 9	Complete form
Resumes/Applicant Qualifications	Attachment 10	Create referenced document
Contact List	Attachment 11	Complete form
Letters of Support/Commitment	Attachment 12	Create referenced document
CARB Executive Order	Attachment 13	Attach CARB Executive Order, if available
CEQA Worksheet	Attachment 14	Complete form
Local Health Impacts Information Form	Attachment 15	Complete form
Conflict of Interest Declaration	Attachment 16	Create referenced document

1. Application Form

Applicants must include a completed Application Form shown in Attachment 1.

The Application Form provides space for Applicants to describe project eligibility and Applicant eligibility, and provides the declaration, statements of commitment, and certifications to which an authorized representative of the Applicant must agree.

All Applicants must authorize the CEC and CARB to make any inquiries necessary to verify the information presented in the application. Further, all Applicants must authorize the CEC and CARB to obtain a credit report on the Applicant's organization.

All Applicants must certify under penalty of perjury under the laws of the State of California that:

- All confidential information submitted has been properly identified.
- All information in the application is correct and complete to the best of the Applicant's knowledge.
- The Applicant and project team have read and understand the terms and conditions and will accept them without negotiation if awarded.
- The Applicant has received any required licenses (such as copyrights or trademarks) applicable to the submitted application.
- The Applicant is neither delinquent on taxes nor suspended by the California Franchise Tax Board.
- The Applicant is registered to do business in California with the California Secretary of State.
- The Applicant and project team are in compliance with all regulations, and judgments, if any, issued against the Applicant or any members of the project team in any matter to which the CEC, CARB, or another public agency or entity is a party.
- The Applicant or any project partner is not in active litigation with the CEC or CARB regarding the Applicant's or project partner's actions under a current or past contract, grant, or loan with the CEC or CARB.
- The person electronically submitting the application through the [Grant Solicitation System](#) is an authorized representative of the Applicant.

For Applicants using the electronic submission through the Grant Solicitation System, checking the "I Agree" box and clicking the "I Agree & Submit" button provides confirmation of the required authorizations and certifications listed above.

As a result of COVID-19, the CEC and CARB, until further notice, have waived the requirement for a wet signature on application materials for this solicitation. No signature, even electronic, is necessary. This waiver only applies to application materials due from this point forward, until further notice. The notice regarding the waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>.

2. **Project Executive Summary**

The Project Executive Summary is a summary of the proposed project and should not include information that is not in the rest of the proposal. The Project Executive Summary will also serve as the required *Project Summary for Public Posting*. This document is required for all competitive applications for Low Carbon Transportation GGRF funds and will be publicly posted on [CARB's website](https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program-0) (<https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program-0>) for at least ten days before NOPA. The project summary must not exceed 500 words when printed using standard 8.5" by 11" paper, with a minimum of 1" margins (top, bottom, left, and right), and a font not smaller than 12-point.

The Project Executive Summary is a self-contained document that identifies:

- The name of the Applicant.
- The project technology demonstrator(s).
- The project title.
- The objectives of the project.
- A description of the project.
- If the project is to be located in or providing benefit to disadvantaged or low-income communities.
- Technologies to be utilized and supporting infrastructure.
- Potential benefits and outcomes.
- Major project partners (including major subcontractors).
- Total project cost.
- Requested funding amount.
- Match amounts proposed.
- Expected emission reductions from the entire project in criteria, toxic and GHG.

3. **Project Narrative**

The Project Narrative must include a table of contents (which will not count towards the page limitations) and a detailed description of the

proposed project, its operational goals and objectives, and an explanation of how these will be implemented through the tasks described in the Scope of Work/Work Plan.

Applicants must address each of the scoring criteria described in this solicitation by providing sufficient, unambiguous detail so that the evaluation team will be able to evaluate the application against each scoring criterion.

Applicants must not include internet addresses (URLs) as a substitute to providing information necessary to review the application. Applicants must provide bibliographic citations for any references cited, including names of all authors, the article and journal title, book title, volume number, page numbers, and year of publication.

a. Applicant and Project Team Experience and Qualifications

1. Describe the Applicant's experience and expertise developing, implementing, or administering similar demonstration projects and working with vehicle and equipment manufacturers, technology providers, and other stakeholders. Identify how this background will enable the Applicant to efficiently and effectively implement the Zero-Emission Drayage Truck and Infrastructure Pilot Project.
2. Describe how the Applicant and project team's experience and qualifications are well-rounded and suitable to the tasks described in the proposed Scope of Work.
3. Describe the Applicant and project team's ability to establish and adhere to realistic and aggressive timelines.
4. Demonstrate key project partners, such as identified end users of proposed vehicles or equipment, technology manufacturer(s), data collection and analysis provider, workforce training partners, and eligible community-based organizations, are committed to the proposed project. Describe verifiable related experience, identifying project size, location, and completed deadlines. Explain how key project partners' qualifications, skills, abilities, and relevant technical and business experience align with the needs of the project and with the successful completion of the project.
5. Demonstrate the ability of the truck manufacturer to build, deliver and put into service large numbers of zero-emission trucks in a timely manner. This discussion should address the ability to build the proposed trucks and plans for large scale commercialization of the trucks.

6. If Applicant has received an award(s) from a previous CEC or CARB solicitation, Applicant must describe how the requirements of the agreement(s) have been fulfilled/are being fulfilled.

b. Project Implementation

1. Describe how the trucks and infrastructure to be deployed are appropriate for the proposed project. Applications shall describe equipment manufacturers, charger connector/plug standards, fuel delivery methods (for hydrogen projects), security measures, and safety standards.
2. Describe the timeline for deploying zero-emission Class 8 trucks. Applications must include a deployment schedule that ensures successful project completion within the timeframe specified in this solicitation. Applications must also include information documenting total number of Class 8 trucks within the fleet that have the potential of being replaced with a zero-emission truck. Applications shall include plans for future vehicle acquisitions beyond project closeout.
3. Describe how the proposed project will successfully lead to understanding fleet dynamics for a large fleet of zero-emission trucks and supporting infrastructure at one site, including assessing the ability of fleets to recharge or refuel large numbers of trucks on a daily-basis, sometimes multiple times per day. If proposing to use a secondary site, describe how the purpose and function of the secondary site. Describe any other planned charging or refueling sites, beyond a proposed secondary site.
4. Explain how the Applicant and project team will meet the requirements for legal operations on California roadways, usage on port properties, rail yards, and other sites where funded trucks and equipment will be operated.
5. Explain how the Applicant will accomplish required government certification, classification society certifications, and verification protocols where applicable.
6. Describe how the Applicant will work with the utilities for fleet infrastructure upgrade planning.
7. Describe approaches, strategies, and partnerships needed for the development and implementation of the ZEV Workforce Plan (Attachment 8).
8. Describe how the tasks in the Scope of Work and the dates project's Schedule of Products and Due Dates are complete,

sequential, and will lead to successful and scheduled completion of the project.

9. Describe the proposed project site and document site control. Site control includes, but is not limited to leases or ownership, security, and access rights.
10. Include information documenting progress towards achieving compliance under CEQA. If CEQA compliance has not been obtained, Applicants must include a schedule showing a reasonable, realistic and expedited plan to obtain CEQA compliance by April 1, 2021. See Attachment 14 for CEQA requirements.
11. Include information documenting planned or unplanned truck and refueling equipment service support that will be deployed to address issues in the field when they arise. This can be personnel in maintenance, service, operations, and remote diagnostics in terms of availability, response times, and length of time servicing equipment.
12. Discuss how the trucks and fueling infrastructure will continue to operate beyond the term of CEC and CARB's grant agreements.

c. Project Budget

1. Discuss how the proposed budget implements cost-saving strategies that reduce total project costs of the proposed project.
2. Demonstrate that administration and overhead expenses are minimized.
3. Demonstrate the need for state funds for successful completion of the proposed project.
4. Include information documenting the source, type, availability, and amount of match share funds committed to the proposed project. Applicants should be as specific as possible when describing cash or in-kind match services (i.e. itemize staff time, equipment, consumables, or other costs that are being committed).

d. Environmental and Economic Benefits

1. The Applicant must use the methodology in Attachment 21 (Methodology for Determining Emission Reductions and Cost-Effectiveness) to determine emission reductions and cost-effectiveness of proposed projects and include the calculations and results here. Only variables from

Attachment 21 can be used to calculation emission benefits and cost effectiveness values reported in an application. Applicant supplied variables or methodology will not be used for performing the required calculations. If the Applicant believes that an alternate methodology better conveys the benefits of their proposed project that alternate methodology can be included in the application along with the required methodology described in Attachment 21. If additional emission factors are needed to complete an application only two sources are approved for use. GHG emission factors can be sourced from the CCI Quantification Methodology Emission Factor Database dated May 7, 2020. Criteria and toxic emission factors can be sourced the 2017 Carl Moyer Program Guidelines, as updated in 2017. All calculations and assumptions made must be shown clearly and in their entirety. **SHOW ALL MATH** used in calculations. Inaccurate calculations could result in disqualification.

2. Describe the proposed project's estimated reductions of GHG, criteria pollutant, and particulate matter (PM), for each truck or truck package and system efficiency or facility improvement. The GHG emission reductions are to be based on life cycle analysis (well to wheel) and calculated in metric tons of CO₂ equivalent reduced per year. Combined weighted criteria pollutant and PM emission reductions are to be based on exhaust emissions (tank to wheel) and calculated in tons reduced per year.
3. Describe and calculate the volume of petroleum transportation fuel(s) displaced annually by the proposed project in terms of diesel gallon equivalents (DGEs).
4. Describe how the proposed project will benefit disadvantaged communities, low-income communities, priority populations, and/or tribal lands using the CCI Priority Population Map¹⁵ to identify disadvantaged communities within the proposed project. Prepare Attachment 7, Disadvantaged Communities Eligibility Determination.
5. Describe how the Applicant will work with a community-based organization to ensure economic and demographic equity and community input.

¹⁵ Priority Population Map

(<https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm>)

6. Describe how the proposed project will result in California jobs creation and retention as a direct result of the proposed project. This should include job creation for the Applicant and project team. Applications must indicate whether the jobs are temporary or permanent and whether the jobs are located inside or outside of California. Include assumptions and background information to support any multiplier effects being claimed.
7. Describe how the proposed project directly increases local and regional economic activity.
8. Complete and include results for the following cost-effectiveness calculations:
 - a) Dollars per metric ton of GHG emissions (in CO₂ equivalent) reduced during the actual proposed project over a 2-year operational timeline for each vehicle and piece of equipment.
 - b) Dollars per metric ton of GHG emissions (in CO₂ equivalent) reduced, two years after the conclusion of the proposed project and based on a 10-year useful life for each vehicle and piece of equipment.
 - c) Dollars per ton of combined criteria pollutant and weighted PM emissions reduced during the actual proposed project over a 2-year operational timeline for each vehicle and piece of equipment.
 - d) Dollars per ton of combined criteria pollutant and weighted PM emissions reduced two year after the conclusion of the proposed project and based on a 10-year useful life for each vehicle and piece of equipment.
 - e) Dollars per metric ton of GHG emissions (in CO₂ equivalent) reduced during the actual proposed project over a 2-year operational timeline that include the project in its entirety.
 - f) Dollars per metric ton of GHG emissions (in CO₂ equivalent) reduced, two year after the conclusion of the proposed project and based on a 10-year useful life that include the project in its entirety.

e. Vehicle Readiness and Degree of Commercialization

1. Provide an Executive Order as Attachment 13, issued by CARB at the time of application submissions or explain how

an Executive Order is expected to be issued from CARB on or before June 1, 2022.

2. Demonstrate that trucks deployed will meet or exceed the minimum daily range.
3. Demonstrate the ability of the end-user fleet to operate large numbers of zero-emission trucks.
4. Describe how the funded trucks will stay in commercial operation in California after the term of the proposed project.

4. Scope of Work/Work Plan Template

Applicants must include a completed detailed Scope of Work/Work Plan utilizing the template contained in Attachment 4. The Scope of Work/Work Plan should detail each specific task that is required to complete the pilot project. Instructions for completing the Scope of Work/Work Plan as well as a sample are included in Attachment 22. The description of activities proposed in the Project Narrative must conform to the Tasks described in the Scope of Work/Work Plan. Electronic files for the Scope of Work/Work Plan must be in MS Word.

Applicants must present a comprehensive and credible Scope of Work/Work Plan, which includes (presented in a logical manner) comprehensive and sequential tasks, products resulting from the individual tasks, and how the tasks are related to or are dependent on each other.

5. Schedule of Products and Due Dates/Project Milestones

Applicants must include a completed Schedule of Products and Due Dates detailing Task/Milestone completion (Attachment 5). The Schedule of Products and Due Dates/Milestones should be in a format that shows a logical sequence of tasks with project deliverables easily identifiable. Tasks/Milestones must be linked to specific tasks and deliverables detailed in the Project Scope of Work/Work Plan and illustrated in the Budget. The trucks and infrastructure must be completely deployed and operational by June 15, 2023. All reimbursable work for the **CARB tasks** must be scheduled for completion by no later than **March 31, 2025** and all reimbursable work for **CEC tasks** must be scheduled for completion no later than **March 31, 2026**. This is to allow for timely processing of final invoices before the liquidation date of the funds. All disbursement amounts must be tied to a task; however, it is not necessary for every task to be paired with a disbursement request. Instructions for the Schedule of Products and Due Dates are included in Attachment 5. Electronic files for the Schedule of Products and Due Dates must be in MS Excel format.

6. Budget Forms

The proposed budget must include all estimated labor, material, equipment, construction, and installation costs associated with the project.

- a. The Applicant must submit information on **all** budget forms contained in Attachment 6. All budget forms are required because they will be used for the developing grant agreements with the winning Applicant(s). A separate set of complete budget forms, including the full set of worksheets, is required for each subcontract containing \$100,000 or more of CEC and CARB funds.
- b. Detailed instructions for completing these forms are included at the beginning of Attachment 6.
- c. Rates and personnel shown must reflect rates and personnel charged under a grant agreement resulting from this solicitation. The salaries, rates, and other costs entered on these forms become a part of the final grant agreements. The entire term of the grant agreements and projected rate increases must be considered when preparing the budget. The rates proposed are considered capped and shall not change during the term of the agreements. The Awardee shall only be reimbursed for their **actual** rates up to these rate caps. The hourly or monthly rates provided shall be unloaded (before fringe benefits or indirect costs).
- d. The information provided in the Budget forms will **not** be kept confidential.
- e. All reimbursable expenditures must be expended within the approved term of the grant agreements. Expenditures may be counted as match share only after the CEC and CARB notify the Applicant that its project has been proposed for an award through the release of a NOPA and the issuance of a preliminary award letter by CARB; however, expenditures incurred prior to the full execution of a grant agreements are made at the Applicant's own risk.
- f. Applicants must budget for permits, fees, insurance, etc. Expenditures for permitting or insurance are not reimbursable. However, these expenditures can be included as match share expenditure.
- g. The Budget must allow for the preparation and submission of quarterly progress reports and a Final Report that meet state Americans with Disability Act (ADA) web accessibility standards as

specified in Web Content Accessibility Guidelines¹⁶ during the approved term of the grant agreements.

- h. The purchase of equipment (defined as items with a unit cost greater than \$5,000 and a useful life of greater than one year) will require disposition of purchased equipment at the end of the project (see Attachment 17 on terms of disposition). Typically, Awardees may continue to utilize equipment purchased with CEC and CARB funds as long as the use is consistent with the intent of the original grant agreements. ***There are no disposition requirements for equipment purchased with match share funding.***
- i. The Budget must reflect estimates for ***actual*** costs to be incurred during the approved term of the project. The CEC and CARB can only approve and reimburse for actual costs that are properly documented in accordance with the Terms and Conditions (Attachments 17 and 18).
- j. Applicants shall NOT budget for, and CANNOT be reimbursed for, more than their actual allowable expenses (i.e., the budget cannot include profit, fees, or markups) under the grant agreements. For tasks that are billed on a time and materials basis, subcontractors (all tiers) are allowed to include up to a maximum total of 10 percent profit, fees or mark-ups on their own actual allowable expenses less any expenses further subcontracted to other entities (i.e., profit, fees and markups are not allowed on subcontractor expenses). For example, if a subcontractor has \$100,000 in actual allowable costs but has further subcontracted \$20,000 to another entity, then the subcontractor can only include up to 10 percent profit on \$80,000 (\$100,000 minus \$20,000). See terms and conditions for more information on allowable costs.
- k. ***IMPORTANT - Payment of Prevailing Wage:*** Applicants must read and pay particular attention to the CEC's and CARB's Terms and Conditions (Attachments 17 and 18) and the section related to Public Works and Payment of Prevailing Wages. Prevailing wage rates can be significantly higher than non-prevailing wage rates. Failure to pay legally-required prevailing wage rates can result in substantial damages and financial penalties, termination of the grant agreements, disruption of projects, and other complications.

7. Disadvantaged Communities Eligibility Determination

¹⁶ [Web Content Accessibility Guidelines 2.1](https://webstandards.ca.gov/accessibility/) (https://webstandards.ca.gov/accessibility/)

Applicants must prepare and include a Disadvantaged Communities Eligibility Determination (Attachment 7). Attachment 7 will not count towards the page limitations of the Project Narrative section.

Project location is an important consideration in scoring an application for funding. Location in a disadvantaged or low-income community is not required to be eligible for funding. However, in accordance with the evaluation criteria, applications will be evaluated, in part, on the degree to which the proposed project benefits disadvantaged or low-income communities. At least 90 percent of the Low Carbon Transportation funds must be spent on projects located in or providing benefit to disadvantaged or low-income communities. Applicants must show whether the pilot project is at a physical address in a disadvantaged or low-income community, and if the project benefits a disadvantaged community or low income community or both.

Disadvantaged or low-income community status is determined using CCI's Priority Population Map. This map shows disadvantaged and low-income communities as defined for CCI and based on the CalEnviroScreen 3.0 screening tool, taking into account eligible low-income communities. CalEnviroScreen is a screening methodology that is used to help identify California communities that are disproportionately burdened by multiple sources of pollution. CCI's [Priority Population Map](#) gives scores to every census tract in the state. Those census tracts in the 75th percentile or higher are identified as disadvantaged communities. Low-income communities are defined as the census tracts that are either at or below 80 percent of the statewide median income. CCI's Priority Population Map can be found at:

<https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm>

Projects must meet at least **one** of the following criteria focused on reducing air pollution for disadvantaged or low-income community residents:

- a. Project providing incentives for zero-emission Class 8 trucks or equipment with a registration or domicile address or operate more than 50 percent of the time in a census tract or tracts within a disadvantaged or low-income community, demonstrating that the project is in a disadvantaged or low-income community.
- b. Project providing incentives for zero-emission Class 8 trucks or equipment that provide meaningful criteria air pollutant or toxic air contaminant emission reductions in a census tract or tracts that contains a disadvantaged or low-income community, demonstrating

that the project is in and providing benefit to the disadvantaged or low income community.

If a facility is partially located in a disadvantaged or low-income community, then the project located at that facility is, regardless of the exact site location, considered located in a disadvantaged or low-income community.

8. ZEV Workforce Plan

All Applicants shall prepare a ZEV Workforce Plan for the project. The ZEV Workforce Plan shall include, but is not limited to, identification and discussion of personnel, classifications or titles, occupations, proposed training and curricula, how training may be conducted, performance and evaluation metrics, training location(s), training methodology, hiring plan, workforce partnerships, and data on compliance with EVITP, including certification data of allowable personnel. This ZEV Workforce Plan is for planning, curricula development, and training of eligible personnel. The ZEV Workforce Plan is limited to personnel in the direct maintenance, operations, and service of the project trucks and funded infrastructure. Personnel, such as construction subcontractors, administrative staff, and executive officers shall not be included in the plan. Applicants can request up to \$100,000 in funding for the ZEV Workforce Plan. The ZEV Workforce Plan (Attachment 8) will not count towards the page limitations of the Project Narrative section.

9. Procedure for Handling Confidential Information

The CEC and CARB prefers that you do not include confidential information (e.g., trade secrets) in your proposal; however, if you find it necessary to include such information, clearly label it "Confidential", and submit under a separate cover. The CEC and CARB will protect it as confidential information to the degree allowed by the CEC and CARB regulations on information disclosure in conformance with State law (see Title 17, California Code of Regulations, section 91000, et seq.). The CEC and CARB will not disclose data identified by an Applicant as confidential, except as required by law; however, because of the legal requirements for disclosure of some kinds of information, Applicants are advised that The CEC and CARB cannot provide an absolute guarantee that all material designated as confidential will not be disclosed to the public. Also, the State cannot accept legal liability for such disclosure. If such restrictions are not acceptable to you, DO NOT INCLUDE CONFIDENTIAL MATERIAL IN YOUR PROPOSAL. Please refer to Attachment 9 for Confidentiality Provision and signature.

10. Résumés/Applicant and Project Team Qualifications

Applicants must include résumés for key personnel identified in the project narrative. Résumés are limited to a maximum of 2 pages each and do not count towards the page limitations.

- a. **Staff Information:** Attach résumés for each staff member to be involved in developing, implementing, or administering the Zero-Emission Drayage Truck and Infrastructure Pilot Project. Clearly identify staff proposed for day-to-day project implementation. Each résumé should have the following information:
 - Name
 - Title
 - Phone number
 - Email
 - Hourly pay rate
 - Experience
 - Expected duties during the project

- b. **Project Team Information:** Applicants may partner with other entities. Responsibility for deliverables lies with the Applicant, and the grant will be awarded only to the Applicant. Provide the names and information for all subcontractors and partners. Do not include personal information such as home address or non-business phone numbers or email addresses. Each résumé should have the following information:
 - Name
 - Title
 - Business phone number and email address
 - Email
 - Hourly pay rate
 - Experience
 - Expected duties during the project

11. Contact List

Applicants must include a completed Contact List (Attachment 11) by including the appropriate points of contact for the Applicant. The CEC and CARB will complete the CEC and CARB points of contact during the development of the grant agreements.

12. Letters of Support/Commitment

Applicants must include appropriate letters of support or letters of commitment. Letters must include sufficient contact information so that the CEC and CARB are able to efficiently contact the letter writer, as

necessary. Letters must be limited to 2 pages each, which do not count toward the page limitations.

- a. **Site Owner/Operator (Mandatory):** Applications shall include a current letter of commitment from the owner/operator of the site(s) at where the trucks and infrastructure will be located. The letter shall be signed and dated by the site owner or representative who is duly authorized to commit the site to building heavy-duty electric vehicle chargers and/or a hydrogen fueling station at their site in collaboration with the project developer. The letter shall also contain a telephone number and email address to allow the CEC and CARB to contact the site owner or representative to confirm the commitment and authority to commit to the proposed project.
- b. **Key Project Partners (Mandatory):** Key project partners identified in the application must provide letters demonstrating their commitment to the proposed project and their ability to fulfill their identified roles. This includes a letter of support from at least one CBO.
- c. **Match Share Contributors (Mandatory, either project partner or Applicant):** All match share contributors must identify the intended amount of match, the funding source(s), and state that the match share contributor will provide the identified match funding. Letters of commitment from match share contributors must contain a telephone number to allow the CEC and CARB to contact the match share partner or representative to confirm their authority to commit matching funds to the proposed project. Match share contributions being made by public entities can include proposed funding contribution amounts in their letter of commitment with the understanding that grant agreements for selected projects scored based on a proposed match amount cannot be executed without a formal board resolution authorizing the match amount.
- d. **Letters of Support (Optional):** Applicants are encouraged to submit letter(s) of support that substantiate the estimated demand and/or the potential benefits of the proposed project. Letters of support can be provided by, but are not limited to, air districts, federal, state, or local governmental agencies, workforce entities, CBOs, local safety officials, potential users of the proposed project, and any other relevant organizations.

13. **CARB Executive Order**

If an Executive Order is available at the time of application for trucks to be funded under this project, provide an Executive Order issued by CARB at the time of application submission. If there is no Executive Order available

at the time of application, explain how an Executive Order is expected to be issued from CARB on or before June 1, 2022. CARB will not reimburse Awardee for trucks until an Executive Order is available for the truck.

14. California Environmental Quality Act

Each proposed project may be subject to California Environmental Quality Act (CEQA) compliance, as well as permitting and other requirements (Ca. Public Resources Code Section §§ 21000 et seq.). All applications must adhere to the requirements specified in this section.

CEQA requires public agencies to identify the significant environmental impacts of their discretionary actions and to avoid or mitigate them, if feasible. Under CEQA, an activity that may cause either a direct or reasonably foreseeable indirect physical change in the environment is generally considered a project. Any project funded under this program may be considered a project under CEQA if it will cause a direct or reasonably foreseeable indirect physical change in the environment. Agencies must comply with CEQA before they discretionally approve a project. For projects that are exempt from CEQA, agencies may prepare and file a Notice of Exemption.

Applicants must complete the detailed CEQA Worksheet (Attachment 14) and submit it with their application. This worksheet will help Applicants and the CEC and CARB determine CEQA compliance obligations by identifying which projects may require more extensive CEQA review. Failure to complete the worksheet may lead to disqualification of the proposal. In the worksheet, the Applicant shall provide a detailed description of the project and all of its components, as well as any direct physical changes and reasonably foreseeable indirect changes to the surrounding environment.

The Applicant must provide in Attachment 14 the following information as it pertains to the proposed project prior to receiving any funds:

- a. Proposed Location: The Applicant must provide the specific address or equivalent location information for the proposed project.
- b. Permits: The Applicant must identify the permits necessary for the project in the proposal narrative. If no permits are necessary, then the Applicant must state that in Attachment 14.
- c. Project Impacts: The Applicant must describe the direct physical changes and reasonably foreseeable indirect changes to the surrounding environment that may result from the project, if any. Please see CEQA Worksheet (Attachment 14).

- d. Identify CEQA Lead Agency: The lead agency is the public agency that has the greatest responsibility for carrying out or approving a project and for preparing environmental review documents under CEQA. The lead agency is the public agency that has the greatest responsibility for approving the project as a whole. When issuing grants, CEC or CARB is typically a Responsible Agency under CEQA, which means that they must make CEQA findings based on review of the lead agency's environmental documents approving the physical project subject to funding. While rare, if CEC or CARB is the only public agency with discretionary approval authority over the project, then CEC or CARB may act as the lead agency and prepare its own environmental documents (based on analysis provided by the Applicant). The lead agency will be identified using the following process:
 - i. Where the proposed project would require a discretionary approval from another permitting agency, the Applicant must identify the CEQA lead agency in the application and include documentation demonstrating that contact has been made with the lead agency with jurisdiction over the project for purposes of complying with CEQA. The documentation may be in the form of a letter from the lead agency that is stamped as received by the local agency.
 - ii. If CEC or CARB are the only agencies with discretionary approval over the proposed project, then CEC or CARB will act as the lead agency and will work with the applicant to satisfy CEQA requirements.

Regardless of which agency is the lead agency for a proposed project, the Applicant shall be responsible for all costs associated with preparation of environmental review documents. The Applicant may also be required to retain a consultant to perform environmental studies as appropriate. The Applicant shall also be responsible for all costs associated with defending any third-party legal challenge against the grant agreement or the environmental review documents prepared in support of entering into the grant agreement, which shall be a provision included in the grant agreement with CARB.

Projects recommended for funding must complete the CEQA process by **April 1, 2021**. The CEC and CARB reserve the right to cancel proposed awards that do not meet this CEQA compliance deadline and recommend funding for the next, highest-scoring passing proposal submitted under this solicitation.

Applicants are encouraged to provide documentation of communication with the local lead agency, if one exists (e.g., a county or city). Documentation such as a completed notice of exemption, a letter from the local agency acknowledging their role in the CEQA process, or a permit application to the lead agency that is stamped as received. If no CEQA review would be required by the local lead agency, provide documentation (letter or e-mail) from the local agency explaining why not.

Prior to approval of a proposed award, the CEC and CARB must comply with CEQA. To comply with CEQA, the CEC and CARB must have CEQA-related information from Applicants and sometimes other entities, such as local governments, in a timely manner. Unfortunately, even with this information, the CEC and CARB may not be able to complete its CEQA review prior to the encumbrance deadline for every project. For example, if a project requires an Environmental Impact Report, the process to complete it can take many months. For these reasons, it is critical that Applicants organize project applications in a manner that minimizes the time required for the CEC and CARB to comply with CEQA and provide all CEQA-related information to the CEC and CARB in a timely manner such that the CEC and CARB are able to complete their review in time to meet encumbrance deadlines.

15. Local Health Impacts Information Form

Applicants must complete and submit a Local Health Impacts Information Form (Attachment 15). The CEC requires this information to assist in developing and publishing a localized health impact report.

16. Conflict of Interest Declaration

All Applicants must disclose any Conflict of Interest with their ability to fulfill the duties of the Zero-Emission Drayage Truck and Infrastructure Pilot Project Awardee. Summarize your organization's or any subcontractor's (as identified in Attachment 2, Project Executive Summary, of this application) current, ongoing, or pending direct or indirect interest, which poses an actual, apparent, or potential conflict of interest with the Awardee's ability to fulfill the duties of the grant agreements. These may include but are not limited to financial arrangements with or interest in zero-emission technology providers, vehicle manufacturers, or related organizations. The CEC and CARB may consider the nature and extent of any potential or apparent conflict of interest in evaluating, considering, or scoring the application and may disqualify the Applicant at the CEC and CARB's sole discretion.

IV. Evaluation Process and Criteria

A. APPLICATION EVALUATION

Applications will be evaluated and scored based on the responses to the information requested in this solicitation. The entire evaluation process from receipt of applications to posting of the Notice of Proposed Award and issuance of preliminary award letters is confidential.

To evaluate all applications, the CEC and CARB will organize an Evaluation Committee. The Evaluation Committee will consist of CEC and CARB staff and may include staff of other California state entities.

1. Screening Criteria

The CEC's Contracts, Grants and Loans Office, in consultation with CARB staff, will screen applications for compliance with the Administrative Screening Criteria. The Evaluation Committee will screen applications for compliance with the Technical Screening Criteria. Applications that fail any of the Administrative or Technical Screening Criteria shall be disqualified and eliminated from further evaluation.

2. Administrative Screening Criteria

ADMINISTRATIVE SCREENING CRITERIA <i>The Application must pass ALL administrative screening criteria.</i>	Pass/Fail
1. The application is received by the CEC's Contracts, Grants, and Loans Office by the due date and time specified in the "Key Activities Schedule" in Section I of this solicitation.	<input type="checkbox"/> Pass <input type="checkbox"/> Fail
2. The Applicant provides the required authorizations and certifications as specified in Section II.A.4 and Section III.D.1.	<input type="checkbox"/> Pass <input type="checkbox"/> Fail
3. The Applicant has not included a statement that is contrary to the required authorizations and certifications as specified in Section II.A.4 and Section III.D.1.	<input type="checkbox"/> Pass <input type="checkbox"/> Fail

3. Technical Screening Criteria

- a. The Applicant is an eligible Applicant.
- b. The project is an eligible project.
- c. The project meets the minimum match share requirements.
- d. The Applicant or subcontractors do not have a conflict of interest preventing the ability of the Applicant to fulfill the duties of the proposed project.

4. Grounds to Reject an Application

In addition to the Screening Criteria identified within this solicitation, the CEC and CARB reserve the right to reject an application and/or cancel an award if at any time during the application or grant agreement process the following circumstances are discovered:

- a. The application contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
- b. The application is intended to erroneously and fallaciously mislead the State in its evaluation of the application and the attribute, condition, or capability is a requirement of this solicitation.
- c. The application does not literally comply or contains caveats that conflict with the solicitation and the variation or deviation is material or it is otherwise non-responsive.

5. Technical Evaluation

Applications passing all administrative and technical screening criteria will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

The Evaluation Committee reserves the right to request clarifying questions of the Applicant during the scoring process. Questions will be submitted in writing to the Applicant and responses will be provided by a date and time indicated in the initial request for clarifying information. Responses to clarifying questions will not be used as a basis for scoring but will be considered part of the application for purposes of grant development and project implementation. Applicants will not be reimbursed for time spent answering clarifying questions.

The total score for each application will be the average of the combined scores of all Evaluation Committee members. A minimum score of 70 percent is required for the application to be eligible for funding.

The CEC and CARB will recommend awards to the highest ranked projects (according to final overall application score) until available funding under this solicitation has been exhausted.

B. NOTICE OF PROPOSED AWARDS AND PRELIMINARY AWARD LETTERS

The results of the evaluation will be posted in a NOPA and will include the recommended funding level and the rank order of Applicants. The CEC and CARB will publish the NOPA on the CEC's and CARB's website. The CEC and CARB will also issue Preliminary Award letters to those project Applicants that are selected

for funding. The preliminary selection of a project does not in any way commit the CEC or CARB to approve the proposed award.

C. DEBRIEFINGS

Applicants may request a debriefing after the release of the NOPA. A request for debriefing should be received no later than 15 days after the NOPA is released.

D. SCORING SCALE

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria.

Percent of Possible Points	Interpretation	Explanation for Percentage Points
0 percent	Not Responsive	Response does not include or fails to address the requirements being scored. The omissions, flaws, or defects are significant and unacceptable.
10-30 percent	Minimally Responsive	Response minimally addresses the requirements being scored. The omissions, flaws, or defects are significant and unacceptable.
40-60 percent	Inadequate	Response addresses the requirements being scored, but there are omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
70 percent	Adequate	Response adequately addresses the requirements being scored. Any omissions, flaws, or defects are inconsequential and acceptable.
75 percent	Between Adequate and Good	Response better than adequately addresses the requirements being scored. Any omissions, flaws, or defects are inconsequential and acceptable.
80 percent	Good	Response fully addresses the requirements being scored with a good degree of confidence in the Applicant's response or proposed solution. There are no identified omissions, flaws, or defects. Any identified weaknesses are minimal, inconsequential, and acceptable.
85 percent	Between Good and Excellent	Response fully addresses the requirements being scored with a better than good degree of confidence in the Applicant's response or proposed solution. There are no identified omissions, flaws, or defects. Any identified weaknesses are minimal, inconsequential, and acceptable.
90 percent	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the

		Applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.
95 percent	Between Excellent and Exceptional	Response fully addresses the requirements being scored with a better than excellent degree of confidence in the Applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.
100 percent	Exceptional	All requirements are addressed with the highest degree of confidence in the Applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

E. EVALUATION CRITERIA

Criterion	Possible Points
<p>1. Applicant and Project Team Experience and Qualifications</p> <p>Applications will be evaluated on the degree to which:</p> <ul style="list-style-type: none"> • The Applicant and project team qualifications (including relevant expertise, experience, and skill sets) are suitable to the tasks described in the proposed Scope of Work. • The Applicant and project team demonstrate the ability to establish and adhere to realistic and aggressive timelines. • The Applicant and project team have verifiable related experience. • The Applicant demonstrates the ability of the truck manufacturer to successfully build, deliver, and put into service the proposed zero-emission trucks in a timely manner for the proposed project. • The Applicant has performed satisfactorily under other CEC or CARB funded agreements and has fulfilled/is fulfilling agreement requirements. 	15
<p>2. Project Implementation</p> <p>Applications will be evaluated on the degree to which:</p>	25

<ul style="list-style-type: none"> • The vehicles and equipment to be deployed is appropriate for the proposed project and leads to the successful deployment of zero-emission drayage and regional haul trucks. • The project timeline is expedited and the timeline for vehicle deployment aligns closely with infrastructure installation. • The Applicant demonstrates how the proposed project will successfully lead to future vehicle acquisition from the end-users of zero-emission heavy-duty vehicles beyond project closeout. • The Applicant demonstrates how the proposed project will successfully lead to understanding fleet dynamics for a large fleet of zero-emission trucks and supporting infrastructure at one site. • The Applicant explains how the project team will meet the requirements for legal operations on California roadways, usage on port properties, rail yards, and other sites where funded trucks and equipment will be operated. • The Applicant explains how the project team will accomplish required government certification and verification protocols, such as CARB’s Executive Order, infrastructure construction permits, and licenses to operate. • The Applicant explains how they will work with its electrical utility provider for fleet upgrade planning, to ensure that the infrastructure will have enough electricity to charge or fuel the trucks. • The approaches, strategies, and partnerships are appropriate to effectuate the development and implementation of the ZEV Workforce Plan. • The tasks in the Scope of Work and the dates in the project schedule are complete, sequential, and will lead to successful completion of the project. • The Applicant has secured site control for the proposed project. • The Applicant has progressed in achieving compliance under CEQA or has a reasonable, realistic, and expedited plan to obtain CEQA compliance by April 1, 2021. • The Applicant has mobile fleet service support that can be deployed to address issues in the field if they arise. 	
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<ul style="list-style-type: none"> The proposed vehicles and equipment are expected to continue to operate beyond the term of the CEC and CARB’s grant agreements. 	
<p>3. Project Budget</p> <p>Applications will be evaluated on the degree to which:</p> <ul style="list-style-type: none"> The proposed budget implements cost-saving strategies that reduce total project costs of the proposed project. Administrative and overhead expenditures are minimized. The Applicant demonstrates the need for state funds for successful completion of the proposed project. The budget forms are filled out completely and accurately. Match share funds are documented, committed to by a formal letter from the entity providing the match, and readily available for the proposed project. 	15
<p>4. Environmental and Economic Benefits</p> <p>Applications will be evaluated on the degree to which:</p> <ul style="list-style-type: none"> The proposed project is located in disadvantaged or low income communities. The proposed project directly increases local and regional economic activities. The proposed project directly results in California jobs creation or retention. The proposed project reduces annual lifecycle GHG emissions (expressed in metric tons CO₂), criteria pollutants, particulate matter (PM), and toxic air contaminant emissions for each vehicle, piece of equipment, system efficiency or facility improved in total. The proposed project displaces petroleum transportation fuel(s) in terms of diesel gallon equivalents (DGEs). The Applicant engages a community-based organization to ensure economic and demographic equity and community input. The proposed project’s expenditures are cost-effective and maximize benefits for each dollar spent from reimbursable funds. 	25
<p>5. Vehicle Readiness and Degree of Commercialization</p> <p>Applications will be evaluated on the degree to which:</p>	20

<ul style="list-style-type: none"> • The Applicant has a reasonable, realistic, and expedited plan to obtain an Executive Order from CARB by June 1, 2022. • The proposed project has a reproducible emission test for internal combustion engines to verify the emission benefits from the use of the proposed vehicle technologies. The proposed project deploys trucks that exceed the minimum daily range. • The proposed project maximizes the number of zero-emission trucks deployed. • The proposed project maximizes the number of zero-emission trucks deployed within a single fleet. • The trucks are expected to stay in commercial operation in California after the term of the proposed project. 	
Total Possible Points	100
Minimum Passing Score (70%)	70

F. TIE BREAKERS

If the score for two or more applications are tied, the application with a higher score in the following criterion in the given order will be ranked higher.

1. Proposal with highest "Environmental and Economic Benefits" score.
2. Proposal with highest "Project Implementation" score.
3. Proposal with the highest "Applicant and Project Team Experience and Qualifications" score.
4. Proposal with the highest "Project Budget" score.
5. If still tied, an objective tiebreaker (such as a random drawing or coin toss) will be utilized.

V. Administration

A. DEFINITION OF KEY WORDS

Important definitions for this solicitation are presented below:

Word/Term	Definition
Applicant	Respondent to this solicitation
Application	Formal written response to this document from Applicant
AQIP	Air Quality Improvement Plan
Awardee	An Applicant that was awarded a grant
BEV	Battery Electric Vehicle
Board	California Air Resources Board
CalEPA	California Environmental Protection Agency
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CARB	California Air Resources Board
CBO	Community-Based Organization
CCI	California Climate Investments
CEC	California Energy Commission
CEQA	California Environmental Quality Act
Clean Transportation Program	Formerly known as the Alternative and Renewable Fuel and Vehicle Technology Program
DER	Distributed Energy Resources
EO	CARB Executive Order
EVITP	Electric Vehicle Infrastructure Training Program
EVSE	Electric Vehicle Supply Equipment
EVSP	Electric Vehicle Service Provider
GAAP	Generally Accepted Accounting Principles
GFO	Grant Funding Opportunity refers to this entire solicitation document and all its attachments, appendices and exhibits
GGRF	Greenhouse Gas Reduction Fund
HSP	Hydrogen Safety Panel
HVIP	Clean Truck and Bus Voucher project
MD/HD	Medium-duty and heavy-duty
NOPA	Notice of Proposed Award
NREL	National Renewable Energy Laboratory
Project Team	Consisting of the Applicant and identified end users of the proposed vehicles or equipment, technology manufacturer(s), data collection and analysis provider(s), eligible community-based organization(s) (CBOs), infrastructure provider(s), and subcontractor(s)
Site Control	The Applicant has control of the property through one or more of the following:

	<ul style="list-style-type: none"> • Owns the site • Is the lessee of the site • Is the holder of an easement, right-of-way grant, or similar instrument with respect to the site
Solicitation	Grant Funding Opportunity, which refers to this entire solicitation document and all its attachments, appendices and exhibits
State	State of California
VGI	Vehicle-grid integration
ZEV	Zero-emission vehicle

B. COST OF DEVELOPING APPLICATION

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State. In addition, the CEC and CARB are not liable for any costs incurred during environmental review or as a result of withdrawing a proposed award or canceling the solicitation.

C. GOVERNING BOARD RESOLUTION

If applicable, the Applicant will be required to submit a resolution of its governing board prior to execution of the grant agreements that commits the agency/organization to:

- Comply with the requirements of this Solicitation.
- Accept the grant funds from the CEC and CARB.
- Allocate any funding that the Awardee has committed to be part of a project application.

It is recommended that the resolution allow for grant amendments without governing board approval, if possible. If the public agency or non-profit organization does not have a governing board, then a binding written commitment from an official of the agency that has authority to enter into contractual obligations will be required to fulfill the above commitments.

If the public agency or non-profit organization that is submitting the application contributes a match to the project, the governing board resolution shall authorize the agency’s or organization’s legally authorized official to supply sufficient funding to meet the stated match commitment. Letters of commitment from public agencies can have a proposed amount of match funding and will be considered as a committed match amount, but the governing board resolution is needed to validate this committed match before the grant agreements can be executed. Signed grant agreements and approved governing board resolutions need to be in place on or before the execution of grant agreements.

D. SOLICITATION CANCELLATION AND AMENDMENTS

It is CEC's and CARB's policy to not solicit applications unless there is a bona fide intention to award grant agreements. However, if it is in the State's best interest, the CEC and CARB reserve the right to do any of the following:

- Cancel this solicitation.
- Revise the amount of funds available under this solicitation.
- Amend this solicitation as needed.
- Reject any or all applications received in response to this solicitation.

If the solicitation is amended, the CEC and CARB will send an addendum notification to all parties who have signed up for the CEC's List Serve and CARB's GovDelivery and will post the addendum on the [CEC website](http://www.energy.ca.gov/contracts) at www.energy.ca.gov/contracts and [CARB's website](https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low) at <https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/low>.

E. ERRORS

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the Applicant shall immediately notify the CEC or CARB of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given in a written addendum to the solicitation without divulging the source of the request for clarification. The CEC and CARB shall not be responsible for failure to correct errors.

F. MODIFYING OR WITHDRAWAL OF APPLICATION

An Applicant may, by letter or E-mail to the CAO at the CEC, withdraw or modify a submitted application before the deadline to submit applications. Applications cannot be changed after that date and time. An application cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: "This application and the cost estimate are valid for 60 days."

G. IMMATERIAL DEFECT

The CEC and CARB may waive any immaterial defect or deviation contained in an Applicant's application. The CEC and CARB's waiver shall in no way modify the application or excuse the successful Applicant from full compliance.

H. DISPOSITION OF APPLICANT'S DOCUMENTS

The entire evaluation process from receipt of applications up to the posting of the Notice of Proposed Award is confidential. On the Notice of Proposed Award posting date, or date of solicitation cancellation, all applications and related material submitted in response to this solicitation become a part of the property of the State and may become public record. Applicants who want any work

examples they submitted with their applications returned to them shall make this request and provide either sufficient postage or a Courier Charge Code to fund the cost of returning the examples.

I. APPLICANTS' ADMONISHMENT

Applicants must take the responsibility to carefully read the entire solicitation, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, and make sure that all procedures and requirements of the solicitation are followed and appropriately addressed.

J. GRANT AGREEMENT REQUIREMENTS

For each funded project resulting from this solicitation, two grant agreements will be required: one with the CEC and one with CARB. The content of this solicitation and each grant Awardee's application shall be incorporated by reference into each agency's final grant agreements. See both the CEC and CARB grant agreement terms and conditions included in this solicitation (Attachments 17 and 18).

The CEC and CARB reserve the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If the CEC and CARB are unable to successfully negotiate and execute grant agreements with an Applicant, the CEC and CARB, at their sole discretion, reserve the right to cancel the pending award and fund the next highest ranked eligible project.

The CEC and CARB must formally approve all proposed grant awards. Clean Transportation Program grant agreements for over \$75,000 must be scheduled and considered at a CEC Business Meeting for approval by the CEC.

The CEC and CARB will send the approved grant agreements, including the general terms and conditions and any additional terms and conditions, to the Awardee for review, approval, and signature. Once the Awardee signs, the CEC and CARB will fully execute the grant agreements. **Awardees cannot incur reimbursable expenditures until both the CEC and CARB agreements are fully executed.**

Sub-agreements between the technology manufacturer(s) and the Awardee should be in place before non-administrative work can begin.

K. NO GRANT AGREEMENT UNTIL SIGNED AND APPROVED

No CEC grant agreement between the CEC and the successful Applicant is in effect until the CEC grant agreement is approved at a CEC Business Meeting, signed by the Awardee, and signed by the authorized CEC representative(s).

No CARB grant agreement between CARB and the successful Applicant is in

effect until the CARB grant agreement is signed by the Awardee and signed by the authorized CARB representative(s).

The CEC and CARB reserve the right to modify the award documents prior to executing the grant agreements.

L. No MODIFICATIONS TO THE GENERAL PROVISIONS

If an Applicant at any time, including after the NOPA, attempts to negotiate, or otherwise seeks modification of, the general terms and conditions, the CEC and CARB may reject an application or withdraw a proposed award. This does not alter or limit the CEC's or CARB's ability to withdraw a proposed award for other reasons, including failure of a third party agency to complete CEQA review, or for no cause.

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 6

PROPOSAL: Recognize Revenue and Reimburse General Fund for Administrative Costs for Enhanced Fleet Modernization Program

SYNOPSIS: Since 2015, South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride. For FY 2020-21, CARB allocated \$1.4 million in AB 118 funds to the South Coast AQMD for the continued implementation of the EFMP. These actions are to: 1) recognize up to \$1.4 million from CARB; 2) approve vouchers and other alternative mobility options until all available funds are exhausted; and 3) reimburse the General Fund for administrative costs necessary to implement the EFMP.

COMMITTEE: Technology, May 21, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Recognize, upon receipt, up to \$1.4 million from CARB (Grant #G20-EFMP-01) into the HEROS II Special Revenue Fund (56) for the EFMP Base Program;
2. Authorize the Executive Officer to approve vouchers and other alternative mobility options for the continued implementation of the EFMP base incentives until all funds are exhausted; and
3. Reimburse the General Fund up to \$140,000 from the HEROS II Special Revenue Fund (56) as authorized by the grant agreement for administrative costs necessary to implement the EFMP.

Wayne Nastri
Executive Officer

Background

Since 2015, South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride. South Coast AQMD's Replace Your Ride Program is a vehicle retire and replacement program, which provides incentives to lower income motorists to scrap and replace their older, high-emitting vehicles with newer, cleaner models or utilize other clean transportation options.

Since its inception, South Coast AQMD has provided over \$64.9 million in EFMP funding for the replacement of over 8,000 older passenger vehicles with newer fuel-efficient conventional vehicles, hybrid electric vehicles, plug-in hybrid electric vehicles and zero emission vehicles. Approximately 94 percent of the vouchers have been issued to participants residing in disadvantaged communities, and 88 percent of the participants have been in the lowest poverty level. The EFMP is achieving the goal to replace the oldest and dirtiest light-duty passenger vehicles on the road. Replace Your Ride is administered with assistance from three contractors providing case management support and remote sensing technical support. South Coast AQMD also maintains a website and has added additional case managers to address the growing number of participants with completing and submitting applications.

Currently, the program is oversubscribed and a moratorium has been placed on new applications since October 15, 2020, pending the availability of additional funds from CARB. As of April 30, 2021 the program has approximately \$1.43 million in project funds remaining to process applications that have already been submitted.

For FY 2020-21, CARB allocated an additional \$1.4 million in AB 118 funds to South Coast AQMD for the continued implementation of the EFMP Base Program. This grant includes administrative funds up to 15 percent of the total grant award, from which 10 percent can be used for staff time to implement the program.

Proposal

These actions are to recognize up to \$1.4 million from CARB for the EFMP Base Program into the HEROS II Special Revenue Fund (56) and authorize the Executive Officer to approve vouchers and other alternative mobility options for this program until all available funds are exhausted. The additional funding will enable the continuation of the EFMP Base Program while offering eligible participants alternatives in replacement vehicle technologies.

This action is to also reimburse the General Fund up to \$140,000 (up to 10 percent of the grant award) from the HEROS II Special Revenue Fund (56) as authorized by the grant agreement for administrative costs necessary to implement the program.

Benefits to South Coast AQMD

Replace Your Ride will continue to provide incentives to qualifying lower income vehicle owners including those residing in disadvantaged communities, thereby providing emissions reduction benefits to these communities and throughout the region.

Resource Impacts

CARB funding (Grant #G20-EFMP-01) up to \$1.4 million, upon receipt, for the FY 2020-21 EFMP Base Program will be recognized into the HEROS II Special Revenue Fund (56). The transfer of funds from the HEROS II Special Revenue Fund (56) to reimburse the General Fund for administrative costs will not exceed \$140,000.

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 7

PROPOSAL: Issue Program Announcement for Combustion Freight and Marine Projects Category Under Statewide Volkswagen Environmental Mitigation Trust Program

SYNOPSIS: In December 2019, the Board approved release of a Program Announcement to solicit projects for the Combustion Freight and Marine Projects category considering the first installment of funds totaling \$30 million. This competitive solicitation resulted in approximately \$3.98 million in awarded projects. In an effort to increase participation, CARB and South Coast AQMD propose to release a second solicitation allowing equipment owners to apply on a first-come, first-served basis, however the funding amounts will remain the same. This action is to issue a statewide Program Announcement for the Combustion Freight and Marine Projects category totaling \$26,019,762 for eligible equipment selected on a first-come, first-served basis. This action is also to authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation.

COMMITTEE: Technology, May 21, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Issue Program Announcement #PA2021-07 to solicit projects for the Combustion Freight and Marine Projects category on a first-come, first-served basis in an amount not to exceed \$26,019,762 from the statewide VW Environmental Mitigation Trust Program (Fund 79); and
2. Authorize the Executive Officer to enter into contracts for eligible projects submitted in response to #PA2021-07 for the VW Combustion Freight and Marine Projects category.

Wayne Nastri
Executive Officer

Background

In November 2018 and March 2020, the Board recognized revenue up to \$165 million to administer and implement two of the five project funding categories for the Volkswagen (VW) Environmental Mitigation Trust Program. The two funding categories administered by the South Coast AQMD are the Combustion Freight and Marine Projects and Zero-Emission Class 8 Freight and Port Drayage Trucks. The other three funding categories are being administered and implemented by San Joaquin Valley APCD and Bay Area AQMD. San Joaquin Valley APCD is administering the Zero-Emission Transit, School and Shuttle Buses category and the Bay Area AQMD is administering the Zero-Emission Freight and Marine Projects and Light Duty Zero-Emission Vehicle Infrastructure. Staff continues to work in collaboration with CARB, San Joaquin Valley APCD and Bay Area AQMD to develop the VW Program framework, requirements and criteria, program specific webpages, as well as extensive statewide outreach efforts.

On December 6, 2019, South Coast AQMD opened a competitive solicitation totaling \$30 million in project funds for the Combustion Freight and Marine Projects category. That solicitation closed on March 4, 2020 and was undersubscribed with approximately \$3.98 million in awarded projects. In an effort to increase participation, CARB and South Coast AQMD propose to release a second solicitation allowing equipment owners to apply on a first-come, first-served basis.

Proposal

This action is to issue Program Announcement (PA) #PA2021-07 for the Combustion Freight and Marine Projects category of the VW Environmental Mitigation Trust Program, allowing equipment owners to apply on a first-come, first-served basis with the funding amount unchanged from the first solicitation. Applications will be accepted online beginning June 22, 2021, at 1:00 pm, pacific time. The amount of funds available for this PA is \$26,019,762. This action is to authorize the Executive Officer to enter into contracts for eligible projects selected under this first-come, first-served solicitation for the VW Program Combustion Freight and Marine Projects category.

This PA will solicit applications from equipment owners for the repower or replacement of older, in-use on-road Class 7 and 8 vehicles, including freight and drayage trucks, waste haulers, dump trucks, concrete mixers, repower or replacement of older switcher locomotives, and the repower of ferries, tugboats, and towboats, with the cleanest commercially available combustion technologies. This program requires the scrapping of the older engine/equipment/vehicle that is being replaced. Applicants will be required to submit applications through an online application portal. Eligible projects in this category will be selected on a first-come, first-served basis, with the solicitation expected to close once all funds have been fully allocated.

Outreach

The PA will be provided to San Joaquin Valley APCD, Bay Area AQMD, CARB and CAPCOA to assist with statewide outreach. The PA will also be posted on each of the VW websites administered by the South Coast AQMD, San Joaquin Valley APCD, Bay Area AQMD and CARB. South Coast AQMD will release a press release notifying interested stakeholders of the opening of the PA for the Combustion Freight and Marine Projects Trucks category. South Coast AQMD will also announce at least one public webinar session to assist applicants statewide and will conduct outreach on a statewide basis.

Funding Distribution

The VW Trust is a component of partial settlements with VW and is enumerated in Appendix D of the Consent Decree ordered by the U.S. District Court for the Northern District of California. In May 2018, as required by the Consent Decree, CARB approved the Beneficiary Mitigation Plan, which includes a goal that at least 50 percent of program funds be expended on projects that will reduce NOx emissions in disproportionately impacted and low-income communities. The Plan provides the ability for each of the three air districts to track this on a cumulative basis. Staff will utilize the latest version of CalEnviroScreen for identification of disadvantaged and low-income communities.

Benefits to South Coast AQMD

The NOx emission reductions that will be achieved from replacing older, high-polluting vehicles and equipment with cleaner technologies within the South Coast AQMD and statewide are intended to fully mitigate the diesel NOx emissions caused by VW's illegal actions. CARB estimates that 10,000 tons of NOx emission reductions will be achieved over the 10-year life of the VW Mitigation Program. The projects funded through this program will also reduce emissions of other criteria air pollutants, toxic air contaminants and greenhouse gases. This program will also accelerate the deployment of new commercially available zero emission trucks and near-zero emissions heavy-duty natural gas trucks, which is a key strategy in the 2016 AQMP for reducing NOx emissions.

Resource Impacts

Revenue up to \$165 million was previously recognized into the VW Mitigation Special Revenue Fund (79) to administer and implement the two project funding categories being administered by the South Coast AQMD. There are sufficient funds in the VW Mitigation Special Revenue Fund (79) for this PA, including \$26,019,762 in project funds for eligible projects in this category. Reimbursement of administrative costs will not exceed \$15 million as allowed by the CARB grant.

Attachment

Volkswagen Environmental Mitigation Trust Combustion Freight and Marine Projects Program Announcement #PA2021-07



2021
VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST
COMBUSTION FREIGHT AND MARINE PROJECTS
STATEWIDE PROGRAM ANNOUNCEMENT (PA)
PA2021-07

Funding is now available from the Volkswagen Environmental Mitigation Trust for the Combustion Freight and Marine Projects category (hereafter “VW Mitigation – Combustion Category”). This program will provide incentive funds on a first-come, first-served basis to vehicle/equipment owners operating in the State of California to replace or repower Class 7 and 8 freight and drayage trucks, waste haulers, dump trucks, concrete mixers, switcher locomotives, and repower ferries, tugboats, or towboats with the cleanest commercially available California Air Resources Board (CARB) certified or approved technologies.

In the preparation of this Program Announcement, the words “Applicant,” “Contractor,” and “Consultant” are used interchangeably.

SECTION 1 – OVERVIEW

PURPOSE

The purpose of this Program Announcement (PA) is to solicit project applications for the first installment of available funds for the VW Mitigation – Combustion Freight and Marine Projects category. **The available funding for this PA will be approximately \$26 million from the Volkswagen Environmental Mitigation Trust (VW Trust) and is available to fleets operating throughout the State of California.**

INTRODUCTION

The VW Trust was established as part of a settlement with Volkswagen (VW) for their role in utilizing illegal defeat devices in certain 2.0 and 3.0-liter vehicles that resulted in excess NOx emissions. The VW Mitigation program is intended to fully mitigate the excess NOx emissions caused by these VW vehicles.

CARB is the designated lead agency acting on the State’s behalf as beneficiary to implement California’s allocation of the mitigation funds. On May 25, 2018, CARB approved the Beneficiary Mitigation Plan (BMP) for California which contains the eligible mitigation actions (EMA) or project funding categories that are eligible for funding from the states \$423 million allocation of the VW Trust. The BMP designated five project categories for funding that will be administered and implemented as a statewide program by three local air districts, for which the South Coast AQMD is the statewide project administrator for two of the five project categories including: Combustion Freight and Marine Projects, and Zero-Emission Class 8 Freight and Port Drayage Trucks. For the purposes of this PA, South Coast AQMD will hereafter be referred to as the Project Administrator.

Previously, South Coast AQMD opened a competitive solicitation totaling \$30 million in project funds for the Combustion Freight and Marine Projects category. That solicitation closed undersubscribed with



approximately \$3.98 million in awarded projects. This PA is for the first installment, second solicitation of the VW Mitigation funds available for the Combustion Category, which includes a total of approximately \$26 million. All applications will be evaluated for eligibility on a first-come, first-served basis. This PA was prepared based on the latest version of the BMP, which is available online at: <https://ww2.arb.ca.gov/resources/documents/californias-beneficiary-mitigation-plan>. The Frequently Asked Questions (FAQs) can be found at: <https://xappprod.aqmd.gov/vw/resources.html>.

This PA will identify key eligibility criteria to qualify for funding under this solicitation for the VW Mitigation – Combustion Category. The detailed requirements for projects can be found in the BMP.

Applicants are encouraged to review this PA for general eligibility information and funding limitations that may apply to certain types of projects.

The requirements and project eligibility criteria set forth in this PA and the BMP may be more stringent than those within the Consent Decree (as described on Page 9). As such, the more stringent requirements and project eligibility criteria will prevail.

GENERAL PROGRAM INFORMATION

- All applications must be submitted through the web-based application portal. No paper applications will be accepted.
- The applicant must be the legal owner of the vehicle/equipment/engine or an engine manufacturer applying on behalf of the legal owner of the vehicle/equipment/engine. The applicant may use a third party to assist in completing the online application; however, the application must be signed by the applicant, and no contracts will be executed with a third party.
- Applications may contain funding requests for multiple vehicle/equipment/engine units; however, fleets will be limited to no more than ten percent of the total available first installment of funds (i.e., up to \$3 million, 10% of \$30 million) per Entity (Applicant), as determined by Tax ID. If insufficient applications are received to expend the available VW Mitigation funds for this PA, the Project Administrator reserves the right to issue additional contracts beyond the stated limit.
- Funding through this PA will be limited to entities that have been legally operating the subject vehicle/equipment/engine for at least 75 percent of the time within the State of California for at least the previous 12-month period.
- For on-road vehicles only: Out-of-state International Registration Plan (IRP) registration may be allowed if the registration documentation shows that the vehicle was operated for at least 75 percent of the time within California.
- Solicitation is first-come, first-served. The Project Administrator will evaluate all applications received for completeness and eligibility and contract with those entities with qualifying applications meeting all applicable requirements including but not limited to: eligibility, project specifications and documentation, in the order the applications are received.
- It is expected that multiple awards will be granted under this PA.
- All proposals will be evaluated based on criteria set forth in this PA. Furthermore, the Project Administrator reserves the right to adjust awards based on the subsequent verification of information received.



IMPORTANT PROGRAM INFORMATION

- Applicants must ensure that the vehicle/equipment/engine to be purchased/repowered is compliant with all applicable federal, state, and local air quality rules and regulations and that it will maintain compliance for the full contract term.
- Any associated tax obligation from receiving grant funds from the Project Administrator is the responsibility of the applicant.
- Pre, post, and destruction inspection of the vehicle/equipment/engine approved for funding will be conducted by the Project Administrator or their designee.
- Applicants may not receive funds exceeding actual project costs.
- Applicants shall not apply for funding for the same vehicle/equipment/engine with any other funding source which claims the same emission reductions.
- All projects must be operational by the date specified in their contract.

FUNDING CATEGORIES & ELIGIBILITY

Below is the specific project category identified for funding under this PA:

- Class 7 and 8 freight and drayage trucks, waste haulers, dump trucks, and concrete mixers
- Freight Switcher Locomotives
- Ferries, tugboats, and towboats

General Eligibility Requirements

- Projects must implement the cleanest commercially available technologies that are certified or verified by CARB or the U.S. Environmental Protection Agency (EPA), as specified in this PA and CARB's BMP
- Vehicle/equipment/engine must be in service within 18 months of contract execution, unless otherwise approved by the Project Administrator
- Applicants must demonstrate that they are in full compliance with all applicable state, federal, and local rules and regulations
- The existing (old) equipment/engine must be scrapped
- The existing (old) vehicle must be scrapped by a California licensed dismantler
- The replacement (new) vehicle/equipment/engine must be new
- The replacement (new) vehicle/equipment/engine funded through this program must be operated in California for a minimum of three years

Class 7 and 8 Freight Trucks

Below are the key eligibility requirements for on-road vehicle projects:

- Vehicle Type:
 - Class 7 and 8 only
 - Freight and drayage trucks
 - Waste haulers

- Dump trucks
 - Concrete mixers
- Project Types:
 - Replacement
 - Repower
- Old Vehicle/Engine:
 - Internal combustion engine with a 1992 to 2012 engine model year
 - Freight and drayage trucks, dump trucks, and concrete mixers must demonstrate a minimum annual usage of 20,000 miles
 - Waste haulers must demonstrate a minimum annual usage of 10,000 miles
- New Vehicle:
 - Low NOx standard of 0.02 g/bhp-hr
- Compliance
 - See *Regulatory Compliance* section below.

Freight Switcher Locomotives

Below are the key eligibility requirements for freight switcher projects:

- Equipment Type
 - Freight switcher locomotive
- Project Type:
 - Replacement
 - Repower
- Old Equipment/Engine
 - Engine: Pre-Tier 1
 - Horsepower: 1,006 to 2,300
 - Operation: 1,000 hours annually or more
- New Equipment/Engine
 - Engine: Tier 4
 - Horsepower: 1,006 to 2,300

Ferries/Tugboats/Towboats

Below are the key eligibility requirements for ferry, tugboat, and towboat projects:

- Vessel Type:
 - Ferry, tugboat, and towboat
- Project Type:
 - Repower only
- Old Vessel/Engine:
 - Engine: Pre-Tier 3 (in compliance with Commercial Harbor Craft Regulation)
- New Vessel/Engine:
 - Engine: Tier 4 or hybrid with Tier 4 equivalent NOx emissions
- Vessel must serve a dedicated purpose



REGULATORY COMPLIANCE

All applicants must be fully compliant with applicable rules and regulations to be eligible for consideration for VW Mitigation – Combustion Category funding. Reference is made to CARB’s rule webpages that provide detailed information on compliance with these regulations. Please see *Section VI: Staff Contacts and Additional Resources* below for links to these webpages.

PROJECT REQUIREMENTS

The following application/supplemental documentation items will be needed to determine project eligibility:

Class 7 and 8 freight and drayage trucks, waste haulers, dump trucks, and concrete mixers

- Applicant must demonstrate compliance with applicable CARB rules or regulations, which may include, but is not limited to:
 - TRUCRS Fleet Compliance for each project application
 - Drayage Truck Registry Compliance for each project application
 - Compliance with the Solid Waste Collection Regulation for each project application
 - Compliance with Fleet Rule for Public Agencies and Utilities
- Applicants must provide the CARB Executive Order for the old and new vehicle
- Applicant must provide a copy of the vehicle’s title (must be a clean title with no active lienholders)
- Applicant must provide a vendor price quote for the new vehicle dated within 90 days of application submittal, or for government entities provide documentation for a bid process which includes the cost of each individual replacement purchase
- Applicant must provide twelve months of vehicle registration documentation
- Applicant must provide twelve months of vehicle insurance documentation, or for government agencies who are self-insured, documentation certifying self-insurance.
- Applicant must provide twelve consecutive months of usage records (e.g. mileage records, maintenance reports or other documentation)
- Applicants must demonstrate a minimum usage of 20,000 miles within the previous twelve-month period, unless the vehicle is a waste hauler
- Waste hauler only: Applicants must demonstrate a minimum usage of 10,000 miles within the previous twelve-month period
- Applicants must provide photos of existing vehicle/engine including:
 - Entire front of vehicle
 - Entire side of vehicle
 - Vehicle license plate number and unit number/identifier (if any)
 - Vehicle Identification Number (VIN)
 - Entire Gross Vehicle Weight Rating (GVWR) label
 - Entire engine tag (with engine model year, serial number, engine family name, and horsepower rating clearly identified)



Freight Switcher Locomotives:

- Applicants must provide the CARB/U.S. EPA Executive Order for the old and new engine
- Applicant must provide a vendor price quote for the new equipment dated within 90 days of application submittal
- Applicants must provide twelve months of ownership documentation
- Applicants must provide twelve consecutive months of usage records (e.g., hour meter logs or fuel logs)
- Applicants must provide photos of:
 - Entire front and side of switcher
 - Switcher unit number and/or any other identifier
 - Entire engine tag (with engine model year, serial number, engine family name, and power rating clearly identified)

Ferries/Tugboats/Towboats:

- Applicants must provide a U.S. EPA Certificate of Conformity for the old and new engine
- Applicant must provide a vendor price quote for the new engine dated within 90 days of application submittal
- Applicants must provide twelve months of ownership documentation
- Applicants must provide twelve consecutive months of usage records (e.g., hour meter logs)
- Applicants must provide photos of:
 - Entire front and side of marine vessel
 - Vessel name
 - Entire engine tag (with engine model year, serial number, engine family name, and power rating clearly identified)

MAXIMUM ELIGIBLE FUNDING

The maximum eligible funding caps are summarized below in Table 1: Combustion Category Funding & Eligibility.

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Table 1: Combustion Category Funding & Eligibility

Baseline Equipment Category	Baseline Technology	Replacement Technology	Project Type	Ownership Category	Maximum Percentage (%) of Funding (of cost)	Maximum Funding Up To
Class 7 & 8 Freight & Drayage Trucks, Waste Haulers, Dump Trucks, & Concrete Mixers	Engine Model Years 1992 - 2012*	Low NOx (certified 0.02 g/bhp-hr)	Replacement	Non- Government	25% (or 50% for Class 8 Port Drayage)	\$85,000
				Government	100%	
			Repower	Non- Government	40%	\$35,000
				Government	100%	\$50,000
Freight Switcher Locomotives	Pre-Tier 1	Tier 4	Replacement	Non- Government	25%	\$1,350,000
				Government	100%	
			Repower	Non-Government	40%	
				Government	100%	
Ferries, Tugboats, & Towboats	Pre-Tier 3	Tier 4, or Hybrid w/ Tier 4 equivalent NOx emissions	Repower	Non- Government	40%	\$1,000,000
				Government	100%	

*Must comply with all applicable rules and regulations until time of replacement.

REPORTING AND MONITORING

All participants in the VW Mitigation – Combustion Category will be required to keep appropriate records during the full contract period, which will include a minimum of three years during the contract term, plus three years after the contract term. All vehicle/equipment/engine must operate in the state of California at least 75 percent of the time for the full contract term. The records will contain the following, at a minimum, as applicable:

- DMV registration records (for on-road vehicles)
- U.S. Coast Guard Certificate of Documentation (for marine vessels)
- Insurance certificate(s) or documentation certifying self-insurance for government agencies that are self-insured



- Records of annual usage – including odometer or hour meter readings
- Operational and maintenance issues encountered and how they were resolved
- Self-certification of where the vehicle/equipment/engine was operated
- Self-certification of compliance with labor laws

Contractors will be required to submit annual reports containing the above information to the Project Administrator for the three-year term of the contract. Records must be retained and updated throughout the contract term plus three years and made available for the Project Administrator, CARB, or their designee for review upon request.

PROGRAM ADMINISTRATION

The VW Mitigation – Combustion Category will be administered by the South Coast AQMD through the Technology Advancement Office.

PROJECT EVALUATION/AWARDS

The Project Administrator will evaluate all submitted project applications for completeness and eligibility, and select projects on a first-come, first-served basis. Projects will also be evaluated to determine if the project qualifies as benefiting a disadvantaged or low-income community.

DEFINITIONS

1. Alternative Fuel
Alternative fuels include compressed natural gas (CNG), liquefied natural gas (LNG), methanol, ethanol, and propane (LPG).
2. Beneficiary Mitigation Plan (BMP)
Document that contains the eligible mitigation actions (projects) for California that the California Air Resources Board (CARB or Board) will fund from the State's \$423 million allocation of the Environmental Mitigation Trust.
3. CARB Certified
Vehicle or engine that has been certified and issued an Executive Order by CARB.
4. Class 4-7 Local Freight Trucks (Medium Trucks)
Trucks, including drayage trucks, and commercial trucks, used to deliver cargo and freight (e.g., courier services, delivery trucks, box trucks moving freight, waste haulers, dump trucks, concrete mixers) with a Gross Vehicle Weight Rating (GVWR) between 14,001 and 33,000 lbs.

5. Class 8 Local Freight, and Port Drayage Trucks (Eligible Large Trucks)
Trucks with a Gross Vehicle Weight Rating (GVWR) greater than 33,000 lbs. used for port drayage and/or freight/cargo delivery (including waste haulers, dump trucks, concrete mixers).
6. Concrete Mixer (or cement mixer)
On-road vehicle used for transporting and mixing concrete.
7. Consent Decree
The First Partial Consent Decree in 'IN RE: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation', MDL No. 2672 CRB (JSC) (Dkt. No. 2103-1), and the Second Partial Consent Decree in that case (Dkt. No. 3228-1). The Consent Decree is available online at: <https://ww2.arb.ca.gov/resources/documents/vw-settlement-consent-decrees>
8. Contract Term
Contract term is the duration for which the contract is valid. It encompasses both the project completion and project implementation periods.
 - (i) Project completion period is the first part of the Contract term starting with the effective date of the Contract by both parties to the date the project post-inspection confirms that the project has become operational, and the destruction inspection confirms the old vehicle/engine has been destroyed.
 - (ii) Project implementation period is the second part of the Contract term and equals the project life.
9. Drayage Trucks
Trucks hauling cargo to and from ports and intermodal rail yards.
10. Dump Truck
On-road vehicle used for the transportation of bulk material and that has a body which tilts to dump its contents.
11. Eligible Mitigation Action
Any of the actions listed in Appendix D-2 of the Environmental Mitigation Trust.
12. Environmental Mitigation Trust
The Trust funded with Mitigation Trust Payments according to the terms of the First Partial Consent Decree and the Second Partial Consent Decree (jointly, the "Consent Decree").
13. Ferry
Any self-propelled vessel or boat owned, controlled, operated, or managed for public use in transportation of carrying passengers, property or vehicles on scheduled services. A ferry is not an excursion or research vessel.

14. Freight Switcher

A locomotive that moves rail cars around a rail yard as compared to a line-haul engine that moves freight long distances.

15. Freight Truck

Trucks, including commercial trucks, used to deliver cargo and freight (e.g., courier services, delivery trucks, box trucks moving freight, waste haulers, dump trucks, concrete mixers).

16. Garbage-packer vehicle

A vehicle specially designed to collect and compact residential or commercial solid waste on the vehicle for purposes of transportation and disposal. These include but are not limited to vehicles commonly referred to as front loader, rear loader, and automated and semi-automated side loaders.

17. Garbage-roll off vehicle

A vehicle that is designed to drop off and pick up open boxes or other containers that are commonly used to collect residential and commercial solid waste at a site.

18. Generator Set

A switcher locomotive equipped with multiple engines that can turn off one or more engines to reduce emissions and save fuel depending on the load it is moving.

19. Government

State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government or native village. The term "State" means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

20. Gross Vehicle Weight Rating (GVWR)

The maximum weight of the vehicle, as specified by the manufacturer. GVWR includes total vehicle weight plus fluids, passengers, and cargo.

Class 1: < 6,000 lb.

Class 2: 6,001-10,000 lb.

Class 3: 10,001-14,000 lb.

Class 4: 14,001-16,000 lb.

Class 5: 16,001-19,500 lb.

Class 6: 19,501-26,000 lb.

Class 7: 26,001-33,000 lb.

Class 8: > 33,000 lb.

21. Hybrid

A vehicle that combines an internal combustion engine with a battery and electric motor.

22. Incremental Cost

Incremental cost is the portion or percent of actual cost that is eligible for funding.

23. Intermodal Rail Yard

A rail facility in which cargo is transferred from drayage truck to train or vice-versa.

24. New Vehicle

A vehicle constructed entirely from new parts that has never been the subject of a retail sale, or registered with the Department of Motor Vehicles, or registered with the appropriate agency or authority of any other state, District of Columbia, territory or possession of the United States, or foreign state, province, or country.

25. Project Life

Project life is the period of the contract term during which the repowered or replacement vehicle/equipment/engine is operated, and the contractor must report annual usage. It is used to calculate the cost effectiveness and funding amount for a particular project.

26. Replacement Project

Replacement project is the purchase of a new vehicle/equipment/engine to replace an existing vehicle/equipment/engine.

27. Repower Project

Repower project is the replacement of an old engine of an existing vehicle/equipment with a newer engine certified to lower emission standards by the U.S. Environmental Protection Agency (EPA) and, if applicable, CARB.

28. Residential or commercial solid waste

All putrescible and non-putrescible solid, and semisolid wastes, including garbage, trash, refuse, rubbish, ashes, yard waste, recyclable materials, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes originating from single-family or multiple family dwellings, stores, offices, and other commercial sources, and construction and demolition projects in residential and commercial zones, not including hazardous, radioactive, or medical waste.

29. Scrapped

To render inoperable and available for recycle, and, at a minimum, to specifically cut a three-inch hole in the engine block for all engines. If any eligible vehicle will be replaced as part of an eligible project, scrapped also includes the disabling of the chassis by cutting the vehicle's frame rails completely in half.

30. Tier 0, 1, 2, 3, and 4

Refers to corresponding U.S. EPA engine emission classifications for nonroad, locomotive, and marine engines.

31. Towboat

Any self-propelled vessel engaged in or intending to engage in the service of pulling, pushing, or hauling alongside barges or other vessels, or any combination of pulling, pushing, or hauling alongside barges or other vessels.

32. Tugs

Dedicated vessels that push or pull other vessels in ports, harbors, and inland waterways (e.g., tugboats and towboats).

33. Waste Hauler

An on-road vehicle that is a "garbage-packer vehicle" or a "garbage-roll off vehicle".

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ALL APPLICATIONS MUST BE RECEIVED ELECTRONICALLY THROUGH THE ONLINE WEB-BASED APPLICATION PORTAL UNTIL THERE IS NO MORE FUNDING AVAILABLE FOR THE SECOND SOLICITATION OF THE COMBUSTION FREIGHT AND MARINE PROJECTS CATEGORY

Only electronic submissions are allowed using the Grant Management System (GMS) available upon this solicitation opening at: www.aqmd.gov/vw.

Paper proposals will not be accepted. Any resubmission done by the applicant will utilize the new submittal date.

The Project Administrator may issue subsequent solicitations if insufficient applications are received in the initial solicitation.

All information submitted in applications is a public record and subject to Public Records Act requests.

STATEMENT OF COMPLIANCE

Government Code Section 12990 and California Administrative Code, Title II, Division 4, Chapter 5, require employers to agree not to unlawfully discriminate against any employee or applicant because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age. A statement of compliance with this clause will be included in the contract with the Program Administrator.

COMPLIANCE WITH LABOR LAWS

If an application is deemed eligible, the applicant will be required to provide any labor violations that have occurred within the last three years to be further considered for an award. If awarded, the contractor will be required to notify the Program Administrator in writing if they have been found by a court or federal or state agency to have violated labor laws. The contractor will complete a yearly certification in which they will either state that they have not been found by a court or federal or state agency to have violated labor laws or, if such violations have been found, the contractor will give the Program Administrator details about those violations in the certification. If the contractor has previously provided that information to the Program Administrator, they will be required to reattach that previous notification to the certification and provide any additional details about those violations that have not previously been provided. The contractor's yearly certification will be due at the same time as the annual progress reports. The Program Administrator reserves the right to terminate the contract with a contractor that has been found to have violated labor laws, and the contractor may be required to return any and all contract funds, as determined by the Program Administrator. The contractor will also ensure that these requirements are included in all subcontracts.

SECTION II: WORK STATEMENT/DELIVERABLES

All applicants that are selected for funding awards must complete the *Work Statement* and *Deliverables* described below as part of the contracting process. Development of these materials for the initial application is NOT required; however, applicants must digitally sign the application indicating their understanding of the requirements for submittal of additional project information to finalize a contract



and that all vehicle/equipment/engine must be in operation no later than the date specified within the contract.

WORK STATEMENT

The scope of work involves a series of tasks and deliverables that demonstrate compliance with the requirements of the VW Mitigation – Combustion Category as administered by CARB and the Program Administrator.

At a minimum, any proposed project must meet the following criteria:

- Emission reductions must be surplus to any existing regulatory requirements
- The old and new vehicle/equipment/engine must meet all eligibility requirements
- All replacement (new) vehicle/equipment/engine must be in operation by the in-service date specified in the contract
- Replacement (new) vehicle/equipment/engine must operate in-service for the full contract term
- Appropriate annual records must be kept and reported to the Project Administrator during the contract term of three years (e.g., odometer or hour meter readings) and must be retained for three additional years after the term of the contract
- All applicants must be fully compliant with applicable rules and regulations to be eligible for consideration for VW Mitigation – Combustion Category funding
- If requested, a contractor must provide a financial statement and bank reference, or other evidence of financial ability to fulfill contract requirements

DELIVERABLES

The contract will describe how the project will be monitored and what type of information will be included in the annual reports. At a minimum, the Project Administrator expects to receive an annual report throughout the contract term, which provides:

- DMV registration (for on-road vehicles)
- U.S. Coast Guard Certificate of Documentation (for marine vessels)
- Insurance certificate(s) or documentation certifying self-insurance for government agencies that are self-insured
- Records of annual usage – including odometer or hour meter readings
- Operational and maintenance issues encountered and how they were resolved
- Self-certification of where the vehicle/equipment/engine was operated
- Self-certification of compliance with labor laws

The Project Administrator reserves the right to verify the information provided.

SECTION III: PROPOSAL SUBMITTAL REQUIREMENTS

Applicants must complete the appropriate application forms committing that the information requested in *Section II, Work Statement/Deliverables*, will be submitted if the Applicant's project is selected for funding.



In addition, *Conflict of Interest* and *Project Cost* information, as described below, must also be submitted with the application. It is the responsibility of the applicant to ensure that all information submitted is accurate and complete.

CONFLICT OF INTEREST

Applicant must address any potential conflicts of interest with other clients affected by actions performed by the firm on behalf of the Program Administrator. Although the applicant will not be automatically disqualified by reason of work performed for such firms, the Program Administrator reserves the right to consider the nature and extent of such work in evaluating the proposal. Conflicts of interest will be screened on a case-by-case basis by the General Counsel's Office for the Program Administrator. Conflict of interest provisions of the state law, including the Political Reform Act, may apply to work performed pursuant to this contract. Please discuss potential conflicts of interest on the application form entitled "Campaign Contributions Disclosure".

PROJECT COST

Applicants must provide cost information that specifies the amount of funding requested and the basis for that request by providing a vendor price quote as part of the application. Applicants need to inform the vendor of the time frame of the award process so that they can accurately quote costs based on the anticipated order/purchase date. Quotes must be dated within 90 days of the application submittal date. For government agencies obtaining vehicle/equipment/engine through a bid process, bid process documentation must be provided indicating cost of each individual vehicle/equipment/engine to be purchased.

Note that no physical work can be performed for any project awarded under this PA until after the contract has been fully executed. Note that any orders placed or payments made in advance of an executed contract with the Project Administrator are done at the risk of the applicant. The Project Administrator has no obligation to fund the project until a contract is fully executed by both parties.

All project costs must be clearly indicated in the application. In addition, applicants must identify any sources of co-funding and the amount of co-funding from each source in the application. Funding from the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) may not be used as co-funding with VW Mitigation funds. In addition, co-funding may not be from any state funding sources or funding sources where any portion of NOx reductions could be double-counted, including but not limited to the Carl Moyer Program, AB 923 or AB 617.

PROPOSAL SUBMISSION

All proposals must be submitted according to specifications set forth herein.

Application Forms

All applications must be submitted through the web-based application portal. Applicants may submit multiple units per single application. An application checklist is provided as an attachment (Attachment A) to this PA to assist applicants in completing their applications. Required documents (e.g., pictures of



existing vehicle, usage records, Disadvantaged Business Certification, etc.) requested in the application and discussed in this PA need to be uploaded prior to submittal. Paper proposals will not be accepted.

Certifications and Representations (Attachment B)

The online application will contain five business forms of which four must be completed and submitted with the online application.

- Business Information Request
- W-9 Request for Taxpayer Identification Number and Certification
- Form 590 Withholding Exemption Certificate
- Campaign Contribution Disclosure
- Direct Deposit Form (not required for application submittal)

Methods of Delivery

The applicant must submit their application using the web-based application portal or Grant Management System (GMS), available at: www.aqmd.gov/vw. This online system allows applicants to submit their application electronically to the Project Administrator during the solicitation period. All required documents must be uploaded to the online system. First-time users must register as a new user.

Grounds for Rejection

An application may be immediately rejected if:

- It is not prepared in the format described
- It is not signed by the vehicle/equipment/engine owner
- Does not include required documents requested in the application or discussed in this PA
- Does not meet eligibility requirements as stated in this PA

Disposition of Applications

The Project Administrator reserves the right to reject any or all applications based on the above criteria. All responses become the property of the Project Administrator.

Modification or Withdrawal

Once submitted, applications cannot be altered without the prior written consent of the Project Administrator.

Schedule

Release solicitation:	Friday, June 4, 2021
Applications accepted beginning:	Tuesday, June 22, 2021, at 1:00 pm PT
All applications due by:	Closes when all funds are expended
Evaluation period:	Ongoing as applications are submitted
Contract issued:	Once application is approved and all required documentation is provided



SECTION IV: PROPOSAL EVALUATION/CONTRACTOR SELECTION CRITERIA

The Project Administrator will evaluate all submitted project applications for completeness and eligibility. Funding will be awarded for each eligible vehicle/equipment/engine unit until all funds have been awarded.

SECTION V: PAYMENT TERMS

For all projects, payment will be made upon the submittal of a complete and valid invoice for the reimbursement of costs paid by the Contractor for the new vehicle/equipment/engine, and verification that the vehicle/equipment/engine meets the program requirements and was placed into regular operating service. Proof of destruction of the old vehicle/equipment/engine is also required prior to payment of VW Mitigation funds. The Project Administrator will pay a percentage of the invoice as described in this PA or the contract maximum amount, whichever is less.

SECTION VI: STAFF CONTACTS AND ADDITIONAL RESOURCES

For additional information, the Project Administrator has posted responses to Frequently Asked Questions (FAQs), which can be found at the Project Administrator’s VW website at: <https://xappprod.aqmd.gov/vw/resources.html>.

If you have any additional questions regarding the content or intent of this PA, procedural matters, application support, etc., please contact the Project Administrator team members assigned to the VW Mitigation – Combustion Category below:

Table 2: VW Mitigation - Combustion Category Staff Contacts

Contact Name	Phone Number	Email
VW Funds Hotline	(833) 894-7267	vwfunds@aqmd.gov
Alicia Martinez	(909) 396-3165	amartinez@aqmd.gov
Charlize Li	(909) 396-2576	cli@aqmd.gov
Ping Gui	(909) 396-3187	pgui@aqmd.gov

WEBSITE LINKS

Truck and Bus Regulation at: <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

Drayage Truck Regulation at: <https://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm>

Public/Utility Fleet Rule at: <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm>

Solid Waste Collection Vehicle Regulation at: <https://ww3.arb.ca.gov/msprog/swcv/swcv.htm>



ATTACHMENT A

**VW Mitigation Program – Combustion Freight and Marine Projects
Class 7 and 8 Freight and Drayage Trucks, Waste Haulers, Dump Trucks, and Concrete Mixers**

Application Checklist

1.		Truck Identifier (the name used by applicant to identify the unit)
2.		Truck Information: <ul style="list-style-type: none"> • Truck Class: 7 and 8 only • Vocation (freight truck, drayage truck, concrete mixer, dump truck, or waste hauler)
3.		Truck domiciled address (physical location address of the vehicle)
4.		Truck Ownership Information
5.		Truck Activity Information: <ul style="list-style-type: none"> • Odometer readings: Documenting mileage for the previous 12 months • Odometer readings: Current
6.		Existing Truck Information: <ul style="list-style-type: none"> • Vehicle Identification Number (VIN) • License plate number • Gross Vehicle Weight Rating (GVWR) • Truck model year
7.		Existing Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Engine Executive Order number (EO) • Engine model year • Engine make, model, serial, and horsepower (hp)
8.		Replacement (New) Truck Information (not applicable for repowers): <ul style="list-style-type: none"> • Gross Vehicle Weight Rating (GVWR) • Truck make, model, model year
9.		Replacement (New) Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Executive Order number (EO) • Model year
10.		Total Cost: <ul style="list-style-type: none"> • If replacement: Cost of truck and associated taxes • If repower: Cost of engine, parts and materials, associated taxes, and labor



**VW Mitigation Program – Combustion Freight and Marine Projects
Class 7 and 8 Freight and Drayage Trucks, Waste Haulers, Dump Trucks, and Concrete Mixers**

Supplemental Documentation Checklist

1.		<p>Photos for Existing Truck:</p> <ul style="list-style-type: none"> • Front of truck • Full side view of truck • Truck license plate number • VIN and GVWR tag(s) - entire VIN and GVWR must be visible • Engine tag (with make, model, year, serial number, horsepower (hp), and family name) • Current odometer reading
2.		<p>Copy of compliance documentation (in its entirety) indicating that the existing truck and fleet is in compliance with applicable rules and regulations which may include, but not limited to, the following:</p> <ul style="list-style-type: none"> • Compliance certificate (TRUCRS or DTR) • Picture of compliance sticker • Compliance status printout • Truck information printout • Company information printout
3.		Copy of truck’s clean title (no lienholders listed)
4.		12 months of vehicle registration documentation
5.		12 months of insurance documentation
6.		<p>Copy of Executive Order for:</p> <ul style="list-style-type: none"> • Existing engine • Replacement (new) engine
7.		12 consecutive months of usage records (odometer readings with date of readings required)
8.		<p>Vendor Quote (dated within 90 days of application) and must include:</p> <ul style="list-style-type: none"> • Quoted date • Total cost (including associated taxes and fees) - itemized • Repower Only: Total cost (including associated taxes, fees, parts and materials, and labor) - itemized • Warranty information • Government agencies with bid processes only – Bid documentation with cost breakdown of each individual unit

**VW Mitigation Program – Combustion Freight and Marine Projects
Freight Switcher Locomotives**

Application Checklist

1.		Equipment Identifier (the name used by applicant to identify the unit)
2.		Switcher locomotive domiciled address (physical location address of the unit)
3.		Existing Switcher Locomotive Information: <ul style="list-style-type: none"> • Make, model, model year, and serial number • Total number of main engines • Total number of auxiliary engines
4.		Existing Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Engine Executive Order number (EO) or US EPA Certificate of Conformity number • Engine model year • Engine make, model, serial, horsepower (hp)
5.		Switcher Locomotive Activity Information: <ul style="list-style-type: none"> • 12 months of fuel usage records, and an estimate of the annual hours of operation for the previous 12 months
6.		Replacement Switcher Locomotive Information (not applicable for repower): <ul style="list-style-type: none"> • Make, model, model year, and serial number • Total number of main engines • Total number of auxiliary engines
7.		Replacement (New) Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Engine Executive Order number (EO) or US EPA Certificate of Conformity number • Engine model year • Engine make, model, serial, and horsepower (hp)
8.		Total Cost: <ul style="list-style-type: none"> • If Replacement: Cost of switcher locomotive and associated taxes • If Repower: Cost of engine, parts and materials, associated taxes, and labor

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**VW Mitigation Program – Combustion Freight and Marine Projects
Freight Switcher Locomotives**

Supplemental Documentation Checklist

1.		Photos for Existing Switcher Locomotive: <ul style="list-style-type: none"> • Front of switcher • Full side view of switcher • Engine tag, correctly labeled for every applicable engine (with make, model, year, serial number, hp, and family name)
2.		Copy of Executive Order or US EPA Certificate of Conformity for: <ul style="list-style-type: none"> • Existing engine • Replacement (new) engine
3.		12 consecutive months of fuel usage records
4.		Vendor Quote (dated within 90 days of application) and must include: <ul style="list-style-type: none"> • Quoted date • Total (including taxes and state fees) - itemized • Repower only: Cost of parts and materials, and labor - itemized • Warranty information

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**VW Mitigation Program – Combustion Freight and Marine Projects
Marine Projects**

Application Checklist

1.		Equipment Identifier (the name used by applicant to identify the unit)
2.		Marine vessel domiciled address (physical location address of the unit): <ul style="list-style-type: none"> • Including port and berth/slip information
3.		Marine Vessel Information: <ul style="list-style-type: none"> • Make, model, model year, and serial number • Total number of main engines • Total number of auxiliary engines • US Coast Guard number
4.		Existing Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Engine Executive Order number (EO) or US EPA Certificate of Conformity number • Engine model year • Engine make, model, serial, horsepower (hp), tier, number of cylinders, displacement
5.		Marine Vessel Activity Information: <ul style="list-style-type: none"> • 12 months of usage records with hour meter readings
6.		Replacement (New) Engine Information: <ul style="list-style-type: none"> • Fuel type • Engine Family Name (EFN) • Engine Executive Order number (EO) or US EPA Certificate of Conformity Number • Engine model year • Engine make, model, serial, horsepower (hp), engine tier, number of cylinders, displacement
7.		Total Cost: <ul style="list-style-type: none"> • Cost of engine, parts and materials, associated taxes, and labor - itemized

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**VW Mitigation Program – Combustion Freight and Marine Projects
Marine Projects**

Supplemental Documentation Checklist

1.		<p>Photos for Marine Vessel:</p> <ul style="list-style-type: none"> • Name of vessel • Full front view of vessel • Full side view of vessel • Engine tag, correctly labeled for every applicable engine (with make, model, year, serial number, horsepower (hp), engine tier, and family name)
2.		<p>Copy of US EPA Certificate of Conformity for:</p> <ul style="list-style-type: none"> • Existing engine • Replacement (new) engine
3.		<p>12 consecutive months of hour meter records</p>
4.		<p>Vendor Quote (dated within 90 days of application) and must include:</p> <ul style="list-style-type: none"> • Quoted date • Total Costs: Including associated taxes and fees, parts and materials, and labor - itemized • Warranty information

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ATTACHMENT B



Business Information Request

Dear SCAQMD Contractor/Supplier:

South Coast Air Quality Management District (SCAQMD) is committed to ensuring that our contractor/supplier records are current and accurate. If your firm is selected for award of a purchase order or contract, it is imperative that the information requested herein be supplied in a timely manner to facilitate payment of invoices. In order to process your payments, we need the enclosed information regarding your account. **Please review and complete the information identified on the following pages, remember to sign all documents for our files, and return them as soon as possible to the address below:**

**Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178**

If you do not return this information, we will not be able to establish you as a vendor. This will delay any payments and would still necessitate your submittal of the enclosed information to our Accounting department before payment could be initiated. Completion of this document and enclosed forms would ensure that your payments are processed timely and accurately.

If you have any questions or need assistance in completing this information, please contact Accounting at (909) 396-3777. We appreciate your cooperation in completing this necessary information.

Sincerely,

Sujata Jain
Deputy Executive Officer
Finance

DH:tm

Enclosures: Business Information Request
W-9
Form 590 Withholding Exemption Certification
Campaign Contributions Disclosure
Direct Deposit Authorization



BUSINESS INFORMATION REQUEST

Business Name			
Division of			
Subsidiary of			
Website Address			
Type of Business <i>Check One:</i>	<input type="checkbox"/> Individual <input type="checkbox"/> DBA, Name _____, County Filed in _____ <input type="checkbox"/> Corporation, ID No. _____ <input type="checkbox"/> LLC/LLP, ID No. _____ <input type="checkbox"/> Other _____		

REMITTING ADDRESS INFORMATION

Address			
City/Town			
State/Province		Zip	
Phone	Ext	Fax	
Contact		Title	
E-mail Address			
Payment Name if Different			

All invoices must reference the corresponding Purchase Order Number(s)/Contract Number(s) if applicable and mailed to:

Attention: Accounts Payable, Accounting Department
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or “doing business as” (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity’s name as shown on the entity’s tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a “disregarded entity.” See Regulations section 301.7701-2(c)(2)(iii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner’s name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on line 2, “Business name/disregarded entity name.” If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys’ fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.

You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

2020 Withholding Exemption Certificate**590****The payee completes this form and submits it to the withholding agent. The withholding agent keeps this form with their records.****Withholding Agent Information**

Name _____

Payee InformationName _____ SSN or ITIN FEIN CA Corp no. CA SOS file no.

Address (apt./ste., room, PO box, or PMB no.) _____

City (If you have a foreign address, see instructions.) _____ State _____ ZIP code _____

Exemption Reason**Check only one box.**

By checking the appropriate box below, the payee certifies the reason for the exemption from the California income tax withholding requirements on payment(s) made to the entity or individual.

 Individuals — Certification of Residency:

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

 Corporations:

The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.

 Partnerships or Limited Liability Companies (LLCs):

The partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLP) is treated like any other partnership.

 Tax-Exempt Entities:

The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

 Insurance Companies, Individual Retirement Arrangements (IRAs), or Qualified Pension/Profit-Sharing Plans:

The entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

 California Trusts:

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.

 Estates — Certification of Residency of Deceased Person:

I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.

 Nonmilitary Spouse of a Military Servicemember:

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE OF PAYEE: Payee must complete and sign below.To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to ftb.ca.gov/forms and search for **1131**. To request this notice by mail, call 800.852.5711.

Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.

Type or print payee's name and title _____ Telephone _____

Payee's signature ► _____ Date _____



Campaign Contributions Disclosure

In accordance with California law, bidders and contracting parties are required to disclose, at the time the application is filed, information relating to any campaign contributions made to South Coast Air Quality Management District (SCAQMD) Board Members or members/alternates of the MSRC, including: the name of the party making the contribution (which includes any parent, subsidiary or otherwise related business entity, as defined below), the amount of the contribution, and the date the contribution was made. 2 C.C.R. §18438.8(b).

California law prohibits a party, or an agent, from making campaign contributions to SCAQMD Governing Board Members or members/alternates of the Mobile Source Air Pollution Reduction Review Committee (MSRC) of more than \$250 while their contract or permit is pending before SCAQMD; and further prohibits a campaign contribution from being made for three (3) months following the date of the final decision by the Governing Board or the MSRC on a donor's contract or permit. Gov't Code §84308(d). For purposes of reaching the \$250 limit, the campaign contributions of the bidder or contractor plus contributions by its parents, affiliates, and related companies of the contractor or bidder are added together. 2 C.C.R. §18438.5.

In addition, SCAQMD Board Members or members/alternates of the MSRC must abstain from voting on a contract or permit if they have received a campaign contribution from a party or participant to the proceeding, or agent, totaling more than \$250 in the 12-month period prior to the consideration of the item by the Governing Board or the MSRC. Gov't Code §84308(c).

The list of current SCAQMD Governing Board Members can be found at SCAQMD website (www.aqmd.gov). The list of current MSRC members/alternates can be found at the MSRC website (<http://www.cleantransportationfunding.org>).

SECTION I.

Contractor (Legal Name): _____

DBA, Name _____, County Filed in _____ Corporation, ID No. _____ LLC/LLP, ID No. _____
--

List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:
(See definition below).

SECTION II.

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the South Coast Air Quality Management Governing Board or member/alternate of the MSRC in the 12 months preceding the date of execution of this disclosure?

Yes No **If YES, complete Section II below and then sign and date the form. If NO, sign and date below. Include this form with your submittal.**

Campaign Contributions Disclosure, continued:

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
---	------------------------	----------------------

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
---	------------------------	----------------------

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
---	------------------------	----------------------

Name of Contributor _____

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
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I declare the foregoing disclosures to be true and correct.

Name: _____

Title: _____

Signature: _____

Date: _____

DEFINITIONS

Parent, Subsidiary, or Otherwise Related Business Entity (2 Cal. Code of Regs., §18703.1(d).)

- (1) Parent subsidiary. A parent subsidiary relationship exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.
- (2) Otherwise related business entity. Business entities, including corporations, partnerships, joint ventures and any other organizations and enterprises operated for profit, which do not have a parent subsidiary relationship are otherwise related if any one of the following three tests is met:
 - (A) One business entity has a controlling ownership interest in the other business entity.
 - (B) There is shared management and control between the entities. In determining whether there is shared management and control, consideration should be given to the following factors:
 - (i) The same person or substantially the same person owns and manages the two entities;
 - (ii) There are common or commingled funds or assets;
 - (iii) The business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis;
 - (iv) There is otherwise a regular and close working relationship between the entities; or
 - (C) A controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.

South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • www.aqmd.gov

Direct Deposit Authorization

STEP 1: Please check all the appropriate boxes

- | | |
|--|--|
| <input type="checkbox"/> Individual (Employee, Governing Board Member) | <input type="checkbox"/> New Request |
| <input type="checkbox"/> Vendor/Contractor | <input type="checkbox"/> Cancel Direct Deposit |
| <input type="checkbox"/> Changed Information | |

STEP 2: Payee Information

Last Name		First Name		Middle Initial	Title
Vendor/Contractor Business Name (if applicable)					
Address				Apartment or P.O. Box Number	
City		State	Zip	Country	
Taxpayer ID Number		Telephone Number		Email Address	

Authorization

- I authorize South Coast Air Quality Management District (SCAQMD) to direct deposit funds to my account in the financial institution as indicated below. I understand that the authorization may be rejected or discontinued by SCAQMD at any time. If any of the above information changes, I will promptly complete a new authorization agreement. If the direct deposit is not stopped before closing an account, funds payable to me will be returned to SCAQMD for distribution. This will delay my payment.
- This authorization remains in effect until SCAQMD receives written notification of changes or cancellation from you.
- I hereby release and hold harmless SCAQMD for any claims or liability to pay for any losses or costs related to insufficient fund transactions that result from failure within the Automated Clearing House network to correctly and timely deposit monies into my account.

STEP 3:

You must verify that your bank is a member of an Automated Clearing House (ACH). Failure to do so could delay the processing of your payment. You must attach a voided check or have your bank complete the bank information and the account holder must sign below.

To be Completed by your Bank

Staple Voided Check Here	Name of Bank/Institution				
	Account Holder Name(s)				
	<input type="checkbox"/> Saving <input type="checkbox"/> Checking		Account Number		Routing Number
	Bank Representative Printed Name		Bank Representative Signature		Date
	ACCOUNT HOLDER SIGNATURE:				Date

For SCAQMD Use Only

Input By _____

Date _____

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 8

PROPOSAL: Recognize Revenue, Transfer and Appropriate Funds, Issue a Solicitation and Execute Contracts and/or Purchase Orders to Meet Operational Needs for Rule 1180 and Community Scale Monitoring Programs

SYNOPSIS: In June 2018, the Board created the Rule 1180 Special Revenue Fund (78) to establish community air monitoring near refineries. Also, the FY 2021-22 budget includes annual fees from refineries for community air monitoring of \$4.4 million. These actions are to: 1) transfer and appropriate funds of up to \$1,090,000 from the Rule 1180 Special Revenue Fund (78) and 2) appropriate up to \$970,000 from the General Fund to Science & Technology Advancement's (STA) FY 2021-22 Budget for Rule 1180 activities; 3) execute purchase orders for air monitoring equipment and supplies for the Rule 1180 community air monitoring network; 4) issue a solicitation for an independent audit of the Rule 1180 refinery fence line and community air monitoring network; and 5) recognize revenue and appropriate up to \$60,000 from the EPA Section 103 Community-Scale Air Toxics grant to STA's FY 2021-22 Budget Service & Supplies and Capital Outlays Major Objects.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Transfer and appropriate funds up to \$1,090,000 from the Rule 1180 Special Revenue Fund (78) to Science & Technology Advancement's (STA) FY 2021-22 Budget (Org 42), Services & Supplies (up to \$700,000) and Capital Outlays (up to \$390,000) Major Objects, as indicated in Tables 1 and 2;
2. Appropriate up to \$970,000 from the General Fund Undesignated (Unassigned) Fund Balance for Rule 1180 activities to STA's FY 2021-22 Budget (Org 42), Services & Supplies Major Object, as indicated in Table 2;
3. Authorize the Procurement Manager, in accordance with South Coast AQMD's Procurement Policy and Procedure, to issue sole source purchase orders for the following as listed in Tables 1 and 2 and described in this letter:
 - a. Two pure air generators with hydrocarbon scrubbers from Teledyne Advanced

- Pollution Instrumentation (Teledyne) in an amount not to exceed \$20,000;
 - b. Two dilution systems from Teledyne in an amount not to exceed \$45,000;
 - c. Two hydrogen sulfide/sulfur dioxide (H₂S/SO₂) multiple-gas analyzers from Teledyne in an amount not to exceed \$40,000;
 - d. Two aethalometers from Aerosol USA in an amount not to exceed \$65,000;
 - e. Three automated gas chromatography (Auto-GC) systems from Tricorntech in an amount not to exceed \$220,000; and
 - f. Annual consumable supplies required for the operation of Auto-GC systems at Rule 1180 community air monitoring stations in an amount not to exceed \$120,000;
4. Authorize the Chairman to issue a solicitation, and based on the results of the solicitation, execute contract(s) and/or purchase order(s) for independent quality assurance audit and specialized auditing equipment for Rule 1180 air monitoring network in an amount not to exceed \$1,200,000, as shown in Table 2; and
 5. Recognize revenue and appropriate up to \$60,000 from the EPA Section 103 Community-Scale Air Toxics grant to STA's FY 2021-22 Budget (Org 43) Service & Supplies and Capital Outlays Major Objects, as outlined in Table 3.

Wayne Nastri
Executive Officer

MMM:JCL:AP:OP:ld

Background

Rule 1180 Program

Petroleum refineries are among the largest stationary sources of air pollution in the South Coast Air Basin (Basin). Refineries process crude oil into various products, such as gasoline, diesel fuel, aviation fuel and other fuel oils. These and other related activities can result in emissions of, criteria pollutants, toxic air contaminants, greenhouse gases and other air pollutants.

Rule 1180 - Refinery Fenceline and Community Air Monitoring, was adopted by the Board in December 2017 and requires the seven major refineries in the Basin to measure levels of various air pollutants at their fenceline. This Rule also established a fee schedule to fund community air monitoring stations established and operated by the South Coast AQMD to provide air quality information to the public about the potential impact of refinery emissions in their communities. In FYs 2017-18 and 2018-19, the Board recognized revenue in two installments of \$2,145,390 and \$5,005,907, respectively, into the Rule 1180 Special Revenue Fund (78) for the installation of community air monitoring stations near refineries. Beginning January 2020, pursuant to Rule 301 - Permitting and Associated Fees, the refineries also started funding annual

operating and maintenance costs totaling \$4,355,430 for refinery-related community air monitoring program near the following refineries:

- Tesoro Refining & Marketing Company, LLC, Carson;
- Tesoro Refining & Marketing Company, LLC, Wilmington;
- PBF Energy, Torrance Refining Company, Torrance;
- Chevron Products Company, Chevron El Segundo Refinery, El Segundo;
- Phillips 66 Company, Carson;
- Phillips 66 Company, Wilmington; and
- Valero Energy Corporation, Valero Wilmington Refinery, Wilmington.

Annual operating and maintenance fees pursuant to Rule 301 have been accounted for in the FY 2021-22 Budget.

The Rule 1180 refinery fenceline and community air monitoring network began operation in January 2020. This network consists of the fenceline air monitoring systems that have been installed and are operated by each refinery in accordance to their Fenceline Air Monitoring Plans; and the community air monitoring stations established and operated by the South Coast AQMD in accordance with the Rule 1180 Community Air Monitoring Plan. In order to satisfy the Rule 1180 air monitoring requirements, novel optical remote sensing (ORS), Auto-GC and traditional analyzers have been deployed at fenceline and community air monitoring sites, making this monitoring network the first of its kind in terms of complexity and technologies deployed.

Community-Scale Air Toxics Program

In October 2015, the Board recognized \$569,682 in U.S. EPA Section 103 Grant funds to implement Community-Scale Air Toxics Ambient Monitoring projects. This comprehensive effort was to use next generation air monitoring methods to characterize hazardous air pollutant (HAP) emissions from refineries and other industrial sources and assess potential impacts in surrounding communities. Since then, staff has been conducting air monitoring activities in communities near refineries and other industrial emitters of air toxics using ORS and other advanced air monitoring technologies.

Proposal

Rule 1180 Program

This action is to transfer and appropriate up to \$1,090,000 from the Rule 1180 Special Revenue Fund (78) into STA's FY 2021-22 Budget (Org 42) for expenditures in Capital Outlays (Table 1) in an amount not to exceed \$390,000 and Services and Supplies (Table 2) in an amount not to exceed \$700,000 to support air monitoring activities required under Rule 1180.

This action is also to appropriate up to \$970,000 from the General Fund Undesignated

(Unassigned) Fund Balance for Rule 1180 activities to STA's FY 2021-22 Budget (Org 42), Services & Supplies Major Object, as indicated in Table 2.

Along with \$1,119,000 included in the FY 2021-22 Budget funded with annual fees, these actions are to obtain the resources required to continue the development and operation of the Rule 1180 community monitoring network. These activities are fully supported by initial funding received from the refineries subject to Rule 1180 and ongoing fees.

Proposed Purchases through Sole Source

This action is to purchase the following equipment as listed in Table 1 and 2 using the procurement method noted in the Recommended Actions.

Pure Air Generators with Hydrocarbon (HC) Scrubbers

Two air generators equipped with enhanced HC scrubbers will be utilized for quality assurance, equipment verification and equipment replacement purposes. Teledyne pure air generators are uniquely specialized to provide a complete zero air system to support the Rule 1180 community air monitoring activities by South Coast AQMD staff. These zero air systems are currently deployed at all other South Coast AQMD Rule 1180 air monitoring sites, therefore providing compatibility and continuity between all stations. The cost for two Teledyne pure air generators will not exceed \$20,000.

Gas Dilution Systems

Two gas dilution systems will be utilized for quality assurance, equipment verification and equipment replacement purposes. Teledyne gas dilution systems are uniquely specialized to support the Rule 1180 community air monitoring activities by South Coast AQMD staff. These gas dilution systems are currently deployed at all other South Coast AQMD Rule 1180 air monitoring sites, therefore providing compatibility and continuity between all stations. The cost for two Teledyne gas dilution systems will not exceed \$45,000.

Air Monitoring Equipment

Three automated field gas chromatographs (Auto-GCs) and two H₂S/SO₂ multi-pollutant analyzers, and two aethalometers (Aerosol USA) will be utilized for quality assurance, equipment verification and instrument replacement purposes. Three automated field Auto-GCs (TricornTech), two H₂S/SO₂ multi-pollutant analyzers (Teledyne), and two aethalometers (Aerosol USA) will be purchased in an amount not to exceed \$220,000, \$40,000 and \$65,000 respectively. The technical specifications of these air monitoring instruments are consistent with those of equipment already operating within the South Coast AQMD community network for Rule 1180 monitoring.

Consumable Supplies

Auto GC systems (Tricorntech) are deployed at all Rule 1180 community air monitoring sites for measuring a comprehensive array of VOCs and other air toxics. The consumables and the routine maintenance components, consisting of sensor modules, coolant, air pump kits and other small consumables, are required to ensure routine uninterrupted performance of the Tricorntech Auto-GCs. Tricorntech is the sole-source provider of these items due to the use of proprietary technology. The cost of these components purchased from Tricorntech will not exceed \$120,000.

Issue Solicitation (RFP)

Independent Audit and Specialized Auditing Equipment for Rule 1180 Air Monitoring Network

The Rule 1180 refinery fenceline and community air monitoring network consists of dozens of novel ORS and traditional analyzers deployed at fenceline and community air monitoring sites. While similar technologies are deployed at all sites, different contractors are using different instrument makes/models for conducting fenceline air monitoring at different refineries. Staff have been working with the refineries to assure that all fenceline instruments, independent of their vendors, standardize their data acquisition and reporting, and maintain data of the appropriate quality through common calibration, verification, maintenance and other quality assurance procedures and criteria. The same stringent data quality requirements are in effect for all community air monitoring sites. However, due to the innovative nature of the Rule 1180 program and ORS equipment, there is a pressing need to establish a robust quality assurance program and for a qualified independent entity to conduct a systematic review of the entire Rule 1180 network to ensure that the collected data meets the stringent quality assurance criteria of the program.

In October 2020, the Board authorized up to \$700,000 to issue an RFP for independent audit of the Rule 1180 fenceline air monitoring network. Because of delays resulting from the COVID pandemic and with uncertainty about the ability to conduct onsite review of the air monitoring sites required for the audit, an RFP was not released. Also, additional funds are required to include auditing for the community air monitoring network and to develop the appropriate and robust auditing program for this specialized network. This program would include establishing new auditing procedures, developing necessary auditing instrumentation and/or tools, conducting the audit and overseeing the implementation of corrective actions, as needed. This action is to allocate additional funds up to \$500,000 from the Rule 1180 Special Revenue Fund (78) to the Rule 1180 auditing program, and issue an RFP from qualified contractors, research labs or educational institutions to conduct independent technical system and performance audits for the Rule 1180 program and to develop procedures and/or instrumentation for the audit. This action is also to execute contract(s) and purchase order(s) for an amount not to exceed \$1,200,000

based on the results of the RFP. Table 2 also includes itemized appropriations for other Services and Supplies Major Objects.

Community-Scale Air Toxics Program

There is a need to reallocate the remaining program funds to conduct additional community air monitoring activities to align expenditures with the operations of the program. This action is to recognize revenue and appropriate up to \$60,000 from the EPA Section 103 Community-Scale Air Toxics grant to STA's FY 2021-22 Budget (Org 43) Service & Supplies and Capital Outlays Major Objects, as outlined in Table 3. U.S. EPA concurs with the proposed allocations.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, Riverside County's Press Enterprise, and the Daily News newspapers to leverage the most cost-effective method of outreach to the Porter Ranch area. Additionally, potential bidders may be notified utilizing South Coast AQMD's electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids." Staff will additionally reach out to potential qualified bidders whose work has been cited in related literature or referred to staff by other subject experts.

Bid Evaluation

A review panel will be appointed by the Executive Officer or his designee and will include a diverse pool of South Coast AQMD staff members familiar with the project subject matter and may include outside experts from other governmental agencies and academia and other technically-qualified experts, to evaluate the proposals in accordance with criteria contained in the attached RFP. The panel will make a recommendation to the Executive Officer for final selection of project(s) and contractor(s).

Sole Source Justification

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. The request for sole source purchases from Teledyne, Tricorntech and Aerosol USA are made under Sections VIII.B.2.c (1): The unique experience and capabilities of the proposed contractor; VIII.B.2.c (2): The project involves the use of proprietary technology; and VIII.B.2.d (6): Projects requiring compatibility with existing specialized equipment. These vendors are uniquely qualified to provide zero air generators with enhanced hydrocarbon scrubbers (Teledyne), gas dilution systems (Teledyne), H2S/SO2 instruments (Teledyne), Auto-GC systems and annual consumable parts (Tricorntech), and aethalometers (Aerosol USA). There are no other vendors who can provide

instruments meeting all required specifications and that are compatible with existing specialized equipment already in operation. The proposed equipment, which is currently being used at Rule 1180 and other air monitoring stations, will allow for full specialized equipment compatibility throughout the South Coast AQMD air monitoring network.

Benefits to South Coast AQMD

Funding for the implementation of Rule 1180 will allow the South Coast AQMD to fulfill the requirements of Rule 1180 and the legislative directives of AB 1647, which will result in benefits to environmental justice communities and others working and residing in the Basin near refineries.

Resource Impacts

The initial payments received from refineries under Rule 1180 provide sufficient resources to establish the required community air monitoring program. Rule 301 annual fees will provide sufficient resources for ongoing community air monitoring operation and maintenance. The balance in the Rule 1180 Special Revenue Fund and projected Rule 1180 savings of \$1.1 million from the FY 2020-21 budget will support the activities outlined in this Board letter. U.S. EPA Section 103 Grant funding will support the continuation of the Community-Scale Air Toxics Monitoring program.

Attachments

Table 1: FY 2021-22 Proposed Sole Source Capital Outlays Expenditures for Rule 1180

Table 2: FY 2021-22 Proposed Services and Supplies Expenditures for Rule 1180

Table 3: FY 2021-22 Proposed Expenditures for Community-Scale Air Toxics Program

Table 1
FY 2021-22 Proposed Sole Source Capital Outlays Expenditures
for Rule 1180*

Description	Quantity	Appropriation from FY 2020-21 Budget Savings	Appropriation from Fund 78	Total Estimated Amount
Pure air generators with HC scrubbers	2	\$0	\$20,000	\$20,000
H2S/SO2 analyzers	2	0	40,000	40,000
Gas dilution system	2	0	45,000	45,000
Automated field-GC systems	3	0	220,000	220,000
Aethalometers	2	0	65,000	65,000
FY 2021-22		\$0	\$390,000	Up to \$390,000

*These appropriations are in addition to the ones included in FY 2021-22 Budget funded from annual fees.

Table 2
FY 2021-22 Proposed Services and Supplies Expenditures for Rule 1180*

Description	Account Number	Appropriation from FY 2020-21 Budget Savings	Additional Appropriations from Fund 78	Estimated Amount
Quality Assurance Activities**	67450/77000	500,000	\$700,000#	1,200,000
Annual Consumables for Auto-GC's	67600	120,000	0	120,000
Maintenance of Equipment**	67600/77000	200,000	0	200,000
Communications**	67900/77000	150,000	0	150,000
FY 2021-22		\$970,000	\$700,000	Up to \$1,670,000

*These are in addition to the ones included in FY 2021-22 Budget funded from annual fees.

**Expenditures may be appropriated in the Capital Outlays Major Object as warranted.

This \$700,000, authorized by the Board in October 2020, Agenda Item #5, was not used in FY 2020-21.

Table 3
FY 2021-22 Proposed Expenditures for Community-Scale Air Toxics Program

Description	Account Number	Estimated Amount
Small Tools, Instruments, Equipment*	68300/77000	\$45,000
Laboratory Supplies	68050	5,000
Office Supplies	68100	5,000
Communications	67900	\$5,000
FY 2021-22		Up to \$60,000

*Note: Expenditures may be appropriated in the Capital Outlays Major Object as warranted.

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 9

PROPOSAL: Recognize Revenue for Continued AB 617 Implementation

SYNOPSIS: The South Coast AQMD was approved for a \$21,880,000 grant under the Community Air Protection Program from CARB. In May 2021, the Board recognized \$19,324,580 for continued AB 617 implementation. This action is to recognize up to an additional \$2,555,420 from CARB into the General Fund for AB 617.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:

Recognize revenue, upon receipt, up to \$2,555,420 from CARB into the General Fund for continued AB 617 implementation and authorize the Executive Officer to accept the terms and conditions of the grant award from CARB.

Wayne Nastri
Executive Officer

SJ:gp

Background

This Board letter recognizes the remaining balance of Year 4 funding for continued implementation of the AB 617 program. Major elements of AB 617 include: accelerated BARCT rulemaking, statewide consistent emission reporting, air monitoring in communities, and community emission reduction plans.

South Coast AQMD's portion of the statewide funding for the fourth year of the AB 617 implementation program is \$21,880,000. In May 2021, the total amount was not yet known, so the Board authorized the recognition of \$19,324,580 as part of the FY 2021-22 Adopted Budget. These actions are necessary to recognize the remaining \$2,555,420 that South Coast AQMD is eligible to receive from CARB for Year 4.

Proposal

Staff is seeking Board approval to recognize an additional \$2,555,420 into the General Fund from CARB for AB 617 Year 4 implementation.

Benefits to SCAQMD

The additional Year 4 funding will help support South Coast AQMD efforts to fulfill the legislative directives of AB 617, which will result in benefits to environmental justice communities and to the entire region.

Resource Impacts

Funding from CARB's Community Air Protection Program under the AB 617 implementation grant will provide resources for South Coast AQMD's AB 617 program for the fourth year.

RESOLUTION NO. 21-

**A Resolution of the South Coast Air Quality Management District Governing Board
Recognizing Grant Funds and Accepting the Terms and Conditions of the
FY 2020-21 Community Air Protection Program Grant Award G20-CAPP-31**

WHEREAS, under Health & Safety Code § 40400 *et seq.*, the South Coast Air Quality Management District (South Coast AQMD) is the local agency with the primary responsibility for the development, implementation, monitoring and enforcement of air pollution control strategies, clean fuels programs and motor vehicle use reduction measures; and

WHEREAS, under Health & Safety Code § 40400 *et seq.* and Assembly Bill (AB) 617 (Chapter 136, Statutes of 2017), the South Coast AQMD is authorized to implement programs to support selecting locations for consideration by the California Air Resources Board (CARB) under AB 617, to deploy community air monitoring systems, deploy fence-line monitoring and develop Community Emissions Reduction Programs to reduce emissions of toxic air contaminants and criteria pollutants at selected locations, and to develop an expedited schedule for requiring best available retrofit control technology; and

WHEREAS, the Board has adopted several programs to support selecting locations for CARB consideration under AB 617, deploy community air monitoring systems, deploy fence-line monitoring, develop Community Emissions Reduction Programs, and develop an expedited schedule for requiring best available retrofit control technology.

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on June 4, 2021, does hereby authorize the Executive Officer to accept the terms and conditions of the FY 2020-21 Community Air Protection Program G20-CAPP-31 grant award and recognize up to \$21,880,000 from CARB to support location selection for CARB consideration under AB617, deploy community air monitoring systems, deploy fence-line monitoring, develop Community Emissions Reduction Programs, and develop an expedited schedule for requiring best available retrofit control technology.

BE IT FURTHER RESOLVED that the Executive Officer is authorized and directed to take all steps necessary to carry out this Resolution.

Date

Clerk of the Board

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 10

PROPOSAL: Remove Various Fixed Assets from South Coast AQMD Inventory

SYNOPSIS: South Coast AQMD Administrative Policies and Procedures No. 20 requires each organizational unit to review fixed assets for obsolescence and disposal every six months. This action is to approve removal of surplus equipment and motor vehicles determined to be obsolete, non-operational and not worth repairing.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTION:

Declare the items on Attachments A and B as surplus and authorize removal of these items from the fixed assets inventory through donation, trade-in, auction process, salvage, or dismantlement for parts.

Wayne Natri
Executive Officer

SJ:gp

Background

South Coast AQMD Administrative Policies and Procedures No. 20 established procedures for the approval, purchasing, tagging, physical inventory, and disposal of fixed assets. This policy requires the review of the fixed assets and controlled items for obsolescence and disposal every six months. The list of equipment appearing on Attachment A represents old, obsolete and non-operational equipment that could not be repaired. The list of vehicles appearing on Attachment B represents vehicles that are non-operational and not worth repairing. These vehicles have been driven an average of over 116,000 miles. Equipment and vehicles purchased with federal funds are being disposed of in accordance with applicable federal regulations.

Proposal

Staff is recommending that assets on Attachments A and B, as in the past, be surplused through the surplus process and properly disposed. Equipment will be auctioned, traded-in, donated or dismantled for parts and the motor vehicles will be disposed of through auction.

Resource Impacts

Miscellaneous revenue from auction sales will be recorded in the General Fund. The total original cost of \$1,342,267 for the fixed assets in Attachments A and B was accounted for, depreciated, and reported in the annual audited financial statements.

Attachments

- A. Obsolete or Non-repairable Equipment
- B. Obsolete or Non-repairable Motor Vehicles

ATTACHMENT A
Obsolete or Non-repairable Equipment

Asset ID	Tag#/Serial #	Description	Cost	Date Purchased	Net Book Value **	Disposition
00001395	0015537	Oven (Sampling Container Clean)	\$ 13,430.00	4/5/1998	\$ 0.00	Scrap/Auction (1)
00003118	6GVDW21	Radar Operating System UPG/ONT	22,156.40	7/10/2000	0.00	Scrap/Auction (1)
00003119	600010072	Radar Operating System UPG/LAX	24,689.46	7/10/2000	0.00	Scrap/Auction (1)
00003242	4GVDW21	Temp Profiling System	237,856.00	5/17/2001	0.00	Scrap/Auction (1)
00003382	0001079	MiniSODAR System	36,575.00	10/28/2000	0.00	Scrap/Auction (1)
00003383	0001057	MiniSODAR System	36,575.00	10/28/2000	0.00	Scrap/Auction (1)
00003414	U3403	Surface Meterological System	11,301.02	1/1/2002	0.00	Scrap/Auction (1)
00003521	0012092	Freq. Mod. LAP-300 Wind Profiler	6,495.00	7/1/2002	0.00	Scrap/Auction (1)
00003591	E000161*	Calibrator, Ozone Transfer Std	8,780.43	1/1/2004	0.00	Donate/Auction (4)
00003629	51376656	LAP Digital IF Signal Proc Upgrade	206,108.00	1/1/2004	0.00	Scrap/Auction (1)
00003634	E000232*	Sampler, Aerosol Speciation	11,697.24	1/1/2004	0.00	Scrap/Auction (1)
000000003673	0016638	Profiler Radio Acoustic Soundi	44,985.50	1/31/2005	0.00	Scrap/Auction (1)
000000003725	D000008*	Mobile Weather System	9,371.50	1/1/2006	0.00	Disposed (2)
000000003726	D000007*	Mobile Weather System	9,371.50	1/1/2006	0.00	Disposed (2)
000000003785	E000323*	Calibration System Ambient Mon	14,804.48	1/1/2007	0.00	Scrap/Auction (1)
000000003790	E000312*	Analyzer UV Photometric Ozone	4,855.49	1/1/2007	0.00	Donate/Auction (4)
000000003836	7GVDW21	Wind Profiler LAP-3000 915 MHZ	341,500.82	1/1/2007	0.00	Donate/Auction (4)
000000003838	0001012	MiniSODAR System	59,991.63	1/1/2007	0.00	Scrap/Auction (1)
000000003839	0001002	MiniSODAR System	59,991.62	1/1/2007	0.00	Donate/Auction (4)
000000003986	0016748	Analyzer Trace Level SO2	10,372.44	6/19/2009	0.00	Scrap/Auction (1)
000000003988	0016750	Analyzer Trace Level SO2	10,372.44	6/23/2009	0.00	Scrap/Auction (1)
000000003996	0016726	Analyzer Ambient Nox	8,791.26	6/23/2009	0.00	Donate/Auction (4)
000000003999	0016729	Analyzer Ambient Nox	8,791.26	6/23/2009	0.00	Donate/Auction (4)
000000004009	0016739	Analyzer Ambient Nox	8,791.26	6/23/2009	0.00	Donate/Auction (4)
000000004014	0016769	Analyzer Ambient Nox	8,791.26	6/23/2009	0.00	Donate/Auction (4)
000000004294	E000459*	Analyzer, Chemiluminescent	10,895.67	1/4/2012	0.00	Donate/Auction (4)
000000004372	0016915	Refrigerator Freezer Reach-In	8,689.38	8/17/2012	0.00	Scrap/Auction (1)
000000004391	E000622*	Meterological Monitoring System 173C	8,370.86	12/19/2012	0.00	Scrap/Auction (1)
000000004392	E000621*	Meterological Monitoring System 173C	8,370.86	12/19/2012	0.00	Scrap/Auction (1)
000000004422	E000497*	Multi-Gas Calibration System	9,718.74	3/28/2013	0.00	Donate/Auction (4)
000000004885	0017076	Analyzer, Toxic Vapor, TVA2020	19,207.22	3/29/2018	10,436.58	Stolen (3)
Total Obsolete or Non-repairable Equipment			\$ 1,281,698.74		\$ 10,436.58	

* Assets purchased with federal funds.

** Net Book Value represents historical cost reduced by estimated depreciation. It is expected that some revenue will be realized upon sale at auction.

(1) Usable parts will be removed and the remainder will be auctioned and scrapped. Cost to repair them exceeds the value of the equipment.

(2) Disposed prior to the Board approval.

(3) Item was stolen on 2/6/2021 in an offsite area. Police report was filed.

(4) Equipment will be donated to UCR, Pierce College or Scripps Institute, or auctioned.

ATTACHMENT B
Obsolete or Non-repairable Motor Vehicles

Asset ID	Tag#	Description	Cost	Date Purchased	Net Book Value **	Disposition ***
000000003685	D000002*	Van, Cargo, Ford E350, CNG	\$ 34,701.74	1/31/2005	\$ 0.00	Auction
000000003843	H0007*	Auto Honda Civic GX CNG 2007	25,866.66	1/1/2007	0.00	Auction
Total Obsolete or Non-repairable Motor Vehicle			\$ 60,568.40		\$ 0.00	

* Assets purchased with federal funds.

** Net Book Value represents historical cost reduced by estimated depreciation. It is expected that some revenue will be realized upon sale at auction.

*** These vehicles have an average of 116,000 miles.

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 11

PROPOSAL: Authorize Cooperative Purchasing Agreement for Printing Equipment and Multi-Function Devices

SYNOPSIS: South Coast AQMD's printing equipment and multi-function devices contract is set to expire on December 31, 2021. The current provider has offered a proposal that ends the existing contract early, with no penalty or costs, and updates existing equipment, multi-function devices, and related software, which will result in cost-savings to South Coast AQMD. This action is for authorization to terminate the existing contract with MRC Smart Technology Solutions, a Xerox company, and execute a new five-year lease and maintenance agreement with the same vendor, beginning July 1, 2021 to June 30, 2026, for a total amount not to exceed \$802,000, utilizing a cooperative purchase program. Funding has been included in the FY 2021-22 budget and will be requested in successive fiscal years.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Terminate the current contract with SoCal Office Technologies, Inc. (now MRC Smart Technology Solutions) on June 30, 2021, without additional costs or penalties; and
2. Authorize the Executive Officer to execute a five-year lease and maintenance agreement with MRC Smart Technology Solutions, beginning July 1, 2021, and ending June 30, 2026, for a total amount not to exceed \$802,000 with an estimated average annual cost of \$160,400. Costs cover two color production printers, one black and white production printer system, 28 walk-up floor copiers (including one for Long Beach office), lease payments, maintenance, software, taxes and estimated print charges based on past usage.

Wayne Nastri
Executive Officer

Background

The South Coast AQMD Print Shop is responsible for prioritizing, coordinating, and performing printing tasks in-house. The Print Shop staff produces approximately 4.7 million in-house impressions and over 8,000 in-house copy and color press jobs per year. In addition, this staff oversees the maintenance of 28 multi-function devices (walk-up floor copiers), including troubleshooting minor issues, ordering supplies, and placing service calls, that handle approximately 950,000 impressions made annually by staff. Documents produced include Board and committee meeting documents, training manuals, the South Coast AQMD Advisor, and publications vital to keeping residents and businesses informed and aware of upcoming programs and events such as notices for public workshops and special events.

Since 2016, South Coast AQMD has maintained a lease agreement with SoCal Office Technologies, Inc. (now known as MRC Smart Technology Solutions, a Xerox company) for high-volume printing equipment and multi-function devices. This agreement is set to expire on December 31, 2021. MRC Smart Technology Solutions has submitted a proposal that includes various enhancements to current equipment and related software that would provide greater production flexibility, minimize paper usage, allow outsourced jobs to be produced in-house (i.e., business cards, envelopes, posters), and reduce costs. Software innovation includes the ability for Print Shop staff to work remotely via Virtual Private Network (VPN), reduce and/or eliminate steps in current job-building processes, eliminate the need for physical meter counts, and cloud and mobile connectivity that allows staff to remotely send files to multi-function devices.

Cooperative Purchase Agreement Process

South Coast AQMD's Procurement Policy and Procedure Section IV(A)(5) allows, whenever possible, the use of cooperative purchasing programs, provided that the quality of the available items meets South Coast AQMD requirements. Cooperative purchasing agreements reduce the cost of goods and services by aggregating the purchasing power of public agencies nationwide. This proposal utilizes a cooperative purchasing agreement with OMNIA Partners, Public Sector (subsidiaries National IPA and U.S. Communities), the most experienced cooperative purchasing organization for state and local government, K-12 education, and colleges/universities. All contracts available through OMNIA Partners, Public Sector are competitively solicited and publicly awarded by a lead public agency.

Proposal

To address variable print production volumes and ever-changing technology, staff is recommending print equipment and related software that increases efficiency, enables outsourced jobs to be produced in-house, expands offerings to internal customers, and implements an agency-wide solution to meet current and future needs. New equipment in this proposal includes two color production printers and one black and white

production printer for the Print Shop and 28 multi-function devices throughout the facility, including one located at the Long Beach field office, and related software.

The proposed cooperative purchasing agreement is with MRC Smart Technology Solutions, a Xerox company, for a five-year lease term commencing on July 1, 2021, through June 30, 2026, in an amount not to exceed \$802,000. To implement a new agreement, this proposal would also allow the parties to terminate the current contract early, effective June 30, 2021, with no additional costs or penalty. MRC Smart Technology Solutions serves Southern California with 20 factory-certified service technicians serving the Diamond Bar area, and a local warehouse. The company will provide a professional service team, a tenured account management team, quality products and excellent customer service.

Resource Impacts

The estimated average annual cost for the Print Shop’s two-color production printers and one black and white printer and the 28 multi-function devices is \$160,400, for a total five-year cost of \$802,000. Costs include equipment, lease payment, maintenance, taxes, software and estimated print charges based on past usage. Sufficient funds were requested in the FY 2021-2022 budget. Funding will be included in subsequent fiscal years for the remaining four-year term of the five-year lease and maintenance agreement.

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 12

PROPOSAL: Establish List of Prequalified Vendors for Janitorial Supplies

SYNOPSIS: On March 5, 2021, the Board approved the release of an RFQ to prequalify vendors for janitorial supplies. This action is to establish a list of prequalified vendors for janitorial supplies for a period of three years. Funds for services using this prequalified vendor list have been included in the FY 2020-21 Budget and will be requested in successive fiscal years.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTION:

Approve vendors listed in Table 1 as prequalified vendors to provide South Coast AQMD with janitorial supplies for a three-year period ending June 30, 2024.

Wayne Natri
Executive Officer

AJO:VMR:vl

Background

On March 5, 2021, South Coast AQMD released RFQ #2021-05 for Janitorial Supplies to establish a list of prequalified vendors for purchasing these supplies for a three-year period. These supplies include paper hand towels, toilet paper, and hand soap, among others, and are purchased routinely to support operational needs. South Coast AQMD takes an active part in reducing adverse effects on the environment by purchasing environmentally preferable products. These products have gone through a rigid standard and certification process administered by a third-party organization, known as Green Seal, and the Green Seal standard and certification is the criteria of all material specifications.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQ and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFQ has been mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, the State of California Contracts Register website, and placed on South Coast AQMD's website (<http://www.aqmd.gov>). Information was also available on South Coast AQMD's bidder's 24-hour telephone message line (909) 396-2724.

Bid Evaluation

Fourteen (14) copies of the RFQ #2021-05 were mailed out and three proposals were received by the close of bidding at 2:00 p.m. on April 8, 2021. Two proposals evaluated received a qualifying score and one proposal did not qualify. Table 1 summarizes the results of the evaluation process.

The evaluation panel consisted of three South Coast AQMD employees: a Facilities Services Technician, a Worker's Compensation Safety Analyst, and a Mail/Subscription Services Clerk; one is Caucasian, one is Hispanic, one is African American; two are male, one is female.

Resource Impacts

Sufficient funds have been appropriated for these services in the FY 2021-22 Budget and will be requested in subsequent fiscal year budgets.

Attachment

Table 1 - Prequalified Vendors for Janitorial Supplies

ATTACHMENT

Table 1

PREQUALIFIED VENDOR LIST

Janitorial Supplies

RFQ #2021-05

<u>Vendor Name</u>	<u>Qualifying Score</u>	<u>Additional Points</u>	<u>Total Points</u>
OEM Materials & Supplies	100	15	115
Waxie Sanitary Supplies	99.33	2	101.33

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 13

PROPOSAL: Transfer and Appropriate Funds and Execute Contract for Cybersecurity Assessment

SYNOPSIS: On March 5, 2021, the Board approved the release of an RFP to perform a comprehensive cybersecurity assessment. This action is to transfer and appropriate funds from the General Fund Undesignated (Unassigned) Fund Balance to Information Management's FY 2020-21 or FY 2021-22 Budget and authorize the execution of a contract with the selected vendor, Securance Consulting, in the amount of \$71,796.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTIONS:

1. Transfer and appropriate \$71,796 from the General Fund Undesignated (Unassigned) Fund Balance to Information Management's FY 2020-21 or FY 2021-22 Budget, Services and Supplies Major Object, Professional and Special Service account; and
2. Authorize the Executive Officer to execute a contract for cybersecurity assessment with Securance Consulting, in the amount of \$71,796 from Information Management's FY 2020-21 or FY 2021-22 Budget.

Wayne Natri,
Executive Officer

RMM:MH:CH:hp

Background

On March 5, 2021, South Coast AQMD released RFP P2021-10 to solicit proposals from qualified vendors to provide a most comprehensive and cost-effective cybersecurity assessment. This assessment will identify any potential cybersecurity risks and recommend changes to align with industry standards and peer organizations. The assessment will provide a roadmap to risk mitigation and cybersecurity program

maturity. Funds for this project would come from the General Fund Undesignated (Unassigned) Fund Balance.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP has been emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

Bid Evaluation

Fifty vendors attended the mandatory Bidder's Conference via Zoom held on March 24, 2021. Fourteen bids were received in response to the RFP when final bidding closed at 1:00 p.m. on April 9, 2021. Of the 14 bids, seven were from certified small businesses, one was from Disabled Veteran Owned business, two were from verified local businesses, three were from woman-owned business enterprises, and five were from a certified minority-owned business enterprise.

Of the responding bids, one was disqualified for not attending the mandatory Bidder's conference on March 24, 2021, seven were rated technically qualified to perform the work identified in the RFP and six did not achieve the minimum points required to meet the technical criteria. Attachment A reflects the evaluation of the seven qualified proposals and their respective scores. The bidder receiving the highest overall score from the evaluation panel was Securance Consulting.

Panel Composition

The six-member evaluation panel consisted of: a Chief Information Security Officer, Gemological Institute of America, and five South Coast AQMD staff members: two Information Technology Managers, and three Systems and Programming Supervisors. Of the six panelists, five are Asian, one is Caucasian; one is female and five are male.

Proposal

Staff proposes to transfer and appropriate \$71,796 from the General Fund Undesignated (Unassigned) Fund Balance to Information Management's FY 2020-21 Budget, Services and Supplies Major Object, Professional and Special Service account and execute a contract in the amount of \$71,796 with Securance Consulting.

Resource Impacts

Sufficient funds will be available in Information Management’s FY 2020-21 or FY 2021-22 Budget upon approval of the transfer and appropriation of \$71,796 from the General Fund Undesignated (Unassigned) Fund Balance.

Attachment

Attachment A – RFP Evaluation Summary

ATTACHMENT A

RFP Evaluation Summary

Summary of Evaluation of Qualified Respondents to RFP #P2021-10 Vendor	Technical Score	Cost Score	Additional Points	Total Score	Total Cost
Bakertilly	62	18	0	80	\$99,900
Crowe	62	3	0	65	\$135,830
Global	59	29	10	98	\$73,429
Pante Moran	59	18	0	77	\$99,720
Securance	65	30	10	105	\$71,796
Tech Knowledge	60	18	17	95	\$99,750

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 14

PROPOSAL: Appoint Members to South Coast AQMD Hearing Board

SYNOPSIS: The terms of office for the Hearing Board Attorney Member, Engineer Member and their alternates expire on June 30, 2021. A recruitment was opened from November 13, 2020 through January 8, 2021 to seek candidates for appointment to the new term beginning July 1, 2021 through June 30, 2024. An Advisory Committee appointed by some members of the Governing Board evaluated and ranked each candidate and recommended the top four attorney candidates and top four engineer candidates be interviewed by the Administrative Committee. The Administrative Committee interviewed the candidates at its meeting on May 14, 2021 and made a final recommendation. This action is to appoint members for the July 1, 2021 to June 30, 2024 term.

COMMITTEE: Administrative, May 14, 2021; Recommended for Approval

RECOMMENDED ACTION:

Appoint Robert Pearman as Attorney Member and Adrienne Konigar-Macklin as Alternate Attorney Member; and Reappoint Mohan Balagopalan as Engineer Member and appoint Maria Slaughter as Alternate Engineer Member to the South Coast AQMD Hearing Board for the term commencing July 1, 2021 to June 30, 2024.

Wayne Nastri
Executive Officer

FT

Background

The Hearing Board is a quasi-judicial body comprised of five members appointed by, but acting independently of, the Governing Board to provide relief from South Coast AQMD regulations under certain circumstances. The five members include one attorney, one engineer, one medical doctor and two public members. Each member, as

well as their alternates, serve a term of three years. The terms have staggered start dates so there is continuity on the Hearing Board.

The current term for the Attorney Member and Engineer Member expires on June 30, 2021. A recruitment was opened from November 13, 2020 to January 8, 2021 to seek candidates for appointment to the new term that commences July 1, 2021 through June 30, 2024. During the filing period, 20 applications were received for the Attorney Member and 10 for the Engineer Member that met the minimum qualifications. The incumbents for both positions requested reappointment.

Health and Safety Code Section 40501.1(b) requires the South Coast AQMD Governing Board appoint an Advisory Committee who has the responsibility to review candidates for Hearing Board appointments and make recommendations to the appropriate Governing Board committee. The Hearing Board Advisory Committee is composed of one representative appointed by each of the Governing Board members from the Counties of Los Angeles, Orange, Riverside and San Bernardino, and the City of Los Angeles. The Advisory Committee members for this recruitment are listed below.

Representing	Member
City of Los Angeles Council Member Joe Buscaino	Ray Regalado Los Angeles County Commission on Human Relations Department of Workforce Development, Aging and Community Services
County of Los Angeles Supervisor Sheila Kuehl	Diane Moss Former South Coast AQMD Governing Board Consultant
County of Orange Supervisor Lisa Bartlett	Lucy Dunn President & CEO Orange County Business Council
County of Riverside Supervisor V. Manuel Perez	Rodolfo Gutierrez RG2 Staffing
County of San Bernardino Supervisor Janice Rutherford	Dr. William Sterling President & CEO BCM Group

The Advisory Committee assessed and ranked the application materials of each candidate against a set of criteria that they approved. A panel of South Coast AQMD staff also evaluated and ranked the candidates, which the Advisory Committee requested to use as a cross reference and compare against their individual scores. The South Coast AQMD staff panel consisted of three Executive Council members; two evaluated the attorney candidates and three evaluated the engineer candidates. Of the

three panelists, one is Caucasian, one Hispanic and one Asian American; one female and two males.

On April 23, 2021, the Advisory Committee met to discuss the scores/rankings and decide on a short list of candidates to interview. One member was not able to rank the candidates, so the other Committee members agreed to proceed with the process. The Advisory Committee unanimously agreed to waive interviewing the candidates and recommended that the top four attorney candidates and top four engineer candidates move forward to the Administrative Committee for interviews. Subsequent to the Advisory Committee's recommendation, one attorney candidate withdrew from the interview process. The candidates are listed below in alphabetical order.

Attorney Member Candidates

- 1) Adrienne Macklin
- 2) Robert Pearman
- 3) Julie Prussack

Engineer Member Candidates

- 1) Mohan Balagopalan
- 2) Robert Pease
- 3) Maria Slaughter
- 4) Eric Witten

Proposal

After interviewing the three attorney candidates and four engineer candidates on May 14, 2021, the Administrative Committee recommends the Board appoint Robert Pearman as Attorney Member, appoint Adrienne Konigar-Macklin as Alternate Attorney Member, reappoint Mohan Balagopalan as Engineer Member and appoint Maria Slaughter as Alternate Engineer Member for the term commencing July 1, 2021 and ending June 30, 2024. The individuals recommended for appointment were subsequently contacted, and each indicated their willingness to serve. A summary of their qualifications follows.

Attorney Member

Robert (“Bob”) Pearman is an attorney, arbitrator and board member. He has a decades-long practice in the areas of public, transactional and litigation law, including environmental law work, now as Of Counsel to the Los Angeles law firm of Sanders Roberts LLP. Currently, he is on the State of California Architects Board, and a member of the Board of Directors of non-profit JVS SoCal. His arbitral posts include various panels of the American Arbitration Association, and the State of California Public Works Arbitration Panel, among others.

Formerly, Mr. Pearman was a gubernatorial appointee to the State of California Inspection and Maintenance Review Committee; Los Angeles County Assessment Appeals Board member; Board Member and Chair of the National Housing Law Project; and on the Executive Committee of state and local bar associations.

He is a graduate of the University of Pennsylvania, Wharton School, and Yale Law School.

Alternate Attorney Member

Ms. Konigar- Macklin is a graduate of UC Irvine/Dartmouth College, where she obtained a B.A. in Social Ecology. She graduated from UC Hastings College of Law and Pepperdine University School of Dispute Resolution Certification Institute.

She has practiced over 34 years and is currently serving as General Counsel for San Diego County Office of Education through her own practice. She has handled construction and environmental issues and represented public agencies. She most notably negotiated a \$118 million-dollar settlement on behalf of a local public school district for environmental damage. She also worked on securing playground and clean outdoor space for children living in the inner city.

She was also appointed as an Administrative Law Judge in 2010 for the State of California by Governor Jerry Brown and served as a Commissioner for the Los Angeles County Commission on Families and Children for the 2nd Supervisory District.

She is in her fourth term as an elected official and is the Immediate Past President of the School Board for the Pomona Unified School District. She is the President of the California State University Dominguez Hills/ M. Dymally Public and Political Policy Advisory Board. She has devoted her legal career to protecting and securing the educational rights of children and has been at the forefront of addressing educational inequities.

She is a Past President of the California Association of Black Lawyers, Black Women Lawyers of Los Angeles and member of Alpha Kappa Alpha, Sorority, Inc. She is a frequent guest speaker on educational equity, ethics, organizational effectiveness, women's empowerment issues, mentoring and spirituality.

Engineer Member

Mohan Balagopalan was appointed as the Engineer member to the South Coast AQMD Hearing Board in 2018 and is the current Vice-Chair. Mr. Balagopalan brings over 37 years of engineering experience to the Hearing Board, that included 32 years at South Coast AQMD in the Permitting Division. Prior to his retirement, he served as the Senior Permitting Manager for the Mechanical and Chemical teams, and the Permit Streamlining & Administration Team. Mr. Balagopalan holds a B.S. in Mechanical Engineering and a Master of Business Administration (MBA). He holds a Certificate in Hazardous Materials Management from UCR and a Certificate in Six Sigma, Yellow Belt from California State University Fullerton.

Mr. Balagopalan is passionate about teaching and has over two decades of teaching experience on courses related to air quality permitting and dispersion modeling at UC Riverside Extension Program. He also taught for a few years at Loma Linda University, School of Public Health. After his retirement and before joining the Hearing Board, he taught courses nationally at other air pollution agencies for the National Air Compliance Training Program. He is currently a non-tenured Clinical Instructor at the School of Public Health, Loma Linda University. He is Certified instructor by U.S.EPA on Computer Aided Management of Emergency Operations (CAMEO). In 2020, Mr. Balagopalan was appointed to the University of California, Riverside Extension Design Thinking Advisory Board.

Alternate Engineer Member

Dr. Maria Slaughter has over 25 years of experience in engineering and environmental health and safety and has worked in a wide variety of industries including oil, printing, aerospace, education, and municipal government.

Her interest in the intersectionality of technical operations and sustainability was piqued in college when she led a nationally sponsored team in a competition to convert a vehicle from internal combustion to battery powered. Subsequently, she held responsibility for air compliance in two air districts and acted as the liaison to several regulatory agencies. Over the course of her career, Dr. Slaughter has completed multi-million dollar projects and implemented a myriad of programs within the environmental arena including a recycling effort that was the impetus for nine consecutive awards from the Environmental Protection Agency.

Dr. Slaughter holds a Bachelor's of Science degree in Mechanical Engineering from CSU Northridge, a Master's of Science degree in Civil / Environmental Engineering from Loyola Marymount University, an MBA from Pepperdine University, and a Doctorate in Education from CSU Long Beach. Additionally, she has attained a variety of certifications including Project Management Professional, Six Sigma Green Belt and Black Belt, Certified Energy Manager, and Asbestos Management Contractor / Supervisor / Inspector. Dr. Slaughter has also been an adjunct professor for more than a decade, served on technical and educational committees and is currently a small business owner as well as an alternate member of both the State of California and County of Los Angeles Citizen's Redistricting Commissions.

Fiscal Impacts

Sufficient funds are budgeted each year to compensate those who serve on the Hearing Board.

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 15

PROPOSAL: Approve Award as Approved by MSRC

SYNOPSIS: As part of their FYs 2018-21 Work Program, the MSRC approved an award to provide special transit service to the 2022 Orange County Fair. The MSRC seeks approval of this award.

COMMITTEE: Mobile Source Air Pollution Reduction Review, May 20, 2021;
Recommended for Approval

RECOMMENDED ACTIONS:

1. Approve contract award to Orange County Transportation Authority (OCTA) in an amount not to exceed \$289,054 to co-fund implementation of special transit service to the 2022 Orange County Fair, as part of approval of the FYs 2018-21 Work Program, as described in this letter;
2. Authorize MSRC to adjust contract awards up to five percent, as necessary and previously granted in prior work programs; and
3. Authorize the Chair of the Board to execute the new contract under the FYs 2018-21 Work Program, as described above and in this letter.

Larry McCallon
Chair, MSRC

MMM:AK:CR

Background

In September 1990, Assembly Bill 2766 was signed into law (Health & Safety Code Sections 44220-44247) authorizing an annual \$4 motor vehicle registration fee to fund the implementation of programs exclusively to reduce air pollution from motor vehicles. AB 2766 provides that 30 percent of the annual \$4 vehicle registration fee subvented to the South Coast AQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, public notices advertising the Major Event Center Program Announcement were published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise to leverage the most cost-effective method of

outreach to the South Coast Basin. In addition, the Program Announcement was advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the Program Announcement was e-mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, and placed on South Coast AQMD's website (<http://www.aqmd.gov>). Further, the Program Announcement was posted on the MSRC's website at <http://www.cleantransportationfunding.org> and electronic notifications were sent to those subscribing to this website's notification service.

Proposal

At its May 20, 2021 meeting, the MSRC considered recommendations from its MSRC Technical Advisory Committee (MSRC-TAC) and approved the following:

FYs 2018-21 Major Event Center Transportation Program

As part of its FYs 2018-21 Work Program, the MSRC allocated \$6.5 million for event center transportation programs and released Program Announcement #PA2019-03. Subsequently, due to the unforeseen effects of COVID-19, the MSRC approved extending the Program Announcement's deadline for events by one year to December 31, 2022. To date, the MSRC has awarded a total of \$3,820,682 under this solicitation. The MSRC considered recommendations concerning an additional application submitted by OCTA. OCTA requested the MSRC consider an award of \$289,054 to provide express bus services between existing transit facilities and the 2022 Orange County Fair in Costa Mesa. The service would be provided on nine routes, on Saturday and Sunday for all five weekends of the 2022 Fair season. The service will utilize "near-zero" CNG buses and eight hydrogen fuel cell buses. OCTA and its partners are committed to provide at least \$433,581 in co-funding contributions to the operation and marketing of the program. The MSRC approved a contract award to OCTA in an amount not to exceed \$289,054 for the 2022 Orange County Fair Express bus service.

At this time, the MSRC requests the South Coast AQMD Board approve the contract award as part of approval of the FYs 2018-21 AB 2766 Discretionary Fund Work Program as outlined above. The MSRC also requests the Board authorize the South Coast AQMD Board Chair to execute all agreements described in this letter. The MSRC further requests authority to adjust the funds allocated to each project specified in this Board letter by up to five percent of the project's recommended funding. The Board has granted this authority to the MSRC for all past Work Programs.

Resource Impacts

The South Coast AQMD acts as fiscal administrator for the AB 2766 Discretionary Fund Program (Health & Safety Code Section 44243). Money received for this program is recorded in a special revenue fund (Fund 23) and the contracts specified herein will be drawn from this fund.

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 16

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the April 2021 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 Community Groups and Federal, State and Local Governments.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Nastri
Executive Officer

LTO:NM:KH:DM:kv:bk:ar

BACKGROUND

This report summarizes the activities of the Legislative, Public Affairs and Media Office for April. The report includes: Major Events; Community Events/Public Meetings; Environmental Justice Update; AB 617; Speakers Bureau/Visitor Services; Communications Center; Public Information Center; Business Assistance; Media Relations; and Outreach to Community Groups and Governments.

MAJOR EVENTS (HOSTED AND SPONSORED)

Each year, South Coast AQMD staff engage in holding and sponsoring several major events throughout South Coast AQMD's four county jurisdiction to promote, educate, and provide important information to the public regarding reducing air pollution, protecting public health, improving air quality and the economy.

No major events were hosted or sponsored in April.

COMMUNITY EVENTS/PUBLIC MEETINGS

Each year, South Coast AQMD staff engage with thousands of residents and stakeholders, providing valuable information about the agency, incentive programs, and ways individuals can help reduce air pollution through events and meetings sponsored solely by South Coast AQMD or in partnership with others. Attendees typically receive the following information:

- Tips on reducing their exposure to smog and its health effects;
- Clean air technologies and their deployment;
- Invitations or notices of conferences, seminars, workshops, and other public events;
- South Coast AQMD incentive programs;
- Ways to participate in South Coast AQMD's rules and policy development; and;
- Assistance in resolving air pollution-related problems.

South Coast AQMD staff attended and/or provided information and updates at the following April events and meetings:

Why Healthy Air Matters (WHAM)

On April 13, 20, and 30, staff virtually presented WHAM air quality curriculum at Bassett High School in La Puente, Home Gardens Academy in Corona, and Servite High School in Anaheim, respectively. Class sizes varied, with up to 35 students.

South Pasadena Chamber of Commerce

Staff virtually updated the South Pasadena Chamber of Commerce Legislative Committee on April 14. Updates included the CLEANair Furnace Rebate program and extension of the Emergency Order to temporarily suspend limits on cremations in Los Angeles County and Riverside County, or that have an agreement with the Los Angeles County Coroner.

San Gabriel Valley City Manager's Association

Staff participated in the virtual San Gabriel Valley City Manager's Association meeting on April 21. Staff provided information on the Clean Air Program for Elementary Students (CAPES), the Volkswagen Environmental Mitigation Trust, and CLEANair Furnace Rebate Program.

Orange County Council of Government (OCCOG) Board Meeting

Staff attended the OCCOG virtual monthly meeting on April 22. Staff reported on the SOON and Carl Moyer programs and other South Coast AQMD updates.

Riverside Transit Agency, Transportation Now (T-NOW)

On April 28, staff attended the Riverside Transit Agency, T-NOW virtual meeting and presented on the new Carl Moyer Infrastructure opportunity, Proposition 1B Goods Movement Emission Reduction Projects, and the 2021 Advanced Clean Transportation (ACT) Expo.

California Air Pollution Control Officers Association (CAPCOA) Rural Section

On April 28, staff virtually presented insights and recommendations for “Effective Public Outreach and Community Engagement” at the CAPCOA Rural Section meeting. The presentation included a question and answer session with approximately 30 attendees.

ENVIRONMENTAL JUSTICE UPDATE

The following are key environmental justice related (EJ) activities in which staff participated during April. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

Environmental Law Institute Webinar

On April 6, staff attended a webinar entitled, “Employing Critical Race Theory and Intersectionality in the Pursuit of Environmental Justice” hosted by the Environmental Law Institute. Panelists discussed the history of environmental justice, racism and issues related to indigenous peoples.

The Mapping Inequality Project

On April 6, staff participated in a U.S. EPA Office of Environmental Justice webinar entitled “Redlining and the Climate Crisis.” The discussion focused on a recent study on the correlation of redlined areas and the location of urban heat islands.

Pacoima Community Initiative (PCI) Meeting

Staff participated in the PCI virtual monthly meeting on April 9. The purpose of the meeting was to discuss a virtual resource fair for families with students attending Pacoima Charter, Bright Star Schools, Ingenium Schools, Youth Policy Institute Charter Schools, and others.

Environmental Protection Agency (EPA) Ports Initiative Webinar

On April 9, staff attended a webinar entitled “EPA Community-Port Collaboration Resources to Address Diesel Pollution.” Speakers discussed EPA’s Community-Port Collaboration Toolkit and the Environmental Justice Small Grants program to support communities living near port and rail facilities.

7th Annual Environmental Justice Enforcement Symposium

On April 21, staff attended the virtual 7th Annual Environmental Justice Enforcement Symposium, hosted by California Safe Schools in partnership with the Los Angeles

Environmental Justice Network and CARB. The symposium focused on work with environmental justice communities and partnership building.

Young Leader Advisory Council (YLAC) Meeting

Staff convened a virtual quarterly meeting for YLAC on April 21. YLAC considered and proposed amendments to their charter and received a presentation on WHAM.

Environmental Justice Advisory Group (EJAG) Meeting

Staff held the quarterly EJAG meeting on April 23. Presentations included AB 617, South Coast AQMD incentive programs, WHAM, and the Environmental Justice Community Partnership.

Coachella Valley Environmental Justice Enforcement Task Force Meeting

Staff participated in the Coachella Valley Environmental Justice Enforcement Task Force's monthly meeting held virtually on April 28. Staff announced the upcoming AB 617 Eastern Coachella Valley (ECV) Community Steering Committee (CSC) meeting and provided an update on CAPES.

Special EJAG and YLAC Meeting

On April 29 and 30, special EJAG and YLAC virtual meetings were held on Proposed Rule 2305 - Warehouse Indirect Source Rule. EJAG and YLAC members voted to submit recommendation letters to the Board on the proposed rule.

AB 617 UPDATE

The following are key AB 617 related activities in which staff participated during April. These events, workshops and meetings involve AB 617 communities to support the Community Steering Committees (CSC), Community Air Monitoring Plans (CAMPs) and Community Emissions Reduction Plans (CERPs).

South Los Angeles (South LA) Community Meeting

On April 1, approximately 70 attendees participated in the South Los Angeles virtual meeting, co-hosted with Physicians for Social Responsibility – Los Angeles, Strategic Concepts in Organizing and Policy Education, and Watts Clean Air and Energy Committee. The discussion focused on community boundary considerations, air quality concerns, and CSC membership.

Wilmington, Carson, West Long Beach (WCWLB) CSC

Approximately 80 attendees participated in the WCWLB CSC virtual meeting on April 8. Staff led a discussion on AB 617 incentives budgeting, presented survey results from the incentive project prioritization activity, and gathered CSC input.

East Los Angeles, Boyle Heights, West Commerce (ELABHWC) CSC

Approximately 30 attendees participated in the ELABHWC CSC virtual meeting on April 8. Staff led a discussion on AB 617 incentives budgeting, presented survey results from the incentive project prioritization activity and gathered CSC input.

ECV CSC

Approximately 41 attendees participated in a ECV CSC virtual meeting on April 9, as a follow-up to a prior meeting related to pesticides. CSC members and attendees participated in breakout rooms to discuss amendments to the CERP.

ECV CSC

Approximately 40 attendees participated in the ECV CSC virtual meeting on April 14. Staff led a discussion on AB 617 incentives budgeting, presented survey results from the incentive project prioritization activity, and gathered CSC input.

San Bernardino/Muscoy (SBM) CSC

Approximately 25 attendees participated in the SBM CSC virtual meeting on April 14. Staff led a discussion on AB 617 Incentives Budgeting, presented survey results from the incentive project prioritization activity, and gathered CSC input.

Southeast Los Angeles (SELA) CSC

Approximately 65 attendees participated in the SELA CSC virtual meeting on April 15. Staff led a discussion on AB 617 incentives budgeting, presented survey results from the incentive project prioritization activity, and gathered CSC input. Staff also presented on school air filtration prioritization criteria.

ECV CSC

Approximately 40 attendees participated in the ECV CSC virtual meeting on April 16. CSC Members discussed CERP amendments and alternatives to open agricultural burning.

WHAM

On April 22, staff conducted a virtual WHAM presentation at Elizabeth Learning Center in Cudahy. Students learned about South Coast AQMD, air quality and the AB 617 program.

Gateway Cities Council of Governments (Gateway Cities COG) and TreePeople

On April 22, staff met virtually with representatives of Gateway Cities COG and TreePeople to discuss collaboration on green spaces prioritized by the SELA CSC.

ECV CSC

On April 22, approximately 46 attendees participated in the ECV CSC virtual follow-up meeting for discussions on agricultural burning and CERP amendments.

Leuzinger High School, Lawndale – Environmental Careers Academy (EXP)

On April 29, staff virtually participated in Leuzinger High School’s Environmental Career Academy in partnership with the AB 617 WCWLB community. Staff partnered with EXP to present on environmental justice and air quality careers to approximately 15 high school sophomores. Students inquired about air quality careers and public outreach efforts. Staff provided information on South Coast AQMD resources, including the mobile application and the Board summer internship program.

SPEAKERS BUREAU/VISITOR SERVICES

South Coast AQMD regularly receives requests for staff to speak on air quality-related issues from a wide variety of organizations, such as trade associations, chambers of commerce, community-based groups, schools, hospitals and health-based organizations. South Coast AQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

There were no visits or speaker’s bureau requests in the month of April.

COMMUNICATION CENTER STATISTICS

The Communication Center handles calls on South Coast AQMD’s main line, the 1-800-CUT-SMOG® line, the Spanish line, and after-hours calls to each of those lines. Total calls received in the month of April were:

Calls to South Coast AQMD’s Main Line and 1-800-CUT-SMOG® Line	2,601
Calls to South Coast AQMD’s Spanish-language Line	55
Total Calls	2,656

PUBLIC INFORMATION CENTER STATISTICS

The Public Information Center (PIC) handles phone calls for general information. The PIC did not take walk-in requests in April because of the COVID pandemic. Email advisories provided information on upcoming meetings and events, program announcements and alerts on time sensitive issues. Information for the month of April is summarized below:

Calls Received by PIC Staff	14
Calls to Automated System	691
Total Calls	705

Email Advisories Sent	26,772
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SMALL BUSINESS ASSISTANCE

South Coast AQMD notifies local businesses of proposed regulations so they can participate in the agency’s rule development process. South Coast AQMD works with other agencies and governments to identify efficient, cost-effective ways to reduce air pollution and shares that information broadly. Staff provides personalized assistance to small businesses both over the telephone and via virtual on-site consultation, as summarized below for April.

- Provided permit application assistance to 203 companies; and,
- Processed 69 Air Quality Permit Checklists.

Types of businesses assisted:

Architecture Firms	Engineering Firms	Plating Facilities
Auto Body Shops	Gas Stations	Restaurants
Auto Repair Centers	Manufacturing Facilities	Retail Operations
Construction Firms	Offices	Warehouses
Dry Cleaners		

MEDIA RELATIONS

The Media Office handles all South Coast AQMD outreach and communications with television, radio, newspapers and all other publications, and media operations. The April reports are listed below:

Major Media Interactions	100
Press Releases	10
News Carousel	6

Major Media Topics:

- **Warehouse ISR:**
 - Staff participated in interviews with the Los Angeles Times and NBC News regarding warehouses and their impact on communities.
 - Thomson Reuters requested an in-person interview in mid-May. Awaiting additional information prior to scheduling.
 - Chapman University, IE Business Daily, Voice of OC and KPCC requested information on the Warehouse ISR. Voice of OC reached out with multiple requests and responses were provided.
 - KPCC requested a warehouse tour. South Coast AQMD could not accommodate the request for the tour and provided written responses to the reporter’s questions.

- **Windblown Dust Advisories:** Pitches were sent to local news outlets on the windblown dust advisories on April 4, 13 and 24 impacting portions of the South Coast Air Basin and Coachella Valley, resulting in coverage from television, radio and online outlets.
- **North Start Hockey Arena:** The Desert Sun inquired about the proposed North Start hockey arena and emission standards in the Coachella Valley. Written responses were provided.
- **Rendering Facilities:** A student reporter with California State University, Los Angeles submitted questions regarding rendering facilities. Responses were provided.
- **Relocations of U.S. Army Reserve Passenger Jets:** The Los Angeles Times – Orange County inquired if South Coast AQMD had comments on the U.S. Army Reserve decision to relocate four passenger jets from Texas to Los Alamitos. A written response was provided.
- **Salton Sea Air Monitoring:** Bloomberg requested an interview or presentation slides on potential air monitoring efforts near the Salton Sea, based on a staff presentation at the State Water Board Salton Sea workshop. A copy of the presentation was provided.
- **Special Election:** Pitches were sent to local news outlets including the press release on the Board special election.
- **Long Beach Air Quality:** A California State University, Long Beach student reporter inquired about air quality changes in Long Beach during the pandemic. A written response was provided.
- **Murphy Drill Site:** The Los Angeles Times submitted questions regarding NOV's at the Murphy drill site. Written responses were provided.
- **Lawn and Garden Equipment:** Altadena Heritage Newsletter requested information on particulate matter emissions from lawn and garden equipment. Written responses were provided. University of Southern California Communications requested clarification regarding a quote comparing emissions from lawn and garden equipment to passenger vehicles. A written response was provided.
- **Off-Road Equipment:** Board Chair-Elect Benoit participated in an interview with Volvo CE on technological advancements in electric construction equipment for a thought leader piece.
- **Landfills:** Reuters requested an interview to discuss methane air monitoring efforts at landfills. A written response was provided, and the reporter was referred to CARB for additional information.
- **ALA State of the Air Report:** Pitches were sent to local news outlets regarding the ALA State of the Air report, resulting in online coverage. Staff participated in an interview with ABC regarding the report.

- **World Logistics Center:** A Riverside City College student reporter inquired about South Coast AQMD's involvement with the World Logistics Center. Requested more specific questions.
- **Meeting Webcasts:** Staff participated in an interview with Voice of OC on simulcasting public meetings in multiple languages.
- **Exide:** KCRW/NPR requested an interview to discuss community impacts near the Exide battery recycling plant. Looking into the request.
- **Air Quality and Health:** Pitched information about the South Coast AQMD mobile app to Fitbit for a story on public health, exercise and air pollution. Awaiting a response.
- **All American Asphalt:** Voice of OC requested an interview on air monitoring efforts near All American Asphalt since the March public meeting. A written response was provided due to the short deadline.
- **CIO Interview:** iHeartMedia requested an interview with our CIO for *The Restless Ones* podcast regarding his career. An interview was scheduled for early May.

News Releases:

- **Under Volvo LIGHTS program, Last-Mile Delivery Fleet QCD Adds Volvo VNR Electric Truck – April 1, 2021:** Shared a Volvo press release regarding QCD receiving its first zero-emission, battery electric truck.
- **South Coast AQMD Governing Board Elections - April 2, 2021 (English and Spanish):** Announced the election of Chair-Elect Ben Benoit and Vice-Chair Elect Vanessa Delgado.
- **South Coast AQMD Issues Windblown Dust Advisory for Portions of the South Coast Air Basin and Coachella Valley – April 4, 13, 24, 2021 (English and Spanish):** Informed residents of windblown dust conditions in the South Coast Air Basin and Coachella Valley.
- **Under Volvo LIGHTS program, Saia takes Delivery of Two Zero-emission VNR Electric Trucks – April 21, 2021:** Saia LTL Freight takes delivery of two Zero-emission VNR electric trucks which are the first to be deployed in Saia's fleet.

Social Media Notable posts:

- **New Board Chair/Vice-Chair (4/2):** 7,324 Twitter Impressions.
- **AQ Forecast (4/13):** 2,925 Twitter Impressions.
- **Notable posts: Prop 1B (4/15):** 3,121 Twitter Impressions

News Carousel:

- **Emergency Order for Crematoriums Extended for Los Angeles and Riverside counties – April 2, 13 and 27 2021:** Links to the latest extension of the Emergency Order for crematoriums.
- **Check out our new video on CAPES – South Coast AQMD’s educational program for elementary school students – April 16, 2021:** Shared the new CAPES video
- **April 22 is Earth Day - Here are 10 things you can do to help clean the air – April 22, 2021:** Shared healthy air habits for Earth Day.
- **Install a CLEANair furnace and get up to \$1500 in refunds – April 30, 2021:** Links to the Clean Air Furnace Rebate page.

OUTREACH TO COMMUNITY GROUPS AND FEDERAL, STATE, AND LOCAL GOVERNMENTS

Due to COVID-19, outreach was conducted virtually in April, utilizing web based and other technologies to communicate with elected officials or staff from the following cities:

Alhambra	Huntington Beach	Rosemead
Anaheim	Industry	San Bernardino
Arcadia	Irvine	San Dimas
Azusa	Irwindale	San Fernando
Baldwin Park	La Cañada Flintridge	San Gabriel
Big Bear Lakes	La Habra	San Marino
Bradbury	La Puente	Santa Ana
Brea	Laguna Niguel	Santa Clarita
Buena Park	Lake Forest	Seal Beach
Burbank	Manhattan Beach	Sierra Madre
Claremont	Mission Viejo	South El Monte
Covina	Monrovia	South Pasadena
Diamond Bar	Monterey Park	Stanton
Duarte	Newport Beach	Temple City
El Monte	Pasadena	Tustin
Fontana	Placentia	Walnut
Fullerton	Pomona	West Covina
Garden Grove	Redondo Beach	Yorba Linda
Glendora	Riverside	

Communication conducted in April with elected officials and/or staff from the following state and federal offices:

- U.S. Representative Tony Cárdenas
- U.S. Representative Judy Chu
- U.S. Representative Mike Levin
- U.S. Representative Alan Lowenthal
- U.S. Representative Lucille Roybal-Allard
- Senator David Min
- Senator Josh Newman
- Senator Anthony Portantino
- Senator Henry Stern
- Assembly Member Marc Berman
- Assembly Member Lisa Calderon
- Assembly Member Laura Friedman
- Assembly Member Cristina Garcia
- Assembly Member Eduardo Garcia
- Assembly Member Chris Holden
- Assembly Majority Leader Eloise Gómez Reyes
- Assembly Member Blanca Rubio

Staff represented South Coast AQMD in April and/or provided updates or a presentation to the following governmental agencies and business organizations:

Anaheim Chamber of Commerce
Baldwin Hills Community Advisory Panel
California Fuel Cell Partnership
California High Speed Rail
CAPCOA
CARB
Coachella Valley Association of Governments
Department of Toxic Substance Control
Gateway Cities Council of Governments
Huntington Beach Chamber of Commerce
Inland Action
Inland Empire Chamber of Commerce
Inland Valley Development Agency
League of California Cities, Orange County Division
Las Virgenes-Malibu Council of Governments
Los Angeles County Board of Supervisors
Los Angeles County Department of Public Health
Los Angeles County Department of Public Works
Newport Beach Chamber of Commerce
Omnitrans
Ontario International Airport
Orange Chamber of Commerce
Orange County Board of Supervisors
Orange Chamber of Commerce
Orange County Council of Governments

Orange County Transportation Authority
Riverside County Board of Supervisors
Riverside County Transportation Commission
Riverside Transit Agency
San Bernardino County Transportation Authority
San Bernardino International Airport
San Fernando Valley Council of Governments
San Gabriel Valley City Managers Association
San Gabriel Valley Council of Governments
Santa Ana Chamber of Commerce
SCAG
South Bay Cities Council of Governments
South Orange County Economic Coalition
South Pasadena Chamber of Commerce
Western Community Energy
Western Riverside Council of Governments
Young Professionals in Energy, Los Angeles Chapter

Staff represented South Coast AQMD in April and/or provided updates or a presentation to the following community and educational groups and organizations:

Basset High School, La Puente
Breathe Southern California
California State University, San Bernardino
Clean Air Coalition
Garey High School, Pomona
Home Gardens Academy, Corona
Huntington Beach Union Unified School District
Physicians for Social Responsibility-Los Angeles
Servite High School, Anaheim
Strategic Concepts in Organizing and Policy Education
Watts Clean Air and Energy Committee

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 17

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of April 1 through April 30, 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Mohan Balagopalan
Vice Chairman of Hearing Board

ft

Two summaries are attached: **April 2021 Hearing Board Cases and Rules From Which Variances and Orders for Abatement Were Requested in 2021**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of April 1 to April 30, 2021.

Report of April 2021 Hearing Board Cases

Case Name and Case No. (South Coast AQMD Attorney)	Rules	Reason for Petition/Hearing	South Coast AQMD Position/Hearing Board Action	Type and Length of Variance or Order	Excess Emissions
1. Los Angeles County – Internal Services Department Case No. 6127-5 (D. Hsu and Josephine Lee)	203(b)	Emergency generators are expected to exceed their annual 200-hour operating limit due to power outages during mandatory Public Safety Power Shutoffs and all other unforeseen emergency events.	Not Opposed/Granted	RV granted commencing 4/22/21 and continuing through 12/31/21, the FCD.	<u>Facility ID 191715</u> VOC: 4.08 lbs/hr NOx: 21.84 lbs/hr SOx: .024 lb/hr CO: 1.2 lbs/hr PM: 4.08 lbs/hr <u>Facility ID 68968</u> VOC: 4.08 lbs/hr NOx: 21.84 lbs/hr SOx: .024 lb/hr CO: 1.2 lbs/hr PM: 1.2 lbs/hr
2. Petro Diamond Terminal Company Case No. 3678-5 (M. Reichert)	203(b) 462(d)(1) 462(e)(1)(E)(i)(II)	CARB has postponed certification testing beyond the required 180-day period for VRS upgrades due to COVID-19 concerns.	Not Opposed/Granted	SV granted commencing 5/1/21 and continuing through 7/31/21.	None
3. Phillips 66 Company Case No. 4900-113 (M. Reichert)	203(b) 2004(f)(1) 3002(c)(1)	Tank 3 exceeded its monthly volume throughput limit due to a process upset at the Refinery.	Opposed/Denied	Ex Parte EV denied.	N/A
4. Phillips 66 Company Case No. 4900-113 (B. Tomasovic)	203(b) 2004(f)(1) 3002(c)(1)	Tank 3 exceeded its monthly volume throughput limit due to a process upset at the Refinery.	Not Opposed/Granted	IV granted commencing 4/29/21 and continuing for 90 days or until the RV hearing scheduled for 6/9/21, whichever comes first.	VOC: .08 lb/day

5. South Coast AQMD vs. Ralphs Grocery Company Case No. 6166-1 (K. Roberts)	N/A	Status report. The Board modified the Order to change the next status hearing to 6/1/21.	Stipulated/Issued	The Hearing Board shall continue to retain jurisdiction over this matter until 6/30/21.	N/A
6. Southern California Edison – Center Peaker Case No. 1262-113 (D. Hsu)	203(b) 3002(c)(1)	Perform a cranking path test during a “black start” operation at the Norwalk Center Peaker unit to be able to start up auxiliary equipment at the AES Alamos Generating Station in Long Beach.	Not Opposed/Granted	SV granted for eight (8) consecutive hours in a single day, 4/10/21.	NOx: 56.9 lbs/day CO: 3.6 lbs/day

Acronyms

- CARB: California Air Resources Board
- CO: Carbon Monoxide
- EV: Emergency Variance
- FCD: Final Compliance Date
- IV: Interim Variance
- N/A: Not Applicable
- NOx: Oxides of Nitrogen
- PM: Particulate Matter
- RV: Regular Variance
- SOx: Oxides of Sulfur
- SV: Short Variance
- VRS: Vapor Recovery System
- VOC: Volatile Organic Compound

Rules from which Variances and Orders for Abatement were Requested in 2021

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
203(b)	2	3	2	5									12
462(d)(1)				1									1
462(e)(1)(E)(i)(II)				1									1
1100(e)(1)(B)			2										2
1146(c)(1)(I)			1										1
1146(c)(4)			1										1
1146(e)(4)			1										1
1150.1(e)(1)		1											1
1421	9	6											15
1469	1												1
2004(f)(1)		3	2	2									7
3002(c)(1)	1	3	1	3									8

SOUTH COAST AQMD RULES AND REGULATIONS INDEX
2021 HEARING BOARD CASES AS OF APRIL 30, 2021

REGULATION II – PERMITS

Rule 203 Permit to Operate

REGULATION IV – PROHIBITIONS

Rule 462 Organic Liquid Loading

REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1100 Implementation of NO_x Facilities

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators,
and Process Heaters

Rule 1150.1 Control of Gaseous Emissions from Municipal Solid Waste Landfills

REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS

Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Systems

Rule 1469 Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations

REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

REGULATION XXX – TITLE V PERMITS

Rule 3002 Requirements

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 18

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from April 1, 2021 through April 30, 2021, and legal actions filed by the General Counsel's Office from April 1 through April 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: Stationary Source, May 21, 2021, Reviewed

RECOMMENDED ACTION:
Receive and file.

Bayron T. Gilchrist
General Counsel

BTG:ew

There are no Civil Filings for April 2021.

Attachments

April 2021 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

Settlement Penalty Report (04/01/2021 - 04/30/2021)

Total Penalties

Civil Settlement : \$137,450.00
Hearing Board Settlement : \$25,000.00
MSPAP Settlement : \$12,245.00

Total Cash Settlements: \$174,695.00

Fiscal Year through 04/30/2021 Cash Total : \$4,232,541.19

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
181510	AVCORP COMPOSITE FABRICATION, INC	2004, 2012, 2012 Appendix A	04/30/2021	WW	P66864, P66865	\$4,150.00
58076	BARTO SIGNAL PETROLEUM INC.	1173(c)	04/13/2021	DH	P62967	\$10,000.00
800387	CAL INST OF TECH	3002(c)(1)	04/30/2021	WW	P66838	\$5,000.00
23194	CITY OF HOPE MEDICAL CENTER	461, 1146, 1415, 3002	04/20/2021	SH	P66762, P66782, P66796	\$9,500.00
188558	LANG CONSTRUCTION & DEVELOPMENT, INC.	1403, 40 CFR 61.145	04/27/2021	DH	P69704	\$6,500.00
117297	MM PRIMA DESHECHA ENERGY, LLC	218, 1110.2, 3002	04/30/2021	SH	P63081, P63087, P65519, P65541, -----	\$37,500.00
186652	STS CONSTRUCTION SERVICES	1403	04/30/2021	SH	P66267	\$800.00
83508	THE TERMO COMPANY	1148.1, 3002	04/30/2021	BT	P66544, P67705, P69275	\$26,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
105368	VIRCO MFG CORP	203, 1147	04/15/2021	WW	P69513	\$38,000.00

Total Civil Settlements : \$137,450.00

Hearing Board

104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	04/20/2021	KCM	5400-4	\$25,000.00
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Total Hearing Board Settlements : \$25,000.00

MSPAP

109968	ALUMAFOLD PACIFIC, INC.	201, 203(a), 1147	04/14/2021	GC	P65857	\$1,275.00
177412	AMERICAN GOLF CORP	461(c)(3)(Q)	04/13/2021	GC	P65877	\$300.00
189057	CENTURION ELITE ENTERPRISES LLC	1403	04/14/2021	GC	P65420	\$1,400.00
179412	CHAMPION CABINET CORPORATION	203	04/13/2021	GC	P65200	\$1,820.00
115566	CHEVRON DLR, AMINDER RANDHAWA	461, H&S 41960	04/13/2021	GC	P68408	\$600.00
99869	J & R SERVICE STATION, BOUQUET MOBIL	203(b), 461	04/13/2021	GC	P67232	\$1,150.00
129478	N.B. OIL CO., INC.	201, 203(a)	04/14/2021	TCF	P68147	\$1,700.00
87180	PAREX USA INC.	203(b), 1157	04/13/2021	TCF	P69369	\$1,600.00
181393	QCM INC. DBA VERIS MFG.	203(a)	04/14/2021	TCF	P69761	\$800.00
134112	ROBERTSON'S READY MIX	403	04/13/2021	TCF	P69582	\$800.00
142012	TRAMMEL CROW RESIDENTIAL	203	04/13/2021	TCF	P66974	\$800.00

Total MSPAP Settlements : \$12,245.00

SOUTH COAST AQMD RULES AND REGULATIONS INDEX

APRIL 2021 PENALTY REPORT

REGULATION II - PERMITS

Rule 201	Permit to Construct
Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 218	Continuous Emission Monitoring

REGULATION IV - PROHIBITIONS

Rule 403	Fugitive Dust - Pertains to solid particulate matter emitted from man-made activities
Rule 461	Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2	Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
Rule 1146	Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1147	NOx Reductions from Miscellaneous Sources
Rule 1148.1	Oil and Gas Production Wells
Rule 1153.1	Emissions of Oxides of Nitrogen from Commercial Food Ovens
Rule 1157	PM10 Emission Reductions from Aggregate and Related Operations
Rule 1173	Fugitive Emissions of Volatile Organic Compounds

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303	Requirements
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REGULATION XIV - TOXICS

Rule 1403	Asbestos Emissions from Demolition/Renovation Activities
Rule 1415	Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004	RECLAIM Program Requirements
Rule 2012	Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions
Rule 2012,	Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions
Appendix A	

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements for Title V Permits

CALIFORNIA HEALTH AND SAFETY CODE

41960 Certification of Gasoline Vapor Recovery System

CODE OF FEDERAL REGULATIONS

40 CFR 61.145 Standard for Demolition and Renovation

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 19

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by the South Coast AQMD between April 1, 2021 and April 30, 2021, and those projects for which the South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

SR:SN:JW:LS:MC

CEQA Document Receipt and Review Logs (Attachments A and B) – Each month, South Coast AQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received during the reporting period April 1, 2021 to April 30, 2021 is included in Attachment A. A list of active projects for which South Coast AQMD staff is continuing to evaluate or prepare comments for the December reporting period is included as Attachment B. A total of 67 CEQA documents were received during this reporting period and 20 comment letters were sent.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4. As required by the Environmental Justice Program Enhancements for FY 2002-03, approved by the Board in October 2002, each attachment notes proposed projects where South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. South Coast AQMD has established an internal central contact to receive information on projects

with potential air quality-related environmental justice concerns. The public may contact South Coast AQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; and as part of oral comments at South Coast AQMD meetings or other meetings where South Coast AQMD staff is present. The attachments also identify, for each project, the dates of the public comment period and the public hearing date, if applicable. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement, CEQA documents (Attachments A and B) are organized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; general land use projects, etc. In response to the mitigation component, guidance information on mitigation measures was compiled into a series of tables relative to: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>. Staff will continue compiling tables of mitigation measures for other emission sources.

Staff focuses on reviewing and preparing comments for projects: where South Coast AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g. special event centers, landfills, goods movement); that may have localized or toxic air quality impacts (e.g. warehouse and distribution centers); where environmental justice concerns have been raised; and which a lead or responsible agency has specifically requested South Coast AQMD review. If staff provided written comments to the lead agency as noted in the column "Comment Status," there is a link to the "South Coast AQMD Letter" under the Project Description. In addition, if staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." If there is no notation, then staff did not provide testimony at a hearing for the proposed project.

During the period of April 1, 2021 to April 30, 2021, South Coast AQMD received 67 CEQA documents. Of the 80 documents listed in Attachments A and B:

- 20 comment letters were sent;
- 29 documents were reviewed, but no comments were made;
- 26 documents are currently under review;
- 0 documents did not require comments (e.g., public notices);
- 0 documents were not reviewed; and
- 5 documents were screened without additional review.

(The above statistics are from April 1, 2021 to April 30, 2021 and may not include the most recent “Comment Status” updates in Attachments A and B.)

Copies of all comment letters sent to lead agencies can be found on South Coast AQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

South Coast AQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, South Coast AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal for action is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when South Coast AQMD, as lead agency, finds substantial evidence that the project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if South Coast AQMD determines that the project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation. As noted in Attachment C, South Coast AQMD continued working on the CEQA documents for three active projects during April.

Attachments

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Will Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
April 1, 2021 to April 30, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Utilities</i> RVC210415-11 PP2021-0335	The project consists of construction of a 100-megawatt lithium-ion battery energy storage facility on 6.9 acres. The project is located at 248 Veile Avenue near the southeast corner of West Fourth Street and Veile Avenue. Reference RVC210224-03 and RVC201202-01 Comment Period: 4/15/2021 - 4/29/2021 Public Hearing: 4/29/2021	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<i>Utilities</i> RVC210420-04 Mountain View Wind Repower Project	The project consists of removal of 93 existing wind turbine generators and two met towers, and installation of 16 wind turbine generators with a maximum annual capacity of 229.9 gigawatt hours of electricity and a met tower 328 feet in height on a 139.1-acre portion of 1,255.19 acres. The project is generally located on the southwest corner of Interstate 10 and Tipton Road in the community of Whitewater. Comment Period: 4/16/2021 - 5/17/2021 Public Hearing: N/A	Notice of Intent to Adopt a Mitigated Negative Declaration	County of Riverside	Document reviewed - No comments sent for this document received
<i>Transportation</i> LAC210401-04 Arts District and 6th Street Station Project	The project consists of construction of a light rail transit station and ancillary facilities. The project is located parallel to Mesquit Street between East Fourth Street and East Seventh Street in the community of Boyle Heights within the City of Los Angeles and includes the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/may/LAC210401-04.pdf Comment Period: 3/29/2021 - 5/12/2021 Public Hearing: 4/14/2021	Notice of Preparation	Los Angeles County Metropolitan Transportation Authority	South Coast AQMD staff commented on 5/4/2021
<i>Transportation</i> LAC210406-02 I-105 Express Lanes Project	Staff provided comments on the Draft Environmental Impact Report and Environmental Assessment for the project, which can be accessed at: http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2020/July/LAC200604-01.pdf . The project consists of conversion of an existing 17.6-mile segment of Interstate 105 (I-105) from high occupancy vehicle lanes to express toll lanes and construction of roadway improvements. The project is located between the I-105 and Interstate 405 interchange in the City of Los Angeles and the I-105 and Studebaker Road interchange in the City of Norwalk. Reference LAC200604-01 Comment Period: N/A Public Hearing: N/A	Response to Comments	California Department of Transportation	Document reviewed - No comments sent for this document received

- Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
April 1, 2021 to April 30, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Institutional (schools, government, etc.)</i> ORC210406-11 Relocation of Detachment 1, Company B, Sixth Battalion, 52nd Aviation Unit to Joint Forces Training Base Los Alamitos, California	The project consists of relocation and operation of four military aircrafts and 18 personnel. The project is located at 11206 Lexington Drive on the southeast corner of Lexington Drive and Farquhar Avenue in the City of Los Alamitos. Comment Period: 3/26/2021 - 5/3/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Assessment	United States Army Corps of Engineers	Document reviewed - No comments sent for this document received
<i>Retail</i> LAC210401-06 ENV-2018-2802: Sherman Oaks AC Hotel Project	The project consists of demolition of 31,472 square feet of existing structures, and construction of a 78,962-square-foot hotel with 159 rooms and subterranean parking on 0.99 acres. The project is located near the northeast corner of Ventura Boulevard and Firmament Avenue in the community of Encino-Tarzana. Comment Period: 4/1/2021 - 4/21/2021 Public Hearing: N/A	Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
<i>Retail</i> LAC210406-10 Gateway Center North Specific Plan	The project consists of construction of a 177,345-square-foot self-storage facility and 23,500 square feet of commercial uses on 13.63 acres. The project is located on the southwest corner of California Avenue and East 33rd Street in the designated AB 617 Wilmington, Carson, West Long Beach community. Comment Period: 3/29/2021 - 4/27/2021 Public Hearing: 4/20/2021	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Signal Hill	Document reviewed - No comments sent for this document received
<i>Retail</i> LAC210428-01 ENV-2018-2802: Sherman Oaks AC Hotel Project	The project consists of demolition of 31,472 square feet of existing structures, and construction of a 78,962-square-foot hotel with 159 rooms and subterranean parking on 0.99 acres. The project is located near the northeast corner of Ventura Boulevard and Firmament Avenue in the community of Encino-Tarzana. Reference LAC210401-06 Comment Period: 4/29/2021 - 5/19/2021 Public Hearing: N/A	Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received

- Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

**ATTACHMENT A
INCOMING CEQA DOCUMENTS LOG
April 1, 2021 to April 30, 2021**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> ORC210420-01 Mile Square Regional Park Master Plan	The project consists of development of programs and strategies to guide ecosystems and habitats management on 607 acres and conversion of an existing 93-acre golf course to a public park. The project is located on the northwest corner of Euclid Street and Warner Avenue in the City of Fountain Valley. Reference ORC200901-07 Comment Period: 4/8/2021 - 5/24/2021 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	Orange County Department of Public Works	Document reviewed - No comments sent for this document received
<i>Plans and Regulations</i> RVC210406-01 Moreno Valley Comprehensive General Plan Update (MoVal 2040)	The project consists of updates to the City's General Plan to develop design guidelines, policies, and programs to guide future development and a Climate Action Plan with a planning horizon of 2040. The project encompasses 51.47 square miles and is bounded by unincorporated areas of Riverside County to the north, east, and south and Interstate 215 to the west. Reference RVC200310-01 http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/may/RVC210406-01.pdf Comment Period: 4/2/2021 - 5/17/2021 Public Hearing: 5/27/2021	Notice of Availability of a Draft Program Environmental Report	City of Moreno Valley	South Coast AQMD staff commented on 5/14/2021
<i>Plans and Regulations</i> RVC210406-05 Riverside Housing and Public Safety Element Updates and Environmental Justice Policies	The project consists of updates to the City's General Plan to develop policies, goals, and guidelines for housing, public safety, and environmental justice with a planning horizon of 2045. The project encompasses 84.53 square miles and is bounded by cities of Jurupa Valley, Colton, and Rialto to the north, City of Moreno Valley to the east, unincorporated areas of Riverside County to the south, and cities of Corona and Norco to the west. http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2021/may/RVC210406-05.pdf Comment Period: 4/5/2021 - 5/5/2021 Public Hearing: 5/3/2021	Notice of Preparation	City of Riverside	South Coast AQMD staff commented on 5/4/2021
<i>Plans and Regulations</i> SBC210401-03 Central Park Master Plan Update reVISION Project	The project consists of development of policies and programs to guide future development of park amenities on a 62.4-acre portion of 102 acres. The project is located at 11200 Base Line Road on the northwest corner of Base Line Road and Milliken Avenue. Reference SBC201008-06, SBC191119-05, and SBC190822-02 Comment Period: N/A Public Hearing: 4/7/2021	Final Program Environmental Impact Report	City of Rancho Cucamonga	Document reviewed - No comments sent for this document received

- Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.

ATTACHMENT C
ACTIVE SOUTH COAST AQMD LEAD AGENCY PROJECTS
THROUGH APRIL 30, 2021

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Matrix Oil is proposing to: 1) install one new flare with a maximum rating of 39 million British thermal units per hour (MMBtu/hr) at Site 3 of the Sansinena Oil Field; and 2) increase the throughput of the existing flare at Site 9 from the previous permit limit of 13.65 million standard cubic feet over a 30-day period (MMSCF/30 days) to the maximum rating of 39 MMBtu/hr which is equivalent to 25.39 MMSCF/30 days.</p>	Matrix Oil	Mitigated Negative Declaration	The consultant provided a preliminary draft Mitigated Negative Declaration and South Coast AQMD staff has provided comments which are being addressed by the consultant.	Yorke Engineering
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	Quemetco	Environmental Impact Report (EIR)	A Notice of Preparation/Initial Study (NOP/IS) was released for a 56-day public review and comment period from August 31, 2018 to October 25, 2018, and 154 comment letters were received. Two CEQA scoping meetings were held on September 13, 2018 and October 11, 2018 in the community. South Coast AQMD staff is reviewing the preliminary Draft EIR and has provided comments to the consultant.	Trinity Consultants
<p>Sunshine Canyon Landfill is proposing to modify its South Coast AQMD permits for its active landfill gas collection and control system to accommodate the increased collection of landfill gas. The proposed project will: 1) install two new low emissions flares with two additional 300-hp electric blowers; and 2) increase the landfill gas flow limit of the existing flares.</p>	Sunshine Canyon Landfill	Subsequent Environmental Impact Report (SEIR)	South Coast AQMD staff reviewed and provided comments on the preliminary air quality analysis and health risk assessment (HRA), which are being addressed by the consultant.	SCS Engineers

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 20

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Receive and file.

Wayne Natri
Executive Officer

SLR:SN:IM:AK:ZS

2021 MASTER CALENDAR

The 2021 Master Calendar provides a list of proposed or proposed amended rules for each month, with a brief description, and a notation in the third column indicating if the rulemaking is for the 2016 AQMP, Toxics, AB 617 BARCT, or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP, Toxics, and AB617 BARCT are either statutorily required and/or are needed to address a public health concern. Projected emission reductions will be determined during rulemaking.

Staff continues to move forward with rulemaking, recognizing stakeholders' resource limitations due to COVID-19. To maintain social distancing while integrating public participation in the rulemaking process, staff is connecting with stakeholders using tele- and videoconferencing. Also, staff has increased the review time for working group materials to allow stakeholders additional time to prepare for meetings. Lastly, working group meetings have been restructured to be shorter in duration to better accommodate the tele- and video-conferencing format.

The following symbols next to the rule number indicate if the rulemaking will be a potentially significant hearing, will reduce criteria pollutants, or is part of the RECLAIM transition. Symbols have been added to indicate the following:

* *This rulemaking is a potentially significant hearing of ambient air quality standards.*

This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.

The following table provides a list of changes since the previous Rule Forecast Report.

1147	NO_x Reductions from Miscellaneous Sources
Proposed Amended Rule 1147 is being removed from August 2021. Rule 1147 was scheduled for August 2021 as a companion to Proposed Rule 1147.1 which will address aggregate facilities. Staff determined that amendments to Rule 1147 were no longer needed to address aggregate facilities.	
1135	Emissions of Oxides of Nitrogen from Electricity Generating Facilities
Proposed Amended Rule 1135 is being moved from August to November 2021 to allow additional time to develop proposed rule language and to work with stakeholders.	
429.2	Startup and Shutdown Exemption Provisions from Electricity Generating Facilities for Oxides of Nitrogen
Proposed Rule 429.2 is being added to November 2021. Currently, Rule 429 which is on To-Be-Determined addresses startup and shutdown provisions. Staff is proposing to separate startup and shutdown provisions for electricity generating facilities in a separate rule under Proposed Rule 429.2.	
1134	Emissions of Oxides of Nitrogen from Stationary Gas Turbines
Proposed Amended Rule 1134 is being moved from August to December 2021 to allow additional time to develop proposed rule language and work with stakeholders.	
429	Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen
Proposed Amended Rule 429 is being moved from 2021 To-Be-Determined to December 2021. Rule 429 currently includes startup and shutdown provisions for turbines regulated under Rule 1134. Staff is proposing to expand the applicability of Rule 429 to include RECLAIM and former-RECLAIM turbines and other turbines that are addressed under Rule 1134.	
1445	Control of Toxic Emissions from Laser Arc Cutting
Proposed Rule 1445 is being moved from October 2021 to the Third Quarter 2022. Additional time is needed to review emissions data before initiating Working Group Meetings.	

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

Part of the transition of RECLAIM to a command-and-control regulatory structure

Regulation XX	RECLAIM
Proposed amendments to Regulation XX is being moved from October 2021 to Third Quarter 2022. Staff has been conducting monthly Working Group Meetings. Additional time is needed to develop proposed amendments and to work with stakeholders.	
1159.1	Control of NOx Emissions from Nitric Acid Units
Proposed Rule 1159.1 is being moved from November 2021 to the Second Quarter 2022. Additional time is needed to review emissions data before initiating Working Group Meetings.	
1173	Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants
Proposed Amended Rule 1173 is being moved from November 2021 to Fourth Quarter of 2022 due to staff resources.	
Regulation XIII	New Source Review
Proposed amendments to Regulation XIII is being moved from November 2021 to Third Quarter 2022. Staff has been conducting monthly Working Group Meetings. Staff needs additional time to develop proposed amendments and to work with stakeholders.	
1118	Control of Emissions from Refinery Flares
Proposed Amended Rule 1118 is being moved from November 2021 to Fourth Quarter of 2022 due to staff resources.	
1153.1	Emissions of Oxides of Nitrogen from Commercial Food Ovens
Proposed Rule 1153.1 is being moved from December 2021 to February 2022 due to staff resources.	
1147	NOx Reductions from Miscellaneous Sources
Proposed Rule 1147 is being moved from December 2021 to January 2022 due to staff resources.	
1426.1	Control of Hexavalent Chromium Emissions from Metal Finishing Operations
Proposed Rule 1426.1 is being moved from December 2021 to Third Quarter 2022. Staff has paused the rulemaking to wait for the outcome of CARB's amendments to their chrome plating Air Toxics Control Measure.	
1435	Control of Emissions from Metal Heat Treating Processes
Proposed Rule 1435 is being moved from December 2021 to Third Quarter 2022. Staff is awaiting results from emissions testing of heating chromium alloys that was conducted at the University of California at Riverside, Center for Environmental Research and Technology, which was delayed due to COVID-19.	

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

Part of the transition of RECLAIM to a command-and-control regulatory structure

1178	Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
Proposed Amended Rule 1178 is being moved from December 2021 to March 2022 to allow staff additional time to develop proposed amendments and to work with stakeholders.	
1146.2	Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters
Proposed Amended Rule 1146.2 is being moved from December 2021 to March 2022 due to staff resources.	

* *Potentially significant hearing*

+ *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
August		
1147.1 ^{*+#}	<p>NOx Reductions for Equipment at Aggregate Facilities Proposed Rule 1147.1 will establish NOx emission limits to reflect Best Available Retrofit Control Technology for NOx equipment at aggregate facilities and will apply to RECLAIM and non-RECLAIM facilities. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706 and Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
September		
429.1 ^{*+#}	<p>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen at Petroleum Refineries and Associated Facilities Proposed Rule 429.1 will establish start-up and shutdown provisions for petroleum refineries and facilities with operations associated with petroleum refineries. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1109 ^{*+#} 1109.1 ^{*+#}	<p>Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries Reduction of Emissions of Oxides of Nitrogen from Refinery Equipment Proposed Rule 1109.1 will establish NOx emission limits to reflect BARCT for NOx emitting equipment at petroleum refineries and related operations, and include monitoring, reporting, and recordkeeping requirements. Rule 1109 is proposed to be rescinded. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT/ AB 617 CERP
1111	<p>Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces Proposed amendments are needed to address upcoming implementation dates. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1304 ^{*+#}	<p>Exemptions Proposed Amended Rule 1304 will add a narrow exemption to address co-pollutant emissions associated with compliance with a BARCT requirement to reduce NOx emissions. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	
October		
1115	<p>Motor Vehicle Assembly Line Coating Operations Proposed amendments will address U.S. EPA RACT requirements. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
November (Continued)		
1470	<p>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</p> <p>Proposed Amended Rule 1470 will address provisions for essential public services for testing engines and additional provisions, if needed, to ensure proposed amendments meet state requirements.</p> <p><i>Susan Nakamura 909.396.3105; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
December		
219* 461 461.1	<p>Equipment Not Requiring a Written Permit Pursuant to Regulation II</p> <p>Gasoline Transfer and Dispensing</p> <p>Mobile Refueling Gasoline Transfer and Dispensing</p> <p>Proposed Amended Rule 219 will modify permitting requirements for mobile fueling operations. Proposed Amended 461 will remove requirements for mobile refueling operations and Proposed Rule 461.1 will establish requirements for retail mobile refueling operations.</p> <p><i>Susan Nakamura 909.396.3105; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
429	<p>Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen</p> <p>Proposed amendments to Rule 429 update start-up and shutdown provisions for combustion equipment at refineries and facilities with related operations to petroleum refineries.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1134	<p>Emissions of Oxides of Nitrogen from Stationary Gas Turbines</p> <p>Proposed Amended Rule 1134 will revise startup, shutdown, and malfunction requirements and monitoring, reporting, and recordkeeping provisions to reflect amendments to rules regulating Continuous Emissions Monitoring Systems. Proposed amendments may also be needed to incorporate possible comments by U.S. EPA for approval into the SIP.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
2306	<p>Emission Reductions from Indirect Sources at Railyards</p> <p>Proposed Rule 2306 will reduce emissions from indirect sources associated with railyards.</p> <p><i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP

* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

Part of the transition of RECLAIM to a command-and-control regulatory structure

2022 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
January		
1147*+ [#]	<p>NOx Reductions from Miscellaneous Sources Proposed Amended Rule 1147 will revise NOx emission limits to reflect Best Available Retrofit Control Technology for miscellaneous combustion sources and that will apply to RECLAIM and non-RECLAIM facilities.</p>	AQMP/ AB 617 BARCT
1100 [#]	<p>Implementation Schedule for NOx Facilities Proposed Amended Rule 1100 will establish the implementation schedule for Rule 1147 equipment at NOx RECLAIM and former NOx RECLAIM facilities. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	
February		
1153.1	<p>Emissions of Oxides of Nitrogen from Commercial Food Ovens Proposed amendments to Rule 1153.1 may be needed to establish NOx BARCT limits for the RECLAIM transition. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
March		
1146.2 [#]	<p>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters Proposed Amended Rule 1146.2 will update the NOx emission limit to reflect Best Available Retrofit Control Technology. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1178	<p>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities Proposed Amended Rule 1178 will incorporate the use of more advanced early leak detection methods and improve leak detection and repair programs for storage tanks to further reduce VOC emissions. Proposed amendments will implement one of the actions in the AB 617 Community Emission Reduction Plan. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 CERP

* Potentially significant hearing

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[#] Part of the transition of RECLAIM to a command-and-control regulatory structure

2022 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
2nd Quarter		
1159.1	<p>Control of NOx Emissions from Nitric Acid Units Proposed Rule 1159.1 will establish requirements to reduce NOx emissions from nitric acid units that will apply to RECLAIM and non-RECLAIM facilities. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
3rd Quarter		
1426.1	<p>Control of Hexavalent Chromium Emissions from Metal Finishing Operations Proposed Rule 1426.1 will reduce hexavalent chromium emissions from chromium tanks used in metal finishing operations that do not have a chromium electroplating or chromic acid anodizing tank. <i>Susan Nakamura 909.396.3105; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1435*	<p>Control of Emissions from Metal Heat Treating Processes Proposed Rule 1435 will establish requirements to reduce point source and fugitive toxic air contaminants including hexavalent chromium emissions from heat treating processes. Proposed Rule 1435 will also include monitoring, reporting, and recordkeeping requirements. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP
1445*	<p>Control of Toxic Emissions from Laser Arc Cutting Proposed Rule 1445 will establish requirements to reduce metal toxic air contaminant particulate emissions from laser arc cutting. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
Regulation XIII*#	<p>New Source Review Proposed Amended Regulation XIII will revise New Source Review provisions to address facilities that are transitioning from RECLAIM to a command-and-control regulatory structure. Staff may be proposing a new rule within Regulation XIII to address offsets for facilities that transition out of RECLAIM. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
Regulation XX*#	<p>RECLAIM Proposed Amended Regulation XX will address the transition of RECLAIM facilities to a command and control regulatory structure. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP

* Potentially significant hearing

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2022 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
4 th Qtr.		
1118*	<p>Control of Emissions from Refinery Flares Proposed Amended Rule 1118 will incorporate revisions to further reduce flaring at refineries, provisions for clean service flares, and facility thresholds. The AB 617 Community Emission Reduction Plan has an emission reduction target to reduce flaring by 50 percent, if feasible.</p> <p><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 CERP
1173	<p>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants Proposed Amended Rule 1173 will further reduce emissions from petroleum and chemical plants by requiring early leak detection approaches consistent with AB 617 Community Emission Reduction Plan.</p> <p><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1450*	<p>Control of Methylene Chloride Emissions Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements.</p> <p><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics

* Potentially significant hearing

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 To-Be-Determined

2021	Title and Description	Type of Rulemaking
102	<p>Definition of Terms Proposed amendments may be needed to update and add definitions, and potentially modify exemptions. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
103	<p>Definition of Geographical Areas Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
209	<p>Transfer and Voiding of Permits Proposed amendments may be needed to clarify requirements for change of ownership and permits and the assessment of associated fees. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
219	<p>Equipment Not Requiring a Written Permit Pursuant to Regulation II Proposed Amendments may be needed to address issues raised by U.S. EPA for approval in the State Implementation Plan. Proposed Amendments may also be needed to identify sources that are currently exempt from permitting. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
222	<p>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II Proposed Amendments may be needed to require certain equipment that is currently not permitted to register the equipment to gather information and emissions data. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
223	<p>Emission Reduction Permits for Large Confined Animal Facilities Proposed Amended Rule 223 will seek additional ammonia emission reductions from large confined animal facilities by lowering the applicability threshold. Proposed amendments will implement BCM-04 in the 2016 AQMP. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
317	<p>Clean Air Act Non-Attainment Fees Proposed amendments may be needed to modify CAA Section 185 fees for non-attainment. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other

* Potentially significant hearing

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
407 [#]	<p>Liquid and Gaseous Air Contaminants Proposed Amended Rule 407 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
410	<p>Odors from Transfer Stations and Material Recovery Facilities Proposed Amended Rule 410 will clarify existing provisions. Additional provisions may be needed to address activities associated with diversion of food waste to transfer stations or material recovery facilities. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
425	<p>Odors from Cannabis Processing Proposed Rule 425 will establish requirements for control of odors from cannabis processing. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
431.1 [#]	<p>Sulfur Content of Gaseous Fuels Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.2 [#]	<p>Sulfur Content of Liquid Fuels Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
431.3 [#]	<p>Sulfur Content of Fossil Fuels Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP

* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
442.1 1107 1124 1136 1145 1171	<p>Usage of Solvent Coating of Metal Parts and Products Aerospace Assembly and Component Manufacturing Operations Wood Products Coatings Plastic, Rubber, Leather, and Glass Coatings Solvent Cleaning Operations</p> <p>Proposed amendments will prohibit the sale, distribution, and application of materials that do not meet the VOC limits specified in Regulation XI rules and possible provisions to prohibit circumvention of VOC limits. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
445*	<p>Wood Burning Devices</p> <p>Proposed Amended Rule 445 will address additional U.S. EPA requirements for Best Available Control Measures and potentially address ozone contingency measure requirements for the Coachella Valley. <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
462	<p>Organic Liquid Loading</p> <p>Proposed Amended Rule 462 will incorporate the use of advanced techniques to detect fugitive emissions and Facility Vapor Leak. Other amendments may be needed to streamline implementation and add clarity. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
463	<p>Organic Liquid Storage</p> <p>Proposed Amended Rule 463 will address the current test method and improve the effectiveness, enforceability, and clarity of the rule. Proposed amendments may also be needed to ensure consistency with Rule 1178. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
468 [#]	<p>Sulfur Recovery Units</p> <p>Proposed Amended Rule 468 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
469 [#]	<p>Sulfuric Acid Units</p> <p>Proposed Amended Rule 469 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT

* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1101 [#]	<p>Secondary Lead Smelters/Sulfur Oxides Proposed Amended Rule 1101 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT
1105 [#]	<p>Fluid Catalytic Cracking Units SO_x Proposed Amended Rule 1105 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP
1110.2* ⁺⁺	<p>Emissions from Gaseous- and Liquid-Fueled Engines Proposed amendments will address use of emergency standby engines at essential public services for Public Safety Power Shutoff programs. Proposed amendments may also be needed to incorporate possible comments by U.S. EPA for approval into the SIP and address monitoring provisions for new engines. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ AB 617 BARCT
1111.1	<p>Zero-Emission Residential Furnaces Proposed Rule 1111.1 may include provisions to encourage zero emission residential furnaces that goes beyond Rule 1111 for gas-fired furnaces. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1113	<p>Architectural Coatings Proposed amendments may be needed to clarify applicability of the rule with respect to potential delisted compounds. <i>Dave DeBoer 909.396.2329; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1119 [#]	<p>Petroleum Coke Calcining Operations – Oxides of Sulfur Proposed Amended Rule 1119 will update SO_x emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AB 617 BARCT/ AB 617 CERP

* Potentially significant hearing

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Part of the transition of RECLAIM to a command-and-control regulatory structure

2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1121*	<p>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters Proposed amendments may be needed further reduce NOx emissions from water heaters. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1121.1	<p>Zero Emission Residential Water Heaters Proposed Rule 1121.1 may include provisions to encourage zero emission water heaters that goes beyond Rule 1121 for gas-fired water heaters. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1133.3	<p>Emission Reductions from Greenwaste Composting Operations Proposed Amended Rule 1133.3 will seek additional VOCs and ammonia emission reductions from greenwaste and foodwaste composting. Proposed amendments will implement BCM-10 in the 2016 AQMP. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1138	<p>Control of Emissions from Restaurant Operations Proposed Amended Rule 1138 will further reduce emissions from char boilers. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	AQMP
1142	<p>Marine Tank Vessel Operations Proposed Amended Rule 1142 will address VOC and hydrogen sulfide emissions from marine tank vessel operations, applicability, noticing requirements, and provide clarifications. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146	<p>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1146.1 [#]	<p>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Proposed amendments to Rule 1146.1 may be needed to clarify provisions for industry-specific categories and to incorporate comments from U.S. EPA. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1148.1*	<p>Oil and Gas Production Wells Proposed Amendments to Rule 1148.1 may be needed to further reduce emissions from operations, implement early leak detection, odor minimization plans, and enhanced emissions and chemical reporting from oil and drilling sites consistent with the AB 617 Community Emission Reduction Plan.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1148.2	<p>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers Proposed amendments to Rule 1148.2 may be needed to improve notifications of well working activities to the community and to address other issues.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1166	<p>Volatile Organic Compound Emissions from Decontamination of Soil Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations).</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1168	<p>Adhesive and Sealant Applications Staff is considering possible amendments for foam insulation applications. Other amendments may also be needed.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1176	<p>VOC Emissions from Wastewater Systems Proposed Amended Rule 1176 will clarify the applicability of the rule to include bulk terminals under definition of "Industrial Facilities," and streamline and clarify provisions.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other/ AB 617 CERP
1180	<p>Refinery Fenceline and Community Air Monitoring Amendments to Rule 1180 may be needed to provide additional clarity and if Proposed Rule 1180.1 is adopted, provisions may be needed to provide additional clarity.</p> <p align="center"><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1180.1	<p>Fenceline and Community Monitoring Proposed Rule 1180.1 may establish fenceline and community monitoring requirements for non-petroleum refineries and facilities that are not currently included in Rule 1180 – Refinery Fenceline and Community Air Monitoring.</p> <p align="center"><i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1403*	<p>Asbestos Emissions from Demolition/Renovation Activities Proposed Amended Rule 1403 will enhance implementation, improve rule enforceability, update provisions, notifications, exemptions, and align provisions with the applicable U.S. EPA National Emission Standard for Hazardous Air Pollutants (NESHAP) and other state and local requirements as necessary.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1404	<p>Hexavalent Chromium Emissions from Cooling Towers Amendments may be needed to provide additional clarifications to use of process water that is associated with sources that have the potential to contain chromium in cooling towers.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1405	<p>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes Amendments may be needed to address ethylene oxide emissions from sterilization of medical equipment.</p> <p align="center"><i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1415 1415.1	<p>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems Proposed Amended Rules 1415 and 1415.1 will align requirements with the proposed CARB Refrigerant Management Program and U.S. EPA's Significant New Alternatives Policy Rule provisions relative to prohibitions on specific hydrofluorocarbons.</p> <p align="center"><i>David De Boer 909.396.2329; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1420	<p>Emissions Standard for Lead Proposed Amended Rule 1420 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Other provisions may be needed to address storage and handling requirements, and revise closure requirements.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1420.1	<p>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities Proposed Amendments are needed to update applicable test methods and provide clarifications regarding submittal of a source-test protocol. Additional amendments may be needed to address monitoring and post closure requirements.</p> <p align="center"><i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
1420.2	<p>Emission Standards for Lead from Metal Melting Facilities Proposed Amended Rule 1420.2 will update requirements to address arsenic emissions to close a regulatory gap between Rule 1420 and Rule 1407 - Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations. Additional amendments may be needed to address monitoring and post closure requirements. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1421	<p>Control of Perchloroethylene Emissions from Dry Cleaning Systems Proposed amendments may be needed to address implementation issues. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1455	<p>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding Proposed Rule 1455 will establish requirements to reduce hexavalent chromium emissions from torch cutting and welding of chromium alloys. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1460	<p>Control of Particulate Emissions from Metal Cutting and Shredding Operations Proposed Rule 1460 will establish housekeeping and best management practices to minimize fugitive particulate emissions from metal cutting and shredding operations. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
1466.1	<p>Control of Particulate Emissions from Demolition of Buildings and Structures with Equipment and Processes with Metal Toxic Air Contaminants Proposed Rule 1466.1 would establish requirements to minimize PM emissions during the demolition of buildings that housed equipment and processes with metal toxic air contaminants and pollution control equipment. <i>TBD; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1472	<p>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines Proposed Amended Rule 1472 will remove provisions that are no longer applicable, update and streamline provisions to reflect the 2015 Health Risk Assessment Guidelines, and assess the need for a Compliance Plans. <i>Michael Morris 909.396.3282; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Toxics
1480	<p>Toxics Monitoring Proposed amendments to Rule 1480 may be needed to remove fee provisions if they are incorporated in Regulation III. <i>Michael Krause 909.396.2706; CEQA: Michael Krause 909.396.2706 and Socio: Ian MacMillan 909.396.3244</i></p>	Toxics/ AB 617 CERP

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2021 To-Be-Determined (Continued)

2021	Title and Description	Type of Rulemaking
2202*	<p>On-Road Motor Vehicle Mitigation Options Proposed Amended Rule 2202 will streamline implementation for regulated entities, as well as reduce review and administration time for South Coast AQMD staff. Concepts may include program components to facilitate achieving average vehicle ridership (AVR) targets. <i>Carol Gomez 909.396.3264; CEQA: Michael Krause 909.396.2706; Socio: Ian MacMillan 909.396.3244</i></p>	Other
Regulation XXIII*+	<p>Facility-Based Mobile Sources Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., mobile sources that visit facilities). <i>Ian MacMillan 909.396.3244; CEQA: Michael Krause 909.396.2706 Socio: Ian MacMillan 909.396.3244</i></p>	AQMP/ Toxics/ AB 617 CERP
Regulation II, III, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA’s 2015 revised risk assessment guidance, changes from OEHHA to new or revised toxic air contaminants or their risk values, address variance issues, emission limits, technology-forcing emission limits, conflicts with other agency requirements, to abate a substantial endangerment to public health, additional reductions to meet SIP short-term measure commitments, to address issues raised by U.S. EPA or CARB for the SIP, compliance issues that are raised by the Hearing Board, or regulatory amendments needed as a result of the COVID-19 pandemic. Amendments to existing rules may be needed to address use of materials that contain chemicals of concern. The associated rule development or amendments include, but are not limited to, South Coast AQMD existing, or new rules to implement the 2012 or 2016 AQMP measures. This includes measures in the 2016 AQMP to reduce toxic air contaminants or reduce exposure to air toxics from stationary, mobile, and area sources. Rule adoption or amendments may include updates to provide consistency with CARB Statewide Air Toxic Control Measures, or U.S. EPA’s National Emission Standards for Hazardous Air Pollutants. Rule adoption or amendments may be needed to implement AB 617 including but not limited to BARCT rules, Community Emission Reduction Plans prepared pursuant to AB 617, or new or amended rules to abate a public health issue identified through emissions testing or ambient monitoring.</p>	Other/ AQMP/ Toxics/ AB 617 BARCT/ AB 617 CERP

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 21

REPORT: Status Report on Major Ongoing and Upcoming Projects for Information Management

SYNOPSIS: 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.

COMMITTEE: Administrative, May 14, 2021, Reviewed

RECOMMENDED ACTION:
Receive and file.

Wayne Nastri
Executive Officer

RMM:MAH:XC:dc

Background

Information Management (IM) provides a wide range of information systems and services in support of all South Coast AQMD operations. IM's primary goal is to provide automated tools and systems to implement Board-approved rules and regulations, and to improve internal efficiencies. The annual Budget and Board-approved amendments to the Budget specify projects planned during the fiscal year to develop, acquire, enhance, or maintain mission-critical information systems.

In light of COVID-19 and the related budget impact, we are evaluating all of our projects and delaying non-critical projects as long as possible.

Summary of Report

The attached report identifies the major projects/contracts or purchases that are ongoing or expected to be initiated within the next six months. Information provided for each project includes a brief project description and the schedule associated with known major milestones (issue RFP/RFQ, execute contract, etc.).

Attachment

Information Management Status Report on Major Ongoing and Upcoming Projects During the Next Six Months

ATTACHMENT
June 4, 2021 Board Meeting
Status Report on Major Ongoing and Upcoming Projects for Information Management

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Office 365 Implementation	Acquire and implement Office 365 for South Coast AQMD staff	\$350,000	<ul style="list-style-type: none"> • Pre-assessment evaluation and planning completed • Board approved funding on October 5, 2018 • Developed implementation and migration plan • Acquired Office 365 licenses • Implemented Office 365 email (Exchange) and migrated all users • Trained staff in Office 365 Pro Plus desktop software • Implemented Office 365 Pro Plus, Office Web, and OneDrive for Business • Implemented Microsoft Teams 	<ul style="list-style-type: none"> • Implement Office 365 internal website (SharePoint) and migrate existing content
Cybersecurity Assessment	Perform a cybersecurity risk assessment that will identify any potential cybersecurity risks and recommend changes to align with industry standards and peer organizations.	\$100,000	<ul style="list-style-type: none"> • RFP released March 5, 2021 	<ul style="list-style-type: none"> • Recommend Contract Award June 4, 2021 • Complete Cybersecurity Assessment September 30, 2021
Renewal of OnBase Software Support	Authorize the sole source purchase of OnBase software subscription and support for one year	\$140,000 (included in proposed FY 2021-22 budget)	<ul style="list-style-type: none"> • Board approval received May 7, 2021 	<ul style="list-style-type: none"> • Execute contract July 15, 2021

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Permitting System Automation Phase 2	Enhanced Web application to automate filing of permit applications, Rule 222 equipment and registration for IC engines; implement electronic permit folder and workflow for internal South Coast AQMD users	\$525,000	<ul style="list-style-type: none"> • Board approved initial Phase 2 funding December 2017 • Board approved remaining Phase 2 funding October 5, 2018 • Completed report outlining recommendations for automation of Permitting Workflow • Developed application submittals and form filing for first nine of 32 400-E forms • Completed application submittals and form filing for 23 types of equipment under Rule 222 ready for User Testing • Deployed to production top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers, and Charbroilers • Completed requirements gathering for Phase II of the project (an additional 10 400-E-XX forms) • User Acceptance Testing and Deployment to production of Emergency IC Engines Form (EICE-RE) completed • Development of Phase II additional 12 400-E-XX forms completed 	<ul style="list-style-type: none"> • Complete User Acceptance Testing and Deployment to Production of first ten (10) 400-E-XX forms • Complete User Acceptance Testing and Deployment to Production of remaining 22 Rule 222 forms • Complete User Acceptance Testing and Deployment to Production of Phase II additional twelve (12) 400-E-XX forms
Phone System Upgrade	Upgrade components of the agency Cisco Unified Communications System that are past end of support.	\$175,000		<ul style="list-style-type: none"> • Request Board Approval to Release RFQ September 3, 2021 • Recommend Award December 3, 2021 • Complete upgrade March 31, 2022

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
South Coast AQMD Mobile Application Enhancements	Enhancement of Mobile application to incorporate FIND	\$60,000	<ul style="list-style-type: none"> • Vision and scope completed • Task Order issued 	<ul style="list-style-type: none"> • Proposal Review
AQ-SPEC Cloud Platform Phase II	Integrate separate data systems into the AQ-SPEC cloud-based platform to manage data and build interactive data visualizations and data dashboards for web-based viewing	\$313,350	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Project kickoff completed • Requirements Gathering completed • Fit Gap and Data Storage Analysis completed 	<ul style="list-style-type: none"> • Architectural and Functional Design
PeopleSoft Electronic Requisition	This will allow submittal of requisitions online, tracking multiple levels of approval, electronic archival, pre-encumbrance of budget, and streamlined workflow	\$75,800	<ul style="list-style-type: none"> • Project charter released • Task order issued, evaluated and awarded • Requirement gathering and system design completed • System setup and code development and user testing for Information Management completed • System setup and code development and User Acceptance Testing completed for Administrative and Human Resources completed • System setup for Technology Advancement Office completed 	<ul style="list-style-type: none"> • Deploy to IM and AHR Divisions • Training and Integrated User Testing for other divisions

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Proposition 1B	Development of an online Grant Management System (GMS) portal for the Proposition 1B Program - Goods Movement Emission Reduction Program – Heavy-Duty Trucks	\$75,200	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Deployed Phase I to production – applicant/third party registration and application submission • Deployment of additional forms and Evaluation module completed 	<ul style="list-style-type: none"> • Develop Program Survey
Source Test Tracking System	Online Source Test Tracking System will keep track of timelines and quantify the number of test protocols and reports received. System will provide an external online portal to submit source testing protocols and reports, track the review process, and provide integration to all other business units. It will also provide an external dashboard to review the status of a submittal	\$250,000	<ul style="list-style-type: none"> • Project Charter approved • Project Initiation completed • Task Order issued • Project Kick-off completed • User requirements gathering for internal users Developed Full Business Process Model Developed screens mock-ups • Reviewed proposed automation with EQUATE group completed • Proposal for system development approved • Completed development of Sprint 1 to 8 	<ul style="list-style-type: none"> • User Acceptance Testing

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
VW Environmental Mitigation Action Plan Project	CARB has assigned South Coast AQMD to develop web applications for: Zero-Emission Class 8 Freight and Port Drayage Truck Project and Combustion Freight and Marine Project. The agency is also responsible for maintaining a database that will be queried for reporting	\$355,000	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Deployed Phase I to production • Phase II to production – Messaging, Evaluation, and Administration • Developed evaluation module and calculation module completed • Phase III - ZE Class 8 Application deployed to production • Developed Phase III – Ranking 	<ul style="list-style-type: none"> • User Acceptance Testing for Phase III – Contracting, and Inspection • Development of Combustion Freight On Road Form changes
Lower-Emission School Bus Program	Development of an online Grant Management System (GMS) portal for the Lower-Emission School Bus Incentive Program	\$110,500	<ul style="list-style-type: none"> • Draft Charter Document issued • Project Initiation completed • Task order issued • Phase I deployed to production – applicant/third party registration and application submission • Customized GMS look and feel • Phase II AQMD staff to create new application on-line for applications received by mail completed 	<ul style="list-style-type: none"> • Develop staff evaluation module • Phase II Calculation, Ranking, Messaging, and Contracting

Projects that have been completed within the last 12 months are shown below.

Completed Projects

Project	Date Completed
Renewal of HP Server Maintenance & Support	April 30, 2021
FIND enhancement to include Rule 222 equipment	April 14, 2021
Prop 1B Internal Evaluation Module	April 09, 2021
Lower Emission School Bus Internal Evaluation Module	April 09, 2021
Replace Your Ride Fund Management and Finance Integration	March 20, 2021
AER enhancements for reporting year 2020	December 30, 2020
South Coast AQMD Mobile Application Enhancements – Gridded AQI	December 9, 2020
Lower Emission School Bus Online Application Filing and Grant Management	December 9, 2020
Rule 1180 Fence Line Monitoring Web Site Enhancements II	November 6, 2020
Proposition 1B Online Application Filing and Grant Management Portal	November 6, 2020
CLASS Database Software Licensing	October 16, 2020
Flare Event Notification – Rule 1118 Phase II	October 14, 2020
Volkswagen Environmental Mitigation Administration Zero Emission Class 8	August 18, 2020
Ingres Actian X database migration	August 17, 2020
Rule 1403 Enhancement	July 1, 2020
Legal Office System	June 17, 2020
Document Conversion Services	June 30, 2020
Oracle PeopleSoft Software Support	June 5, 2020
Renewal of OnBase Software Support	May 1, 2020
Public Facing Permit Application Status Dashboard	May 1, 2020

Budget and Economic Outlook Update

Board Meeting

June 4, 2021



Presentation Topics

- Economic Indicators
- South Coast AQMD Metrics and Economic Implications
- Summary Charts

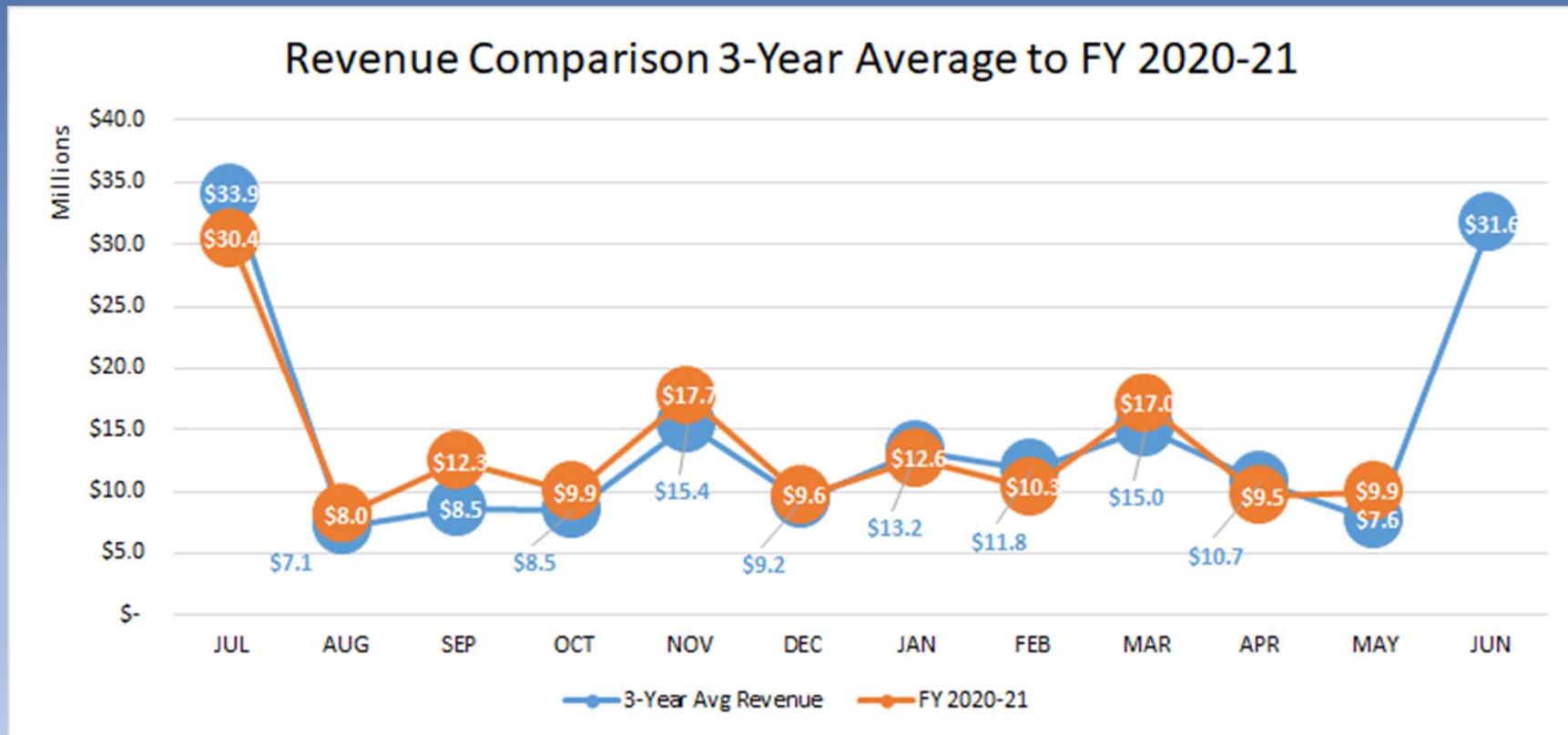
Summary of Metrics – Monthly

Metric			
State Economic Indicators	April 2020	April 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	32.1	50.8	5 weeks reported for April 2021
<i>Port TEU Throughput (Million TEUs)</i>	1.2	1.7	
<i>Statewide Unemployment %</i>	16.0	8.3	
South Coast AQMD	May 2020	May 2021	
<i>Revenue</i>	\$7,161,616	\$9,934,445	
<i>Expenditures</i>	\$12,145,731	\$13,150,659	
<i>Vacancy Rate</i>	14.5%	17.7%	
<i>Permit Applications Received</i>	625	433	
<i>Expired Permits</i>	76	260	1 year to reinstate

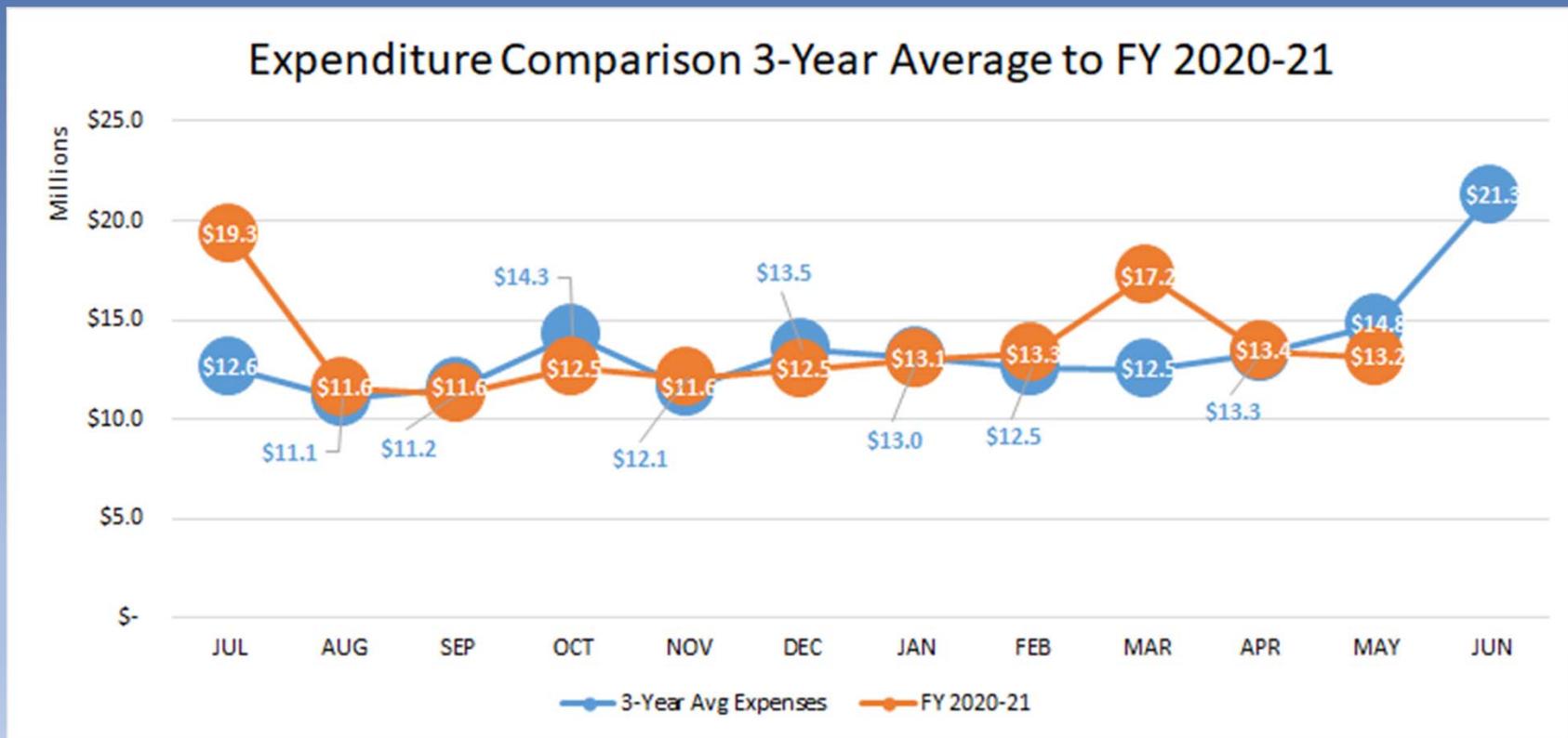
Summary of Metrics – Fiscal Year to Date

Metric			
State Economic Indicators	July 2019 – April 2020	July 2020 – April 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	484	395	
<i>Port TEU Throughput (Million TEUs)</i>	13.4	16.8	
South Coast AQMD	July 2019 – May 2020	July 2020 – May 2021	
<i>Revenue</i>	\$154,067,636	\$147,224,507	
<i>Expenditures</i>	\$151,809,576	\$149,223,855	
<i>Permit Applications Received</i>	6,663	5,712	
<i>Expired Permits</i>	770	1,678	1 year to reinstate

Revenue



Expenditures

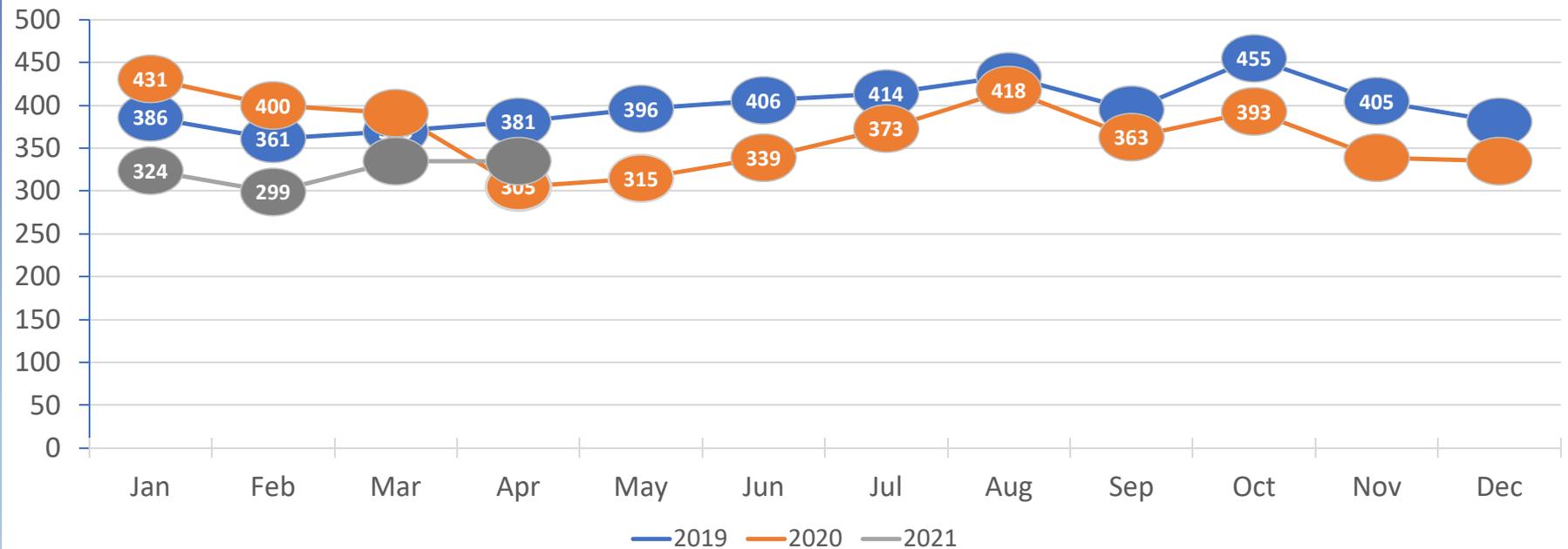


Staffing Levels as of May 25, 2021

- 949 budgeted FTEs
- 168 vacant positions
- 781 filled positions
- 17.7 % vacancy rate

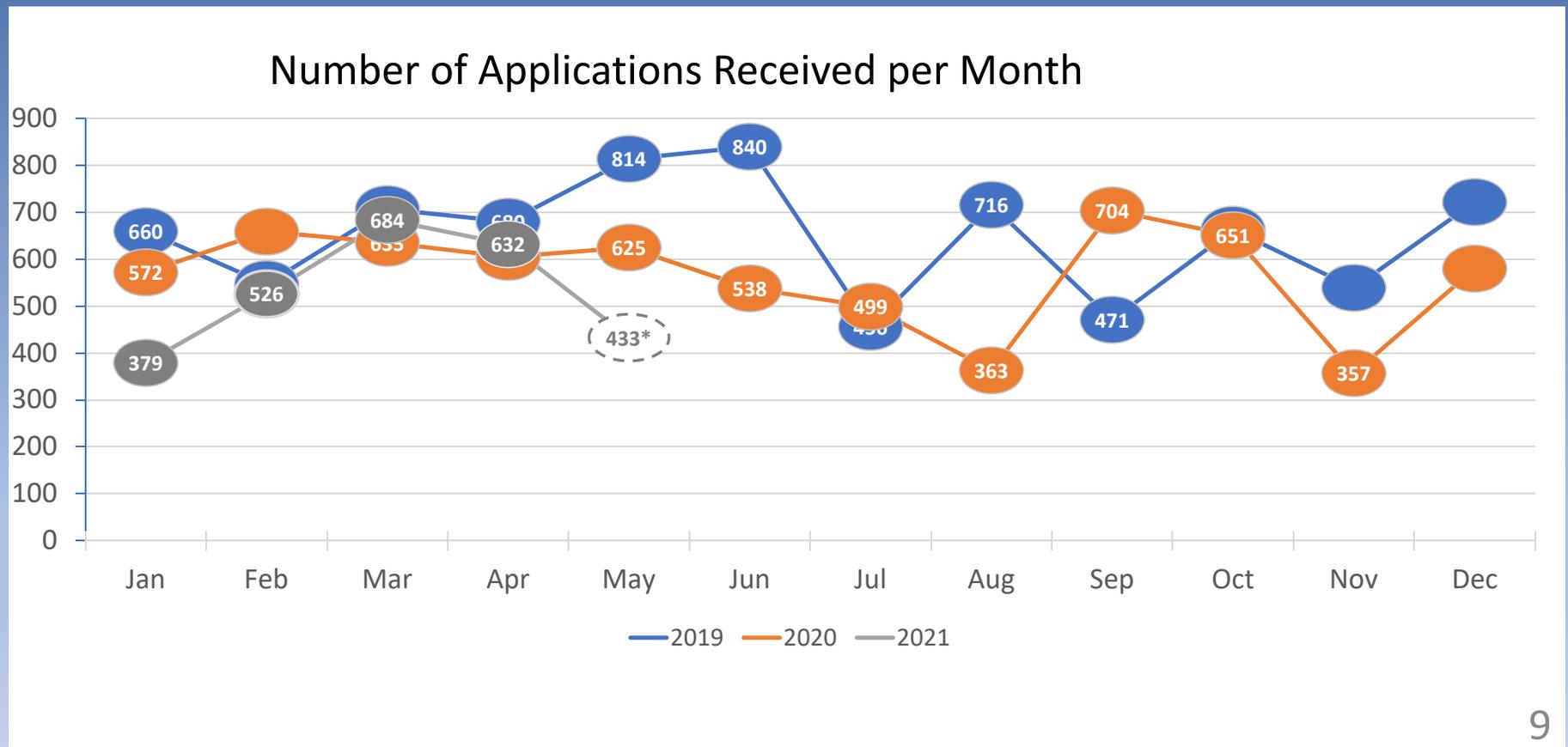
Emission Trends

NOx Emissions, RECLAIM Major Sources (tons)

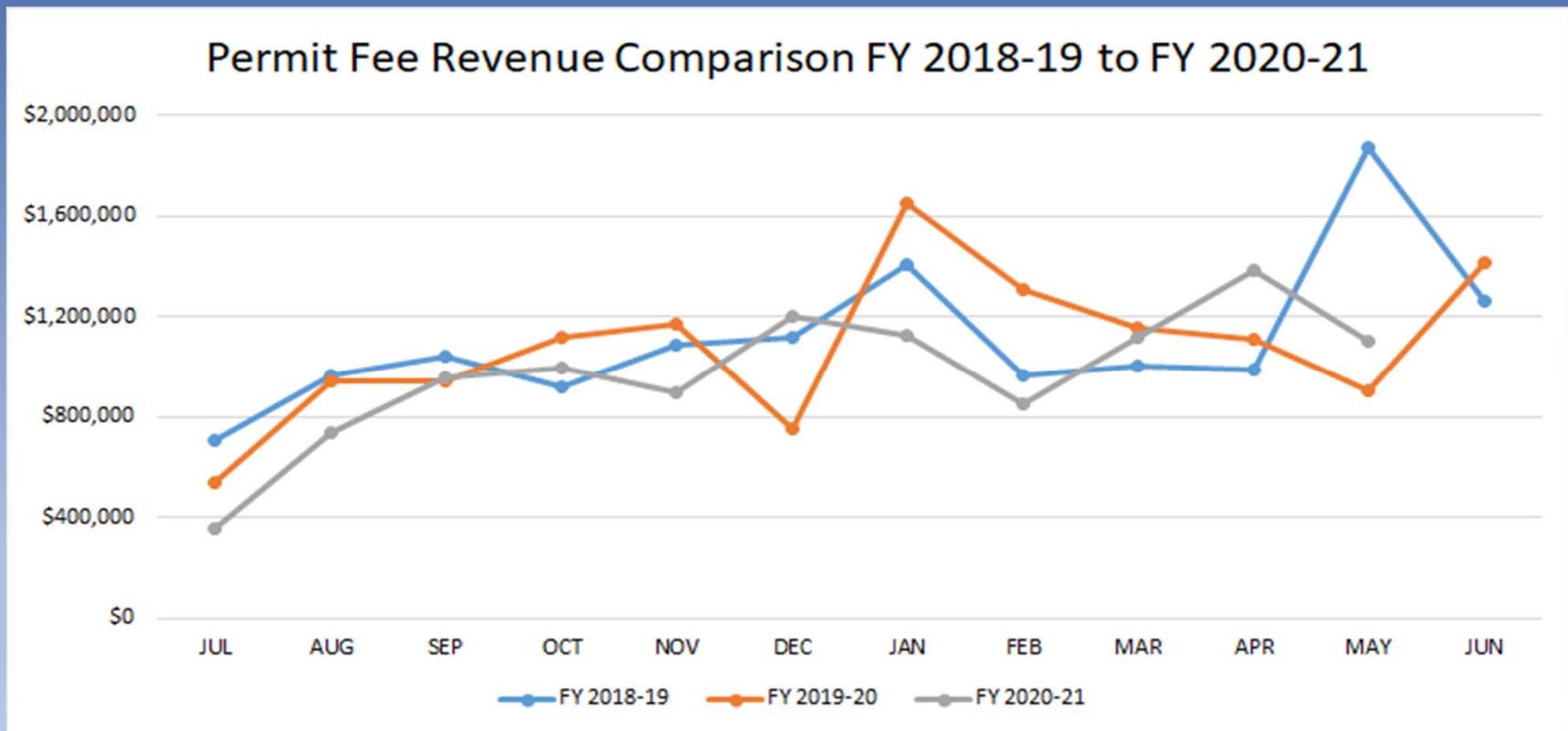


As of May 25, 2021

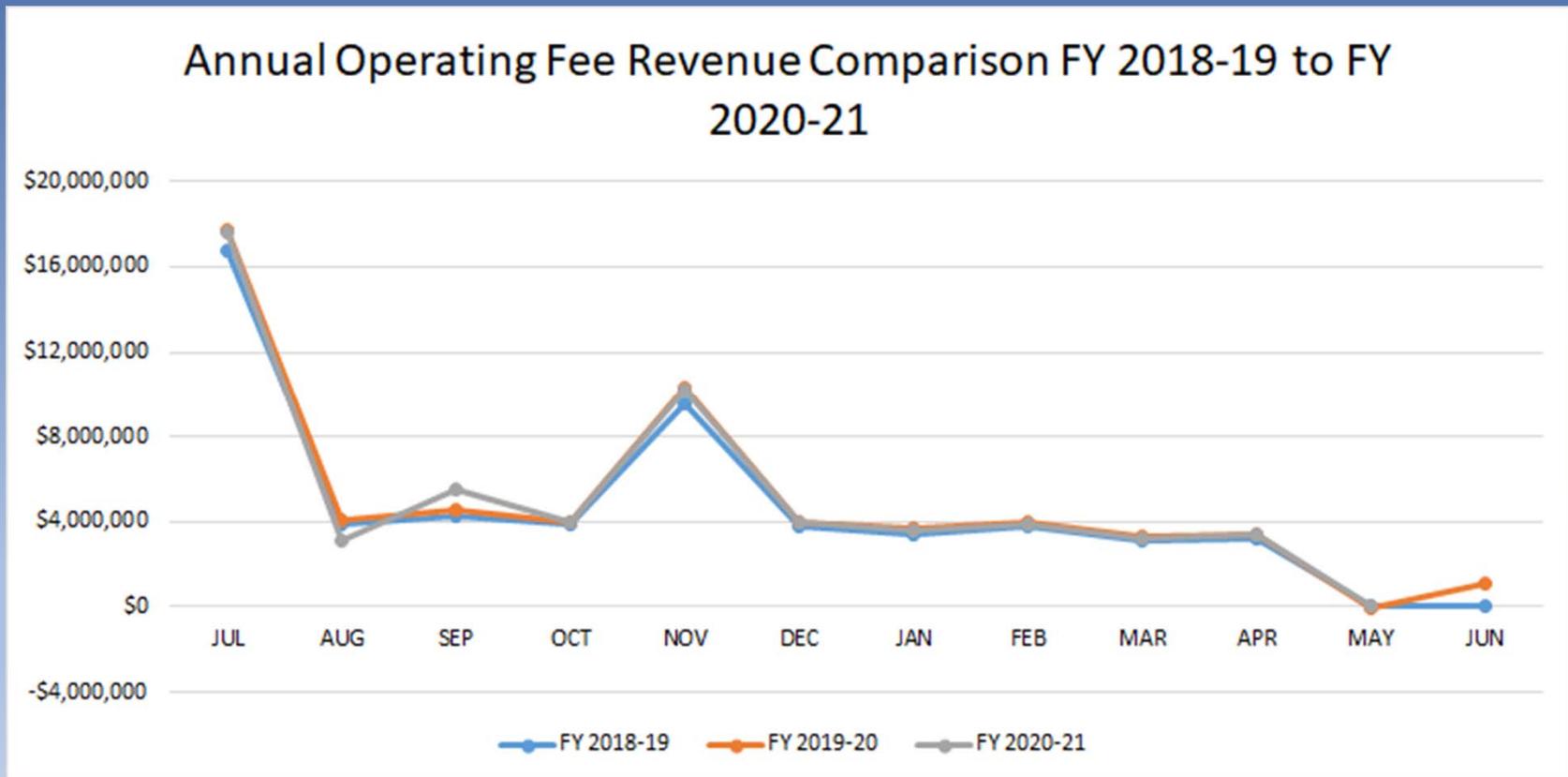
Permit Activity



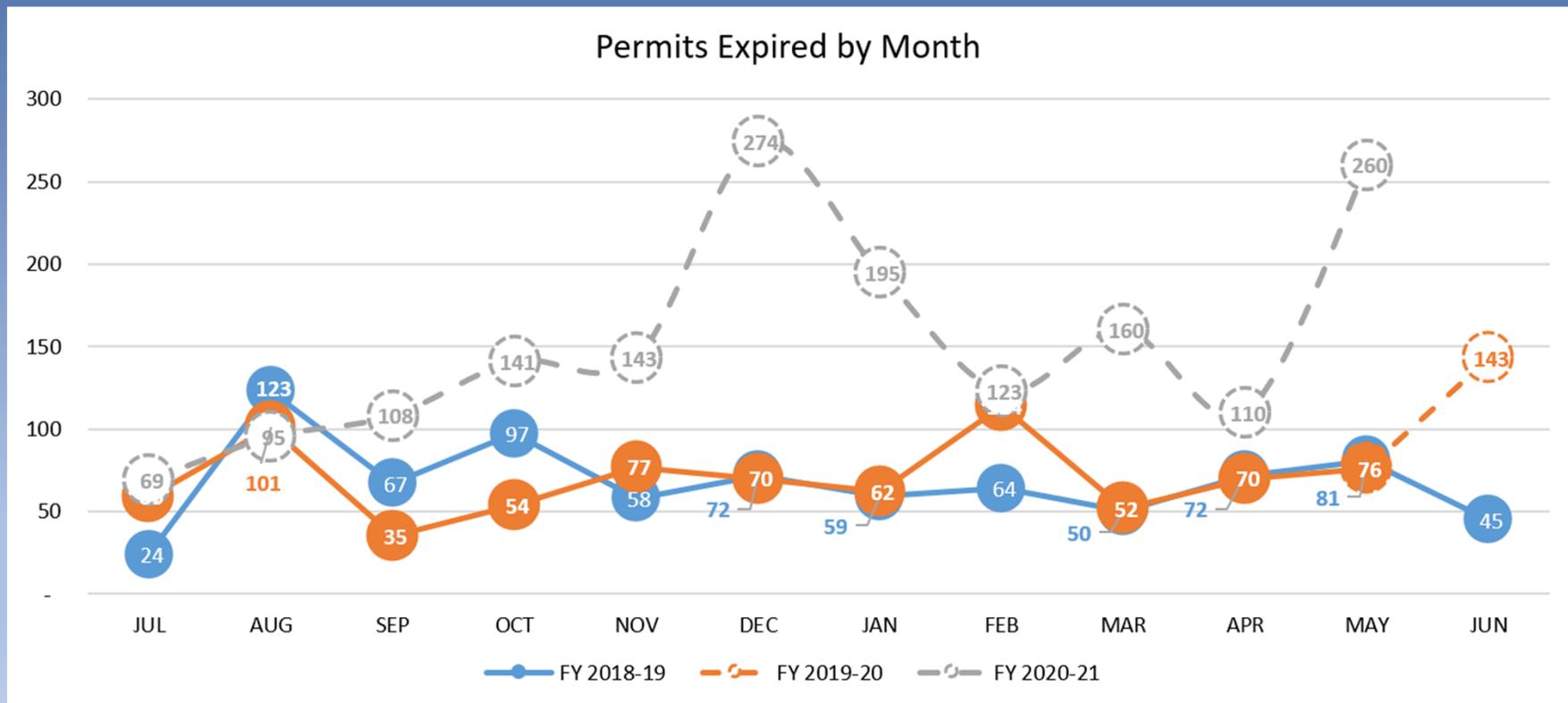
Permit Revenue



Annual Operating Fee Revenue



Permits - Expired and Potentially Expired



Dotted lines represent permits that have time to be reinstated

Summary of Metrics – Monthly

Metric			
State Economic Indicators	April 2020	April 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	32.1	50.8	5 weeks reported for April 2021
<i>Port TEU Throughput (Million TEUs)</i>	1.2	1.7	
<i>Statewide Unemployment %</i>	16.0	8.3	
South Coast AQMD	May 2020	May 2021	
<i>Revenue</i>	\$7,161,616	\$9,934,445	
<i>Expenditures</i>	\$12,145,731	\$13,150,659	
<i>Vacancy Rate</i>	14.5%	17.7%	
<i>Permit Applications Received</i>	625	433	
<i>Expired Permits</i>	76	260	1 year to reinstate

Summary of Metrics – Fiscal Year to Date

Metric			
State Economic Indicators	July 2019 – April 2020	July 2020 – April 2021	Notes
<i>Statewide Refinery Activity (Million Barrels Crude Oil Input)</i>	484	395	
<i>Port TEU Throughput (Million TEUs)</i>	13.4	16.8	
South Coast AQMD	July 2019 – May 2020	July 2020 – May 2021	
<i>Revenue</i>	\$154,067,636	\$147,224,507	
<i>Expenditures</i>	\$151,809,576	\$149,223,855	
<i>Permit Applications Received</i>	6,663	5,712	
<i>Expired Permits</i>	770	1,678	1 year to reinstate

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 23

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely, Friday, May 14, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben J. Benoit, Chairman
Administrative Committee

dw/cb

Committee Members

Present: Mayor Pro Tem Ben Benoit, Chairman
Mayor Pro Tem Michael Cacciotti

Absent: Dr. William A. Burke

Chairman Benoit appointed the following Board Members to the Committee for the meeting:

Senator Vanessa Delgado, Vice Chair
Gideon Kracov
Supervisor Janice Rutherford

Call to Order

Chairman Benoit called the meeting to order at 10:00 a.m.

DISCUSSION ITEMS:

1. **Board Members' Concerns:** There were no concerns to report.
2. **Chairman's Report of Approved Travel:** There was no travel to report.
3. **Report of Approved Out-of-Country Travel:** There was no travel to report.

4. **Review June 4, 2021 Governing Board Agenda:** There were no comments to report.

5. **Approval of Compensation for Board Member**

Assistant(s)/Consultant(s): Mayor Pro Tem Cacciotti has added Wes Reutimann as a Board Consultant and is requesting amendments to existing contracts with current Board Consultants/Assistants: William Glazier, Frank Cardenas, Tim Sandoval, Jose Zavala, Sho Tay, and Ben Wong.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:**

Anissa (Cessa) Heard-Johnson, Diversity, Equity & Inclusion Officer, summarized her efforts to learn about our organization, described what has occurred to date and what is planned for the next fiscal year. Several events have been held since January: Lunar New Year, African American Heritage Month, a Stop the Hate rally, Persian New Year, Interrupting Bias Training, and Women's History month. The Administrative Code is being updated and she is working on a timeline for future actions.

On May 20 there will be a lunch-and-learn about the Asian Pacific Islander Plus affinity group that is forming and on May 28 we will have a guest speaker to talk with staff about the history of Angel Island. The plan for the upcoming fiscal year is to look at agency procedures and protocols and provide training, including a Book Club.

Board Member Kracov noted his appreciation for the presentation and efforts and indicated he plans to support this work at the agency. Chairman Benoit inquired whether there would be training for Board Members, and Ms. Heard-Johnson noted that Dr. Burke had suggested such training be potentially offered at an upcoming Board Retreat. Vice Chair Delgado inquired whether an event to commemorate Ramadan had been offered. Ms. Heard-Johnson responded that she had not gotten a request from staff but noted that religious celebrations may not be appropriate for a workplace setting.

7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, reported that the trends we have seen for the last several months are continuing and staff is tracking key indicators. She also reported that staff is closely monitoring expenditures and working to reduce the vacancy rate.

8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management, reported that a new version of FIND has been deployed and a cyber security online training library is now available to staff. He also reported that we deployed the Clean Air Program for Elementary Students website last week.
9. **South Coast AQMD's FY 2020-21 Third Quarter ended March 31, 2021 Budget vs. Actual (Unaudited):** Sujata Jain, Chief Financial Officer, Finance, reported on budgeted versus actual results for the Third Quarter that ended on March 31, 2021. She provided summaries and explanations of revenue and expenditures and discussed the five-year projection.

Mayor Pro Tem Cacciotti requested clarification on the vacancy rate, which prompted Chairman Benoit to specifically inquire about LPAM vacancies and whether additional staff positions are needed for outreach on the Warehouse Indirect Source Rule (ISR). Mr. Alatorre responded that one or two additional positions would be helpful in enhancing outreach. Ms. Whynot added that revenue from the ISR fees will help to fund those and other positions needed to implement the ISR.

ACTION ITEMS:

10. **Recognize Revenue, Transfer and Appropriate Funds, Issue a Solicitation and Execute Contracts and/or Purchase Orders to Meet Operational Needs for Rule 1180 and Community Scale Monitoring Programs:** Andrea Polidori, Atmospheric Measurements Manager, Science & Technology Advancement, reported that the recommended actions for this item is to transfer and appropriate funds to obtain additional resources that are required to continue the development and operation of Rule 1180 community and refinery fenceline monitoring. Mr. Polidori indicated the item is to issue sole source purchase orders for quality assurance equipment verification and equipment replacement. Issue a request for proposal and based on the results of this RFP, execute contracts and purchase order for any independent audit to verify the performance of the fenceline or monitoring systems. Lastly, this item is to recognize and appropriate funds to conduct additional community or monitoring activities to fully satisfy the goals and objectives of an EPA Community scale grant.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

11. **Transfer and Appropriate Funds and Execute Contract for Cybersecurity Assessment:** Mr. Moskowitz reported that this item is to transfer and appropriate funds for upcoming separate security assessment and execute a contract with the selected vendor. Funds are available in the budget.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

12. **Establish List of Prequalified Vendors for Janitorial Supplies:** John Olvera, Deputy Executive Officer/Administrative & Human Resources, reported that this item is to approve a list of prequalified vendors for janitorial supplies. This was a result of a Board-approved RFP. The list would be good for three years. Funds for purchasing the supplies are available in this year's budget and they will be requested in subsequent years' budgets.

MPT Cacciotti inquired whether staff verifies that janitorial contractors are using compliant products as they service the agency premises. Mr. Olvera affirmed that AHR staff frequently observes their efforts at various times of day/night to confirm such compliance

Moved by Cacciotti; seconded by Rutherford, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

13. **Authorize Entering into a Cooperative Purchasing Agreement for Printing Equipment and Multi-Function Devices:** Mr. Olvera reported that this item is for a cooperative purchase agreement for our Print Shop, which includes printing equipment and our multifunction devices/copiers. The South Coast AQMD has a contract currently that is set to expire on December 31, 2021. Using a cooperative purchase agreement, the current provider has offered us a proposal that would end the existing contract early without any penalty or costs and update our existing equipment and copiers and include some new software so we can have some new functionality. This proposal would improve the efficiency in the work that we are doing in the Print Shop and will result in some cost savings. This action would terminate the existing contract with MRC Smart Technology Solutions, which is a Xerox company, and it would execute a new five-year lease and maintenance agreement with the same vendor to begin on July 1. The five-year cost of the

lease is not to exceed \$802,000 and the agency's procurement policy allows for the use of a cooperative purchase program in lieu of an RFP process when the items available meet the needs of the South Coast AQMD. Funding is included in this year's budget and will be requested in subsequent years' budgets.

Chairman Benoit asked whether vendors other than Xerox had submitted bids for this equipment. Mr. Olvera responded that Xerox was selected based on a statewide cooperative purchase program which negotiates for the most competitive price on behalf of agencies such as South Coast AQMD.

Moved by Cacciotti; seconded by Kracov, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

14. **Remove Various Fixed Assets from South Coast AQMD Inventory:** Ms. Jain reported that this is a routine item brought for Board approval annually to remove fixed assets that become obsolete or inoperable. This item is asking authorization to remove these fixed assets.

On Vice Chair Delgado's inquiry on whether surplus equipment was donated to schools, Ms. Jain confirmed that we donate equipment when we can, or use the equipment for parts in maintaining the agency's laboratory equipment.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

15. **Recommend Renewing Memberships to South Coast AQMD Local Government and Small Business Assistance Advisory Group:** Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs & Media, Counsel, reported that this item is to renew the membership of two existing Local Government and Small Business Assistance Advisory Group members: Eddy Marquez who is representing the Roofing Contractors Association and is considered a Public Member and Rachelle Arizmendi from the city of Sierra Madre who is representing Local Government.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

16. **Appoint Members to South Coast AQMD Hearing Board:** The Committee interviewed candidates for the Attorney Member (and alternate member) and Engineer Member (and alternate member) and considered their professional backgrounds and experience, and discussed efficiency issues within the Hearing Board operation, and continuity.

After interviewing the Engineering Member candidates, Board Member Kracov moved to reappoint Mohan Balagopalan as Engineering Member, and Dr. Maria Slaughter as Alternate Engineer Member; seconded Cacciotti.

Ayes: Benoit, Cacciotti, Delgado, Kracov, Rutherford
Noes: None
Absent: Burke

After interviewing the Attorney Member candidates, Mayor Pro Tem Cacciotti moved to reappoint Julie Prussack as Attorney Member, and Adrienne Macklin as Alternate Attorney Member.

Public comment was made by Nancy Feldman, Edward Camarena, and Mark Abramowitz, which centered on the critical importance of the Attorney Member position, as well as their positive impressions of the incumbent Attorney Member. Upon consideration of the public comments and upon further discussion of the extremely high caliber of the candidate pool, Mayor Pro Tem Cacciotti withdrew his previous motion. Chairman Benoit offered a substitute motion appointing Robert Pearman as Attorney member, and Adrienne Macklin as Alternate Attorney Member; seconded by Rutherford.

Ayes: Benoit, Delgado, Kracov, Rutherford
Abstention: Cacciotti
Noes: None
Absent: Burke

WRITTEN REPORTS:

17. **Local Government & Small Business Assistance Advisory Group Minutes for the March 12, 2021 Meeting:** The report was acknowledged and received.

18. **Environmental Justice Advisory Group Minutes for the February 26, 2021 Meeting:** The report was acknowledged and received.

OTHER MATTERS:

19. **Other Business:** There was no other business to report.
20. **Public Comment:** There were no public comments to report.
21. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for June 11, 2021 at 10:00 a.m.

Adjournment

The meeting adjourned at 12:28 p.m.

Attachments

Local Government & Small Business Assistance Advisory Group Minutes for
March 12, 2021

Environmental Justice Advisory Group Minutes for February 26, 2021



South Coast Air Quality Management District

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LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, MARCH 12, 2021 MEETING MINUTES

MEMBERS PRESENT:

Mayor Pro Tempore Ben Benoit, LGSBA Chairman (Board Member)
Supervisor Janice Rutherford (Board Member)
Felipe Aguirre
Mayor Rachelle Arizmendi, City of Sierra Madre
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
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association

MEMBERS ABSENT:

Todd Campbell, Clean Energy
David Rothbart, Los Angeles County Sanitation Districts

OTHERS PRESENT:

Mark Abramowitz
Thomas Gross, Board Member Consultant (*Benoit*)
Debra Mendelsohn, Board Member Consultant (*Rutherford*)
Dan McGivney, SoCal Gas
Mark Taylor, Board Member Consultant (*Rutherford*)
Ruthanne Taylor-Berger, Board Member Consultant (*Benoit*)
Ross Zelen, Board Member Consultant (*Kracov*)

SOUTH COAST AQMD STAFF:

Jill Whynot, Chief Operating Officer
Derrick Alatorre, Deputy Executive Officer
Victor Yip, Assistant Deputy Executive Officer
Daphne Hsu, Senior Deputy District Counsel
Mark Henninger, Information Technology Manager
Michael Morris, Planning & Rules Manager
Al Baez, Program Supervisor
Uyen-Uyen Vo, Program Supervisor
Anthony Tang, Information Technology Supervisor
Paul Wright, Senior Information Technology Specialist

Bahareh Farahani, Senior Air Quality Engineer
Van Doan, Air Quality Specialist
Stacy Day, Legislative Assistant

Agenda Item #1 – Call to Order/Opening Remarks

Chair Ben Benoit called the meeting to order at 11:32 a.m.

Agenda Item #2 – Approval of February 12, 2021 Meeting Minutes

Chair Benoit called for approval of the February 12, 2021 meeting minutes. Mr. Bill LaMarr commented that Michael Regan was appointed Administrator of the United States Environmental Protection Agency (U.S. EPA), which was mentioned in the minutes. The minutes were then approved unanimously.

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

No follow-up or action items.

Agenda Item #4 – Update on Best Available Control Technology (BACT) Guidelines

Mr. Al Baez provided an update on the Best Available Control Technologies (BACT) Guidelines approved by the Governing Board on February 2021.

Ms. Rita Loof commented that, although ultraviolet and electron beam (UV/EV) coatings may have a higher cost on a per-gallon basis, they become cost-effective in the long term as they contain 100% solids. Ms. Loof then asked if there is a process for South Coast Air Quality Management District (South Coast AQMD) to relay information and findings to U.S. EPA. Mr. Baez replied that there are periodic meetings with both California Air Resources Board (CARB) and U.S. EPA. South Coast AQMD has been working with CARB to establish the BACT and Best Available Retrofit Control Technology (BARCT) clearinghouse under the Assembly Bill (AB) 617 program. Additionally, U.S. EPA has its own BACT/BARCT and Lowest Achievable Emission Rate (LAER) clearinghouse. South Coast AQMD continues to work with both agencies and will be providing them with BACT determinations for major and minor sources in the future.

Mr. LaMarr stated that business industry representatives expressed concern at a recent CARB meeting where there was discussion of Air Toxic Control Measures (ATCM) and the transition from hexavalent chromium (Cr(VI)) to trivalent chromium (Cr(III)) and inquired if trivalent chromium would be considered BACT soon. Mr. LaMarr asked if this could be addressed through rule amendments, to which Mr. Baez replied yes.

Mr. Paul Avila referenced the guitar manufacturer in Corona and asked if the apparatus for clean air is for both fiberglass and oils. Mr. Baez said that facility manufactures wood guitars and was not aware of any fiberglass operations.

Ms. Loof said that facility added a UV coater to the existing system, which is vented to the thermal oxidizer.

Agenda Item #5 – Overview of Adopted Rule 1407.1: Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations

Ms. Uyen-Uyen Vo provided an overview on recently adopted Rule 1407.1, which applies to chromium metal melting operations.

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

No comments.

Agenda Item #7 – Other Business

Mr. LaMarr asked about the results of the Multiple Air Toxics Exposure Study V (MATES V). Mr. Alatorre stated that staff will email the Advisory Group with the status of MATES V.

Action item #1: Email the Advisory Group with the status of MATES V.

Mr. Avila referenced the Coalition for Clean Air program allowing funding of up to \$8,000 for low or zero emissions cars and asked if it is a grant or a loan and how would one qualify. Mr. Alatorre stated that CARB's Enhanced Fleet Modernization Program, which is South Coast AQMD's Replace Your Ride Program, is a grant and eligibility is dependent on income and requires scrapping of a qualifying older vehicle.

Ms. Loof requested a follow-up on South Coast AQMD's permitting requirements for facilities using hybrid coating systems, where a UV coater is added to a solvent-based coating system and vented to an afterburner.

Follow-up Item: Provide Ms. Loof with an update on South Coast AQMD's permitting requirements for hybrid coating systems vented to an afterburner.

Agenda Item #8 – Public Comment

No comments.

Agenda Item #9 – Next Meeting Date

The next regular Local Government & Small Business Assistance (LGSBA) Advisory Group meeting is scheduled for Friday, April 9, 2021 at 11:30 a.m.

Mr. John DeWitt asked about in-person meetings. Chair Benoit stated it depends on spacing and there may some hybrid solutions and requested that staff provide the status.

Action item #2: Provide the Advisory Group with an update on future in-person LGSBA meetings.

Adjournment

The meeting adjourned at 12:11 p.m.



South Coast Air Quality Management District



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ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, February 26, 2021 MEETING MINUTES

MEMBERS PRESENT:

Senator Vanessa Delgado (Ret.), EJAG Chair (Board Member)
Supervisor Janice Rutherford, EJAG Vice Chair (Board Member)
Rhetta Alexander, Valley Interfaith Council
Manuel Arredondo, Coachella Valley School District, Retiree
Dr. Lawrence Beeson, Loma Linda University, School of Public Health
Paul Choe, Korean Drycleaners & Laundry Association
Kerry Doi, Pacific Asian Consortium in Employment
Dr. Afif El-Hasan, American Lung Association
Mary Figueroa, Riverside Community College
Dr. Monique Hernandez, California State University, Los Angeles
Dr. Jill Johnston, University of Southern California
Humberto Lugo, Community Member
David McNeill, Baldwin Hills Conservancy
Daniel Morales, National Alliance for Human Rights
Donald Smith, 136th Street Block Club
Rafael Yanez, Community Member

MEMBERS ABSENT:

Council Member Ben Benoit, Board Member
Suzanne Bilodeau, Knott's Berry Farm

OTHERS PRESENT:

Harvey Eder
Marilynn Kamimura
Angela Meszaros
Byron Chan
Kareem Gongora

SOUTH COAST AQMD STAFF:

Derrick Alatorre, Deputy Executive Officer/Public Advisor
Daphne Hsu, Senior Deputy District Counsel
Lisa Tanaka O'Malley, Senior Public Affairs Manager
Thomas Liebel, Senior AQ Engineering Manager
Jack Cheng, Senior Enforcement Manager

Julie Franco, Senior Public Information Specialist
Alicia Lizarraga, Senior Public Information Specialist
Jeanette N. Short, Senior Public Information Specialist
Lindsay McElwain, Senior Administrative Secretary
Aisha Reyes, Senior Administrative Secretary
Brandee Keith, Secretary
Danietra Brown, Career Development Intern

Agenda Item #1: Call to Order/Opening Remarks

Senator Vanessa Delgado (Ret.), called the meeting to order at 12:01 p.m. Ms. Jeanette Short read the housekeeping items and then took roll call.

Agenda Item #2: Approval of October 23, 2020 Meeting Minutes

Chair Delgado called for the approval of the October 23, 2020 meeting minutes. Dr. Lawrence Beeson moved to approve the minutes and Mr. Rafael Yanez seconded the motion. The minutes were approved unanimously.

Agenda Item #3: Review of Follow-Up/Action Items

Mr. Derrick Alatorre stated there were no action items from the October 23, 2020 meeting.

Agenda Item #4: EJAG Accomplishments 2020

Mr. Alatorre presented a summary of EJAG Accomplishments from 2020.

Ms. Rhett Alexander stated that she was not at the last meeting and asked if the update to the Air Quality Management Plan (AQMP) presentation was available on the South Coast AQMD's website. Ms. Alicia Lizarraga offered to send Ms. Alexander the link to the relevant meeting webcast in order to view the presentation.

ACTION ITEM: Send link of the October 23, 2020 EJAG meeting to Ms. Alexander.
<http://www.aqmd.gov/home/news-events/webcast/live-webcast?ms=urAyu1LU85M>

Agenda Item #5: Federal Legislative Updates

Ms. Lisa Tanaka O'Malley delivered a presentation regarding legislative updates pertaining to South Coast AQMD and environmental justice.

Dr. Beeson asked if there was a backup plan in place in case the federal government did not approve the funding. Ms. Tanaka O'Malley stated that South Coast AQMD was working through appropriations to secure funding.

Chair Delgado inquired on the appointment of Dr. Philip Fine to the federal level, and Mr. Alatorre confirmed Dr. Fine had accepted a Presidential appointment to the Environmental Protection Agency (EPA).

Mr. Yanez suggested that the funding sources for various priority projects be listed in a manner which would allow AB 617 Community Steering Committees (CSC) to assess and prioritize their own goals accordingly. Mr. Alatorre stated that it's up to the CSCs and Chair Delgado agreed.

Mr. Humberto Lugo requested clarification regarding funding for cleaner diesel, and whether South Coast AQMD would invest in efforts to promote electric vehicle adoption rather than natural gas engines. Mr. Alatorre pointed out that it would depend on the funding source and the criteria established by that source.

Mr. Harvey Eder shared a brief history on efforts to promote solar options and equity in California business.

Agenda Item #6: Update on Quemetco

Mr. Thomas Liebel and Mr. Jack Cheng gave an update on the Quemetco battery recycling facility.

Mr. Yanez asked for a clarification on the resolution of odor complaints, whether there had been any community exposure to harmful substances, and whether the community had been informed of potential exposure. Mr. Jack Cheng confirmed South Coast AQMD inspectors were unable to verify the odors listed in complaints and therefore had to be resolved as “Source Unknown”. He also confirmed that based on monitoring results following a Notice of Violation, there had been no enforcement action taken against the facility.

Dr. Jill Johnston brought up a 2018 draft Environmental Impact Report (EIR) regarding Quemetco, in which several community concerns had been brought up, and inquired how those concerns were being addressed. She expressed a desire to see more discussion regarding cumulative burden of air toxics in the area surrounding Quemetco, and to hear a plan outlining how the South Coast AQMD planned to avoid repeating the mistakes that were made with the Exide plant. Mr. Liebel confirmed many of the previous concerns voiced in the draft EIR of 2018 would be under consideration in the current version. Mr. Liebel explained with the initial study, staff have been addressing these concerns in the draft EIR which will be available for public release and review soon. Mr. Liebel informed the members to reach out to Ms. Jillian Wong for any specific questions.

Mr. Yanez expressed concern regarding the inability to address odor complaints when inspectors are unable to confirm the existence of an odor and asked if there was any way to require monitoring by the facility to record incidents objectively. Mr. Liebel stated it would be difficult as most monitoring equipment detects particulate pollution rather than the burning of organic material which results in odor. However, he confirmed there were potential solutions under consideration to apply certain continuous emission monitoring system (CEMS) to detect toxics.

Ms. Monique Hernandez inquired as to the delay between receipt of a complaint and the arrival of an inspector at the site. Mr. Cheng explained how inspectors are dispatched depending on time of complaint, site, location of the inspector at the time of complaint, and inspector workload. He also specified that during off-hours, South Coast AQMD waits until three complaints are received in a certain timeframe before dispatching an inspector.

Mr. Lugo asked how South Coast AQMD would hold the Department of Toxic Substance Control (DTSC) accountable for their actions and enforcement, when DTSC demonstrates an unwillingness to act on the behalf of communities. Mr. Liebel affirmed that South Coast AQMD is committed to doing everything within its power to reduce emissions, and works with DTSC to achieve those reductions, but do not have authority to hold them accountable.

Mr. Yanez suggested that South Coast AQMD's Compliance and Enforcement department prioritize responses to complaints regarding known problem facilities, especially underrepresented communities. He requested to know the average response time to these types of complaints, as it's important that these communities be prioritized.

ACTION ITEM: Staff to provide Mr. Yanez the average response times to complaints.

Public member Ms. Marilyn Kamimura made a statement reminding the South Coast AQMD of Quemetco's application to expand. She cited a 2016 Health Risk Assessment by the South Coast AQMD showing 12,000 households at increased risk for cancer due to levels of arsenic related to Quemetco and pointed out Quemetco has continued to put out increased levels of arsenic in the years since. She requested the South Coast AQMD deny the application for expansion.

Public member Mr. Eder stated the importance of formulating a plan to prevent facilities like Exide and Quemetco from being established near communities. He mentioned efforts for reparations and equity be made for the members of those communities and for the workers who had been harmed by toxic pollution from these facilities.

Public member Ms. Angela Meszaros cited a report issued by Earthjustice in 2021 called "Quemetco's Lead Legacy" and offered to send a copy of the report to Chair Delgado and members of the committee to consider during the permitting process for Quemetco. She stated that Quemetco had a history of emissions output going back to 1959 and urged the South Coast AQMD to consider how it would provide relief to communities living in close proximity to known emitters of air toxics. She also cited Quemetco's known history of violating its permit conditions, which should be taken into consideration when the facility applies for expansion.

Public member Mr. Byron Chan stated that the EPA had labeled Quemetco as a "Significant Non-Complier," showing the facility presents a severe level of concern for the environment. He urged the South Coast AQMD to deny the application for expansion.

Agenda Item #7: Environmental Justice Community Partnership Update

Ms. Lizarraga provided an update on the Environmental Justice Community Partnership (EJCP).

Ms. Mary Figueroa stated most of the programs and activities discussed in the presentation appeared to be focused in the Los Angeles area. She inquired whether there were any plans to expand the efforts of the EJCP into the San Bernardino area including Coachella Valley. Ms. Lizarraga stated the Clean Air Program for Elementary Students (CAPES) will be administered to at least four schools in the San Bernardino county and stressed they do not plan on turning down schools interested in participating in the program. She also invited Ms. Figueroa to meet with her to discuss potential breakout topics and future involvement in the Environmental Justice Conference and the Inter-Agency Task Force.

ACTION ITEM: Staff to meet with Ms. Figueroa regarding the Environmental Justice Conference and Inter-Agency Task Force.

Public member Mr. Eder expressed his concerns regarding the dual problems of COVID-19 and climate change.

Public member Mr. Kareem Gongora expressed his support and appreciation for the activities of the EJCP, and echoed Ms. Figueroa's concerns that more activity be brought into the San Bernardino and Riverside areas, including Coachella and the areas surrounding the Salton Sea.

Agenda Item #8: Member Updates

Mr. Lugo mentioned potential action by CARB to end agricultural burning in certain air districts and inquired whether South Coast AQMD could push for a ban of agricultural burning in the Coachella Valley. He further added that it would have a significant reduction in emissions and would improve agricultural practices in the community. Chair Delgado thanked him for his update and informed him that she would pass on his concerns. He also provided the following link in the chat feature related to the agricultural burning, and his concerns.

https://calmatters.org/environment/2021/02/san-joaquin-valley-agriculture-burns/?fbclid=IwAR2xhgCec-fZVgeixSd9YIK9xIkIEPi_CH_X1ZJqM2C8s5cKxEavH70G0gI

Mr. Danny Morales expressed his concern regarding railroads in Colton and stated Dr. Joseph Lyou had mentioned to him and Mary Figueroa that there may be investigations against the railroads coming in the future and will get as much information to bring back to the committee.

Agenda Item #9 - Other Business

Ms. Jeanette Short reminded members that the renewal of their memberships goes before the Governing Board on March 5th, and with approval it will extend their membership for another four years. She also announced there would be four new members joining the EJAG and reminded members that their ethics training was due to be completed.

Agenda Item #10- Public Comment

Mr. Eder expressed frustration with the availability of information to the public.

Agenda Item #11: Next Meeting Date

The next regular EJAG meeting is on Friday, April 23, 2021 at 12:00 pm.

Adjournment

The meeting was adjourned at 1:57 pm.

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 24

REPORT: Investment Oversight Committee

SYNOPSIS: The Investment Oversight Committee held a meeting remotely on Friday, May 21, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Michael A. Cacciotti, Chair
Investment Oversight Committee

SJ:gp

Committee Members

Present: Mayor Pro Tem Michael Cacciotti, Chair
Richard Dixon
Brent Mason
Patrick Pearce

Absent: Dr. William A. Burke, Vice Chair
Senator Vanessa Delgado (Retired)

Call to Order

Mayor Pro Tem Michael Cacciotti called the meeting to order at 12:00 p.m.

DISCUSSION ITEMS:

1. *Quarterly Report of Investments:* The committee reviewed the quarterly investment report that was provided to the Board. As of March 31, 2021, the South Coast AQMD's weighted average yield on total investments of \$974,819,679.34 from all sources was 0.48 percent. The allocation by investment type was 96.0 percent in the Los Angeles County Pooled Surplus Investment Fund (PSI) and 4.0 percent in the State of California Local Agency Investment Fund (LAIF) and South Coast AQMD's Special Purpose Investments (SPI). The one-year Treasury Bill rate as of March 31, 2021 was 0.02 percent.

2. *Cash Flow Forecast*: Sujata Jain, Chief Financial Officer/Deputy Executive Officer, reported on the cash flows for the current year and the projections for the next three years. South Coast AQMD Investment Policy limits its Special Purpose Investments to 75 percent of the minimum amount of funds available for investment during the Cash Flow Horizon. That limit, which includes all funds such as General, MSRC, Clean Fuels, AB 617 Implementation, and Volkswagen is \$160.6 million. Current Special Purpose Investments are well below the maximum limit. Staff works with the Los Angeles County Treasurer for investments that will give additional interest yield.
3. *Financial Market Update*: Richard Babbe from PFM Asset Management provided information on current and overall economic conditions. Overall, the economy appeared to be picking up for various reasons, including the fact that almost 65 percent of the population has received at least the first of two doses of a COVID-19 vaccine. The \$3-4 trillion Federal stimulus has kept demand for new homes high and has resulted in strong stock market performance and an increase in disposable household income. Demand was higher than supply for construction materials due to a disruption in the supply chain and the GDP is expected to be higher by the end of the year than previously forecasted which might result in a higher CPI. The unemployment rate, though lower than it was at the start of the pandemic, was still at 6.1 percent nationwide, and it is projected that this is at least partially due to concerns regarding workplace safety as well as the sufficiency of unemployment benefits. Inflation is still expected to be below 2 percent and will be a factor in low interest rates at least until 2023, keeping the 2-year treasury rates at historic low levels of near zero. The Federal deficit and high level of imports are potential concerns for the future health of the economy.

OTHER MATTERS:

4. Other Business

There was no other business.

5. Public Comment Period

There were no public comments.

6. Next Meeting Date

The next regular meeting of the Investment Oversight Committee is scheduled for August 20, 2021 at noon.

Adjournment

The meeting adjourned at 12:37 p.m.

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 25

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a meeting remotely on Friday, May 14, 2021. The following is a summary of the meeting.

Agenda Item	Recommendation/Action
AB 1260 (Chen) – California Environmental Quality Act: exemptions: transportation-related projects	No Position
AB 1346 (Berman) – Air pollution: small off-road engines	Support

RECOMMENDED ACTION:

Receive and file this report, and approve agenda item as specified in this letter.

Michael A. Cacciotti, Chair
Legislative Committee

DJA:LTO:PPC:DPG:sd:ar

Committee Members

Present: Mayor Pro Tem Michael A. Cacciotti/Chair
Council Member Joe Buscaino/Vice Chair
Senator Vanessa Delgado (Ret.)
Supervisor V. Manuel Perez
Supervisor Janice Rutherford

Absent: Dr. William A. Burke

Call to Order

Chair Cacciotti called the meeting to order at 9:00 a.m.

ACTION ITEMS:

1. Recommend Position on State Bills:

AB 1260 (Chen) – California Environmental Quality Act: exemptions: transportation-related projects

Denise Peralta Gailey, Public Affairs Manager, Legislative, Public Affairs and Media, presented AB 1260 (Chen). The bill would provide an exemption from the California Environmental Quality Act (CEQA), until January 1, 2023, for projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains and make modifications to existing facilities.

Staff recommended a “NO POSITION” position on this bill.

Moved by Buscaino; seconded by Rutherford; unanimously approved

Ayes: Buscaino, Cacciotti, Perez, Rutherford

Noes: None

Abstain: None

Absent: Burke, Delgado

There was no public comment.

AB 1346 (Berman) – Air pollution: small off-road engines

Philip Crabbe, Public Affairs Manager, Legislative, Public Affairs and Media, presented AB 1346 (Berman) which would:

- Require CARB, by July 2022, to adopt cost-effective and technologically-feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines (SORE) such as lawn and garden equipment.
- Apply to SORE produced on or after January 1, 2024, or as soon as CARB determines feasibility, whichever is later.
- To the extent feasible, require CARB to make commercial incentive funding available to air districts for SORE implementation.

Staff recommended a “SUPPORT” position on this bill.

Moved by Buscaino; seconded by Perez; unanimously approved

Ayes: Buscaino, Cacciotti, Delgado, Perez, Rutherford

Noes: None

Abstain: None

Absent: Burke

There was no public comment.

DISCUSSION/ACTION ITEMS:

2. Update on South Coast AQMD Board membership legislation

Mr. Crabbe provided an update on AB 1296 (Kamlager) and SB 342 (Gonzalez). These bills would increase size of the South Coast AQMD Board by adding two environmental justice (EJ) appointees.

AB 1296 is now a two-year bill and will not be moving forward this legislative session. Staff met with Senator Lena Gonzalez's staff regarding SB 342 to express concerns regarding the bill's infringement on local control and its fiscal impacts. The bill passed out of the Senate Governance and Finance Committee on May 6 and is awaiting a vote on the Senate floor.

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs and Media, added that the Building Trades have requested an amendment to SB 342 to add a Labor seat to the Board.

Senator Delgado asked if the bill defined a geographic area to specify that small EJ cities are represented on the Board. Mr. Crabbe responded that the bill was amended to include qualifications for EJ representatives but does not specify geographic areas.

Chair Cacciotti asked if the committee would like to amend the existing position on the bills. Supervisor Rutherford reiterated her opposition to these two bills. There was discussion on the composition of governance for other air quality agencies and how to proceed with the bill to ensure the Board is informed and has the opportunity to engage.

Wayne Nastri, Executive Officer, indicated that the Board will be kept apprised through weekly reports and direct communication. He added that the Legislative Committee report is part of the Board agenda and may be pulled for discussion and action.

Council Member Buscaino requested that this update be a standing item on the Legislative Committee agenda. Mr. Nastri confirmed and suggested that staff follow-up with the author's office regarding the proposed labor seat and on how the new EJ Board Members would be selected.

There was no public comment.

3. Update on Federal Legislative Issues

South Coast AQMD's federal legislative consultants (Carmen Group, Cassidy & Associates, Kadash & Associates) provided written reports on key Washington, D.C. issues.

Gary Hoistma of Carmen Group provided an update on the South Coast AQMD Business Roundtable meeting which focused on federal funding and policy for medium- and heavy-duty trucks. He added that the U.S. Treasury Department issued their Interim Final Rule for state and local government COVID-relief funding.

Chair Cacciotti requested to be kept informed of future Business Roundtable activities.

Amelia Jenkins of Cassidy & Associates reported on a meeting with the House Energy and Commerce Committee staff on issues impacting South Coast AQMD.

Mark Kadesh of Kadesh & Associates discussed the timeline and issues related to the Transportation and Infrastructure bill and the President's Budget.

There was no public comment.

4. Update on State Legislative Issues

South Coast AQMD's state legislative consultants (Resolute, California Advisors, LLC, Joe A. Gonsalves & Son) provided written reports on key issues in Sacramento.

David Quintana of Resolute reported that on May 10, the Governor announced a \$75.7 billion budget surplus and an additional \$27 billion is expected from the federal government. The Governor will be releasing the May Budget Revise (May Revise) today.

Supervisor Perez inquired about South Coast AQMD budget request efforts. Mr. Nastri stated that staff has met with key Legislative offices on funding needs, including a \$750 million request for near-term emissions reduction projects. A meeting with the Governor's office will take place in two weeks to reinforce funding requests for clean technology deployment.

Ross Buckley of California Advisors, LLC reported on the Governor's May Revise. The legislature will begin negotiations to pass a budget by June 15.

Paul Gonsalves of Joe A. Gonsalves & Son reported on the state's reopening plan. A bipartisan coalition of legislators have circulated a letter to the Assembly Speaker, Senate President Pro Tem and Governor requesting a public reopening of the State Capitol by May 19.

Mr. Nastri asked about the possible usage of vaccination passports in Sacramento. Mr. Gonsalves responded that a decision on this item is still pending.

There was no public comment.

OTHER MATTERS:

5. Other Business

There was no other business.

6. Public Comment Period

There was no public comment.

7. Next Meeting Date

The next regular Legislative Committee meeting is scheduled for Friday, June 11, 2021 at 9:00 a.m.

Adjournment

The meeting adjourned at 9:53 a.m.

Attachments

1. Attendance Record
2. Recommend Position on State Bills
3. Update on Federal Legislative Issues – Written Reports
4. Update on State Legislative Issues – Written Reports

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING (VIA ZOOM) ATTENDANCE RECORD – May 14, 2021

Council Member, Joe Buscaino..... South Coast AQMD Board Member
Mayor Pro Tem Michael Cacciotti..... South Coast AQMD Board Member
Senator Vanessa Delgado..... South Coast AQMD Board Member
Supervisor V. Manuel Perez..... South Coast AQMD Board Member
Supervisor Janice Rutherford..... South Coast AQMD Board Member

Debra Mendelsohn Board Consultant (Rutherford)
Mark Taylor..... Board Consultant (Rutherford)
Ben Wong..... Board Consultant (Cacciotti)

Ross Buckley California Advisors, LLC
Paul Gonsalves Joe A. Gonsalves & Son
Gary Hoitsma Carmen Group, Inc.
Amelia Jenkins Cassidy & Associates
Mark Kadesh Kadesh & Associates
Ben Miller Kadesh & Associates
David Quintana Resolute

Mark Abramowitz
Erin Berger
Greg Busch
Ramine Cromartie
Ken Dami
Kris Flaig
Peter Herzog
Frances Keeler
Bill LaMarr..... California Small Business Alliance
Zachary Leary
Erick Martell
David Rothbart
Patty Senecal
Brissa Sotelo-Vargas
Biance Villanueva
Mathew Watson
Janet Whittick
Peter Whittingham..... Whittingham Public Affairs Advisors

Derrick Alatorre South Coast AQMD Staff
Debra Ashby..... South Coast AQMD Staff
Barbara Baird South Coast AQMD Staff
Philip Crabbe..... South Coast AQMD Staff
Stacy Day South Coast AQMD Staff
Denise Gailey South Coast AQMD Staff

Bayron Gilchrist	South Coast AQMD Staff
Sheri Hanizavareh	South Coast AQMD Staff
Anissa (Cessa) Heard-Johnson	South Coast AQMD Staff
Mark Henninger	South Coast AQMD Staff
Kathryn Higgins	South Coast AQMD Staff
Sujata Jain	South Coast AQMD Staff
Brandee Keith	South Coast AQMD Staff
Ian MacMillan	South Coast AQMD Staff
Matt Miyasato	South Coast AQMD Staff
Ron Moskowitz	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Mary Reichert.....	South Coast AQMD Staff
Aisha Reyes.....	South Coast AQMD Staff
Danielle Soto.....	South Coast AQMD Staff
Lisa Tanaka O'Malley.....	South Coast AQMD Staff
Anthony Tang.....	South Coast AQMD Staff
Alejandra Vega.....	South Coast AQMD Staff
Jill Whynot.....	South Coast AQMD Staff
William Wong.....	South Coast AQMD Staff
Paul Wright	South Coast AQMD Staff

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1260 (Chen)
Version: Introduced 2/19/2021
Analyst: DPG

AB 1260 (Chen)

California Environmental Quality Act: exemptions: transportation-related projects.

Summary: This bill would exempt public transit projects to construct or maintain infrastructure to charge or refuel zero-emissions trains from the requirements of the California Environmental Quality Act (CEQA).

Background: CEQA requires a lead agency to prepare and certify the completion of an environmental impact report on a project that may have a significant effect on the environment. CEQA also requires a lead agency to prepare a negative declaration if it finds that the project will not have any effects on the environment or if revisions to a project avoid or mitigate effects on the environment.

CEQA includes exemptions for numerous categories of projects, including projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use; and projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses.

Status: 4/29/2021 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (April 28). Re-referred to Com. on APPR.

Specific Provisions: Specifically, this bill would exempt, from the requirements under CEQA, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains, provided that the project is located on property owned by a transit agency or within an existing public right-of-way.

Impacts on South Coast AQMD's Mission, Operations or Initiatives: This bill involves a type of project, i.e. infrastructure for a zero-emission train, that is in line with South Coast AQMD's policy priorities to protect public health, reduce the impacts of air pollution and attain federal air quality standards. That type of project is also consistent with the South Coast AQMD priority to reduce mobile sources of pollution by promoting clean technology and related infrastructure.

However, in contrast, the creation of CEQA exemptions is generally problematic because it eliminates key tools that can be used to ensure that a project is being sited, constructed and implemented in an environmentally safe way. It is also important in helping ensure that surrounding communities are not negatively impacted. Consequently, such exemptions can create a bad precedent.

Recommended Position: NO POSITION

ATTACHMENT 2B

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1260

Introduced by Assembly Member Chen

February 19, 2021

An act to amend Section 21080.25 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1260, as introduced, Chen. California Environmental Quality Act: exemptions: transportation-related projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses.

This will would further exempt from the requirements of CEQA projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.25 of the Public Resources Code
2 is amended to read:

3 21080.25. (a) For purposes of this section, the following
4 definitions apply:

5 (1) “Affordable housing” means any of the following:

6 (A) Housing that is subject to a recorded covenant, ordinance,
7 or law that restricts rents or sales prices to levels affordable, as
8 defined in Section 50052.5 or 50053 of the Health and Safety
9 Code, to persons and families of moderate, lower, or very low
10 income, as defined in Section 50079.5, 50093, or 50105 of the
11 Health and Safety Code, respectively.

12 (B) Housing that is subject to any form of rent or price control
13 through a public entity’s valid exercise of its police power.

14 (C) Housing that had been occupied by tenants within five years
15 from the date of approval of the development agreement by a
16 primary tenant who was low income and did not leave voluntarily.

17 (2) “Highway” means a way or place of whatever nature,
18 publicly maintained and open to the use of the public for purposes
19 of vehicular travel. “Highway” includes a street.

20 (3) “New automobile capacity” means any new lane mileage
21 of any kind other than sidewalks or bike lanes.

22 (4) “Project labor agreement” has the same meaning as defined
23 in paragraph (1) of subdivision (b) of Section 2500 of the Public
24 Contract Code.

25 (5) “Skilled and trained workforce” has the same meaning as
26 provided in Chapter 2.9 (commencing with Section 2600) of Part
27 1 of Division 2 of the Public Contract Code.

28 (6) “Transit lanes” means street design elements that delineate
29 space within the roadbed as exclusive to transit use, either full or
30 part time.

31 (7) “Transit prioritization projects” means any of the following
32 transit project types on highways:

- 1 (A) Signal coordination.
- 2 (B) Signal timing modifications.
- 3 (C) Signal phasing modifications.
- 4 (D) The installation of wayside technology and onboard
- 5 technology.
- 6 (E) The installation of ramp meters.
- 7 (F) The installation of dedicated transit or very high occupancy
- 8 vehicle lanes, and shared turning lanes.
- 9 (8) “Very high occupancy vehicle” means a vehicle with six or
- 10 more occupants.
- 11 (b) This division does not apply to any of the following projects:
- 12 (1) Pedestrian and bicycle facilities, including new facilities.
- 13 For purposes of this paragraph, “bicycle facilities” include, but
- 14 are not limited to, bicycle parking, bicycle sharing facilities, and
- 15 bikeways as defined in Section 890.4 of the Streets and Highways
- 16 Code.
- 17 (2) Projects that improve customer information and wayfinding
- 18 for transit riders, bicyclists, or pedestrians.
- 19 (3) Transit prioritization projects.
- 20 (4) On highways with existing public transit service or that will
- 21 be implementing public transit service within six months of the
- 22 conversion, a project for the designation and conversion of general
- 23 purpose lanes or highway shoulders to bus-only lanes, for use
- 24 either during peak congestion hours or all day.
- 25 (5) A project for the institution or increase of new bus rapid
- 26 transit, bus, or light rail service, including the construction of
- 27 stations, on existing public rights-of-way or existing highway
- 28 rights-of-way, whether or not the right-of-way is in use for public
- 29 mass transit.
- 30 (6) A project to construct or maintain infrastructure to charge
- 31 or refuel zero-emission transit buses, provided the project is carried
- 32 out by a public transit agency that is subject to, and in compliance
- 33 with, the State Air Resources Board’s Innovative Clean Transit
- 34 regulations (Article 4.3 (commencing with Section 2023) of
- 35 Chapter 1 of Division 3 of Title 13 of the California Code of
- 36 Regulations) and the project is located on property owned by the
- 37 transit agency or within an existing public right-of-way.
- 38 (7) *A project to construct or maintain infrastructure to charge*
- 39 *or refuel zero-emission trains, provided the project is carried out*

1 *by a public transit agency and the project is located on property*
2 *owned by a transit agency or within an existing public right-of-way.*

3 ~~(7)~~

4 (8) The maintenance, repair, relocation, replacement, or removal
5 of any utility infrastructure associated with a project identified in
6 paragraphs (1) to ~~(6)~~, (7), inclusive.

7 ~~(8)~~

8 (9) A project that consists exclusively of a combination of any
9 of the components of a project identified in paragraphs (1) to ~~(7)~~,
10 (8), inclusive.

11 ~~(9)~~

12 (10) A project carried out by a city or county to reduce minimum
13 parking requirements.

14 (c) Except as provided in subdivision (e), a project exempt from
15 this division under this section shall meet all of the following
16 criteria:

17 (1) A public agency is carrying out the project and is the lead
18 agency for the project.

19 (2) The project is located in an urbanized area.

20 (3) The project is located on or within an existing public
21 right-of-way.

22 (4) The project shall not add physical infrastructure that
23 increases new automobile capacity on existing rights-of-way except
24 for minor modifications needed for the efficient and safe movement
25 of transit vehicles, such as extended merging lanes. The project
26 shall not include the addition of any auxiliary lanes.

27 (5) The construction of the project shall not require the
28 demolition of affordable housing units.

29 (6) For a project exceeding one hundred million dollars
30 (\$100,000,000) in 2020 United States dollars, a project exempt
31 from this division under this section shall also meet all of the
32 following:

33 (A) The project is incorporated in a regional transportation plan,
34 sustainable communities strategy, general plan, or other plan that
35 has undergone a programmatic-level environmental review
36 pursuant to this division within 10 years of the approval of the
37 project.

38 (B) The project's construction impacts are fully mitigated
39 consistent with applicable law.

1 (C) (i) The lead agency shall complete and consider the results
2 of a project business case and a racial equity analysis. The Office
3 of Planning and Research may set standards for the project business
4 case and the racial equity analysis or delegate that authority to
5 metropolitan planning organizations.

6 (ii) The project business case required under this subparagraph
7 shall set forth the rationale for why the project should be
8 implemented to solve a problem or address an opportunity, outline
9 strategic goals and objectives of the project, evaluate other options
10 to achieve the project's objectives, describe the economic costs
11 and benefits of the project, describe the financial implications of
12 the project, and establish what is required to deliver and operate
13 the project.

14 (iii) The racial equity analysis required under this subparagraph
15 shall identify the racial equity impacts of the project, identify who
16 will benefit from and be burdened by the project, and, where
17 significant or disproportionate impacts exist, suggest strategies,
18 designs, or actions to mitigate those impacts.

19 (D) The lead agency shall hold noticed public meetings as
20 follows:

21 (i) Before determining that a project is exempt pursuant to this
22 section, the lead agency shall hold at least three noticed public
23 meetings in the project area to hear and respond to public
24 comments.

25 (ii) At least one of the three public meetings shall review the
26 project business case and the racial equity analysis. The review of
27 these documents does not inhibit or preclude application of this
28 section.

29 (iii) The lead agency shall conduct at least two noticed public
30 meetings annually during project construction for the public to
31 provide comments.

32 (iv) The public meetings held pursuant to clauses (i) to (iii),
33 inclusive, shall be in the form of either a public community
34 planning meeting held in the project area or in the form of a
35 regularly scheduled meeting of the governing body of the lead
36 agency.

37 (E) The lead agency shall give public notice of the meetings in
38 subparagraph (D) to the last known name and address of all the
39 organizations and individuals that have previously requested notice

1 and shall also give the general public notice using at least one of
2 the following procedures:

3 (i) Publication of the notice in a newspaper of general circulation
4 in the area affected by the project. If more than one area will be
5 affected, the notice shall be published in the newspaper of largest
6 circulation from among the newspapers of general circulation in
7 those areas.

8 (ii) Posting of the notice onsite and offsite in the area where the
9 project is located.

10 (iii) Posting of the notice on the lead agency's internet website
11 and social media accounts.

12 (d) (1) Except as provided in subdivision (e), in addition to the
13 requirements of subdivision (c), before granting an exemption
14 under this section, the lead agency shall certify that the project
15 will be completed by a skilled and trained workforce.

16 (2) (A) Except as provided in subparagraph (B), for a project
17 that is exempted under this section, the lead agency shall not enter
18 into a construction contract with any entity unless the entity
19 provides to the lead agency an enforceable commitment that the
20 entity and its subcontractors at every tier will use a skilled and
21 trained workforce to perform all work on the project or a contract
22 that falls within an apprenticeship occupation in the building and
23 construction trades in accordance with Chapter 2.9 (commencing
24 with Section 2600) of Part 1 of Division 2 of the Public Contract
25 Code.

26 (B) Subparagraph (A) does not apply if any of the following
27 requirements are met:

28 (i) The lead agency has entered into a project labor agreement
29 that will bind all contractors and subcontractors performing work
30 on the project or the lead agency has contracted to use a skilled
31 and trained workforce and the entity has agreed to be bound by
32 that project labor agreement.

33 (ii) The project or contract is being performed under the
34 extension or renewal of a project labor agreement that was entered
35 into by the lead agency before January 1, 2021.

36 (iii) The lead agency has entered into a project labor agreement
37 that will bind the lead agency and all its subcontractors at every
38 tier performing the project or the lead agency has contracted to
39 use a skilled and trained workforce.

1 (e) Subdivisions (c) and (d) do not apply to a project described
2 in paragraph ~~(9)~~ (10) of subdivision (b).

3 (f) If the lead agency determines that a project is not subject to
4 this division pursuant to this section, and the lead agency
5 determines to carry out that project, the lead agency shall file a
6 notice of exemption with the Office of Planning and Research and
7 the county clerk of the county in which the project is located in
8 the manner specified in subdivisions (b) and (c) of Section 21152.

9 (g) This section shall remain in effect only until January 1, 2023,
10 and as of that date is repealed.

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1346 (Berman)
Version: As Amended – 3/25/2021
Analyst: PC

AB 1346 (Berman)

Air pollution: small off-road engines.

Summary: This bill would require CARB, by July 1, 2022 to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines (SORE). Those regulations shall apply to SORE produced on or after January 1, 2024, or as soon as CARB determines is feasible, whichever is later.

The bill would also require CARB, to the extent feasible, to make funding available for commercial rebate or similar incentive funding for air districts to implement to support the transition to zero-emission small off-road equipment operations.

Background: SORE are engines that produce 19 kilowatts gross power or less. These engines are primarily used in lawn and garden equipment (such as leaf blowers and lawn mowers) and other outdoor power equipment. SORE have been subject to emission controls by CARB since the 1990s. These small engines emit high levels of air pollutants, including oxides of nitrogen (NO_x), reactive organic gases (ROG), and particulate matter (PM). NO_x and ROG together contribute to the formation of ozone, a criteria air pollutant that has adverse impacts on health, including respiratory symptoms, damage to lung tissue, and worsening of lung disease which can lead to premature death. NO_x also contributes to the formulation of particulate matter (PM), which has direct negative health impacts. Many areas in California currently fail to meet PM standards, including the South Coast Air Basin.

One hour of operation of a commercial leaf blower can emit as much ROG and NO_x as driving 1,100 miles in a 2017 Toyota Camry. In 2020, California daily NO_x and ROG emissions from SORE surpassed emissions from light-duty passenger cars. SORE emitted an average of 16.8 tons per day of NO_x and 125 tons per day of ROG.

If the state does not act, emission levels from small engines are expected to increase. By 2031, small engine emissions will be more than twice those from passenger cars. There are zero-emission equivalents to all SORE that are regulated by CARB, generally electric alternatives that run on batteries or plug into an outlet. Many users, including over half of household users, have already begun the transition to zero-emission equipment. For most household applications, the zero-emission alternatives are in the same price range as the conventional gas-powered equipment. Commercial users require additional batteries but realize cost savings through lower fuel and maintenance costs. Additionally, several air districts provide robust rebate programs to help residential and commercial users make the switch to zero-emission equipment. Eight air districts offer residential rebates. Santa Barbara, San Joaquin Valley, and South Coast offer commercial rebates.

Status: 4/29/2021 - Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 28). Re-referred to Com. on APPR.

Specific Provisions: Specifically, this bill would:

- 1) Require CARB, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new SORE by July 1, 2022.
- 2) Provide that those regulations would apply to engines produced on or after January 1, 2024, or as soon as CARB determines is feasible, whichever is later.
- 3) Require CARB to identify and, to the extent feasible, make funding available for commercial rebate or similar incentive funding as part of any updates to existing applicable funding program guidelines for local air districts to implement to support the transition to zero-emission small off-road equipment operations.

Impacts on South Coast AQMD’s Mission, Operations or Initiatives: The regulations proposed by this bill would only apply to new sales of SORE. Residential and commercial users would be free to continue using gas-powered equipment purchased before the regulations take effect. It is important to note that state regulation of numerous types of equipment is preempted by federal law. However, EPA may authorize CARB to adopt such regulations, similar to the waiver process for motor vehicles. CARB is currently working on a proposed rulemaking to amend SORE regulations. The author states that this legislative effort is complimentary to what CARB is doing and that CARB has provided technical assistance to this legislative effort. CARB is currently proposing to require that all SORE purchased be zero emission (ZE) beginning in 2024, and that small portable generators be ZE by 2028. The bill purposefully refers to rebate/incentive funding in a more general way to allow air districts flexibility as to how to implement it.

The Governor’s Executive Order No. N-79-20 directs CARB to achieve 100 percent zero emissions from off-road equipment in California by 2035, where feasible and cost-effective. California cannot achieve this goal without acting to transition all sales of new equipment to zero-emission equipment. AB 1346 will limit air pollution from small engines and mitigate the negative environmental and health consequences that result from SORE emissions within the South Coast region and the state. This will also help facilitate efforts to attain federal air quality standards within the South Coast.

Recommended Position: SUPPORT

Support:

Active SGV
American Lung Association in California
California Walks

South Coast Air Quality Management District
Legislative Analysis Summary – AB 1346 (Berman)
Version: As Amended – 3/25/2021
Analyst: PC

Carbon Free Mountain View
Coalition for Clean Air
Environment California
Greentown Los Altos
Natural Resource Defense Council
Physicians for Social Responsibility – Bay Area
Regional Asthma Management and Prevention Group
Sierra Club California
The Climate Center
Union of Concerned Scientists
350 Silicon Valley

Opposition:
N/A

ATTACHMENT 2D

AMENDED IN ASSEMBLY MARCH 25, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1346

Introduced by Assembly ~~Member Berman~~ Members *Berman and Lorena Gonzalez*

(Coauthors: Assembly Members *Bauer-Kahan, Carrillo, Gabriel, Cristina Garcia, Eduardo Garcia, Low, Mullin, Reyes, Robert Rivas, Ting, and Friedman*)

February 19, 2021

~~An act to add Section 14299.5 to the Elections Code, relating to elections.~~ *An act to add Section 43018.11 to the Health and Safety Code, relating to air pollution.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1346, as amended, Berman. ~~Elections: ballots.~~ *Air pollution: small off-road engines.*

Existing law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law assigns the responsibility for controlling vehicular sources of air pollution to the State Air Resources Board.

This bill would require the state board, by July 1, 2022, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. The bill would require the state board to identify and, to the extent feasible, make available funding for commercial rebate or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management

districts to implement to support the transition to zero-emission small off-road equipment operations.

~~Existing law requires an elections official to deliver to a precinct additional ballots if the precinct board is unable to furnish a ballot to a qualified voter because there is an insufficient number of ballots. Existing law requires the precinct board to provide each voter with the option of casting a vote immediately using an alternative procedure, as specified. Existing law requires, in the case of an election for a state or federal office, for each polling place using a direct recording electronic voting system, the elections official to also provide paper ballots equivalent to specified percentages of voters depending on the type of election and to establish procedures for the use of the paper ballots in the event the direct recording electronic voting system becomes nonfunctional.~~

~~This bill would require an elections official to establish an alternative procedure for the use of paper ballots in the event that a ballot marking system, a ballot on demand system, or, except as specified, a voting system becomes nonfunctional. The bill would require the elections official to submit the alternative procedure to the Secretary of State for approval. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (1) *Small off-road engines (SORE), which are used primarily*
- 4 *in lawn and garden equipment, emit high levels of air pollutants,*
- 5 *including oxides of nitrogen (NOx), reactive organic gases (ROG),*
- 6 *and particulate matter (PM). NOx and ROG together contribute*
- 7 *to formation of ozone, a criteria pollutant with a national ambient*

1 *air quality standard set by the United States Environmental*
2 *Protection Agency (U.S. EPA) and a California ambient air quality*
3 *standard and that has adverse impacts on health. Currently,*
4 *California exceeds U.S. EPA and state standards for ozone in*
5 *many areas, including the South Coast Air Basin, the San*
6 *Francisco Bay area, and the County of Sacramento. NO_x also*
7 *contributes to formation of PM, which, along with directly emitted*
8 *PM, has direct negative health impacts. PM also has an air quality*
9 *standard set by the U.S. EPA and the state. Many areas in*
10 *California also currently fail to meet PM standards, including the*
11 *South Coast Air Basin and the San Joaquin Valley Air Basin.*

12 *(2) In 2020, California daily NO_x and ROG emissions from*
13 *SORE were higher than emissions from light-duty passenger cars.*
14 *SORE emitted an average of 16.8 tons per day of NO_x and 125*
15 *tons per day of ROG. Without further regulatory action, those*
16 *emission levels are expected to increase with increasing numbers*
17 *of SORE in California. Regulations of emissions from SORE have*
18 *not been as stringent as regulations of other engines, and one hour*
19 *of operation of a commercial leaf blower can emit as much ROG*
20 *plus NO_x as driving 1,100 miles in a new passenger vehicle.*

21 *(3) Currently, there are zero-emission equivalents to all SORE*
22 *equipment regulated by the State Air Resources Board. The battery*
23 *technology required for commercial-grade zero-emission*
24 *equipment is available and many users, both commercial and*
25 *residential, have already begun to transition to zero-emission*
26 *equipment.*

27 *(4) The Governor's Executive Order No. N-79-20 of September*
28 *23, 2020, directs the state board to implement strategies to achieve*
29 *100 percent zero emissions from off-road equipment in California*
30 *by 2035, where feasible and cost-effective. The state will not*
31 *achieve that goal without further regulation of SORE, including*
32 *a mandate to transition all sales of new equipment to zero-emission*
33 *equipment.*

34 *(b) It is the intent of the Legislature to encourage the state board*
35 *to act expeditiously to protect public health from the harmful effects*
36 *of emissions of small off-road engines.*

37 *SEC. 2. Section 43018.11 is added to the Health and Safety*
38 *Code, to read:*

39 *43018.11. (a) By July 1, 2022, the state board shall, consistent*
40 *with federal law, adopt cost-effective and technologically feasible*

1 regulations to prohibit engine exhaust and evaporative emissions
2 from new small off-road engines, as defined by the state board.
3 Those regulations shall apply to engines produced on or after
4 January 1, 2024, or as soon as the state board determines is
5 feasible, whichever is later.

6 (b) Consistent with the regulations adopted pursuant to this
7 section and relevant state law, the state board shall identify, and,
8 to the extent feasible, make available, funding for commercial
9 rebates or similar incentive funding as part of any updates to
10 existing, applicable funding program guidelines for districts to
11 implement to support the transition to zero-emission small off-road
12 equipment operations.

13 SECTION 1. ~~Section 14299.5 is added to the Elections Code,~~
14 ~~to read:~~

15 ~~14299.5. (a) An elections official shall establish an alternative~~
16 ~~procedure for the use of paper ballots in the event that a ballot~~
17 ~~marking system, a ballot on demand system, or, except for a direct~~
18 ~~recording electronic voting system governed by Section 14300, a~~
19 ~~voting system becomes nonfunctional.~~

20 ~~(b) The alternative procedure required by this section shall be~~
21 ~~subject to approval by the Secretary of State. The elections official~~
22 ~~shall submit the alternative procedure to the Secretary of State for~~
23 ~~approval by a date to be determined by the Secretary of State.~~

24 ~~SEC. 2. If the Commission on State Mandates determines that~~
25 ~~this act contains costs mandated by the state, reimbursement to~~
26 ~~local agencies and school districts for those costs shall be made~~
27 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
28 ~~4 of Title 2 of the Government Code.~~

29
30 _____

31 REVISIONS:
32 Heading—Line 5.

33 _____



Carmen Group
I N C O R P O R A T E D

To: South Coast AQMD Legislative Committee
From: Carmen Group
Date: April 29, 2021
Re: Federal Update -- Executive Branch

SCAQMD Business Roundtable: On Wednesday, April 28, South Coast AQMD executive leadership held a virtual roundtable meeting with representatives of the nation’s trucking industry – including truck manufacturers and associated groups and trade organizations -- to discuss federal policy and regulatory issues concerning NOx emissions from medium- and heavy duty-trucks, and the significant challenges such emissions are continuing to present to South Coast AQMD and to the nation as a whole in reaching compliance with federal air quality standards. Topics included EPA’s Cleaner Trucks Initiative, and proposals being considered for infrastructure and incentives to advance the transition to a cleaner nationwide truck fleet. Carmen Group coordinated logistics for the meeting, bringing together representatives of five leading truck manufacturers (Cummins, Daimler, Navistar, PACCAR, and Volvo) and 12 groups and organizations (ATA, NADA, EMA, AESI, MECA, MEMA, NAM, NEMA, AVE, DTF, NGVAmerica, and the US Chamber). Previous meetings with this business coalition were held in recent years at in-person settings in Washington, DC. This virtual meeting, like the others, enabled a constructive exchange of information, ideas, and viewpoints. One notable point of consensus was the need to communicate firmly to Congress and the Administration that addressing truck emissions must be given higher priority in current debates over infrastructure and clean energy legislative proposals. Follow-ups and future meetings with this business coalition are being planned.

State and Local Fiscal Recovery Fund – Expected Guidance: Carmen Group continues to be in touch with Treasury Department officials, seeking answers to South Coast AQMD’s specific questions regarding the implementation of the provision of the American Rescue Act (COVID Relief bill) that calls for the distribution of \$350 billion in relief funds to state and local governments and related entities. Formal detailed guidance on this program is being prepared in the Treasury Department and is expected to be released in early May.

Infrastructure by the Numbers: Release of President Biden’s \$2.65 trillion infrastructure plan, along with a competing \$568 billion Republican alternative infrastructure plan, has prompted much commentary about the evolving definition of “infrastructure.” Traditionally, the four essential pillars of most-commonly-understood federal infrastructure investments have all been related to transportation: roads and bridges, public transit, passenger rail, and airports.

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Out of the \$2.65 trillion Biden Plan, a total of \$305 billion is allocated to roads and bridges, public transit, passenger rail, and airports. The Biden Plan assumes this amount will be added to current expenditure levels for these programs which are further assumed to be sustained for eight years and derived from sources outside of the plan.

Alternatively, out of the \$568 billion Republican Plan, a total of \$424 billion is allocated to roads and bridges, public transit, passenger rail, and airports. The Republican plan provides that this amount will replace current spending on these programs. The following provides a quick look at the rough numbers:

Here are current ballpark federal investment levels for these programs, paid for by a combination of highway and aviation trust fund user fees and general funds:

Current Federal Transportation Infrastructure Expenditures (Approx.)

	<u>One Year</u>	<u>Five Years</u>	<u>Eight Years</u>
Roads/Bridges	\$48 billion	\$240 billion	\$384 billion
Public Transit	\$10 billion	\$50 billion	\$80 billion
Passenger Rail	\$2 billion	\$10 billion	\$16 billion
Airports	\$3 billion	\$15 billion	\$24 billion
Total	\$63 billion	\$315 billion	\$504 billion

The \$2.65 trillion Biden Infrastructure Plan (over eight years) assumes the above amounts will stay roughly the same for the next eight years outside of the \$2.65 trillion, then – within the \$2.65 trillion -- adds the following amounts each year for eight years to these programs:

Biden Plan Transportation Infrastructure Expenditure Ad-Ons (Approx.)

	<u>One-Year</u>	<u>Five Years</u>	<u>Eight Years</u>
Road/Bridges	+\$14 billion	+\$70 billion	+\$115 billion
Public Transit	+\$11 billion	+\$55 billion	+\$85 billion
Passenger Rail	+\$10 billion	+\$50 billion	+\$80 billion
Airports	+\$3 billion	+\$15 billion	+\$25 billion
Total Ad-Ons	+\$38 billion	+\$190 billion	+\$305 billion

Meanwhile, the \$568 billion Republican Infrastructure Plan (over five years) simply replaces the current expenditure amounts with the following amounts for these programs:

Republican Plan Transportation Infrastructure Expenditures (Approx.)

	<u>One Year</u>	<u>Five Years</u>
Roads/Bridges	\$60 billion	\$299 billion
Public Transit	\$12 billion	\$61 billion
Passenger Rail	\$4 billion	\$20 billion
Airports	\$9 billion	\$44 billion
Total	\$85 billion	\$424 billion

Environmental Protection Agency

EPA Takes Steps to Revoke Withdrawal of California Waiver: In April, the EPA as expected began the process of undoing the Trump Administration's withdrawal of California's waiver to enforce emissions standards for cars and trucks. The process will include a public hearing on June 2 and a public comment period open through July 6.

EPA Awards DERA Grants: In April, the EPA awarded \$10.5 million in Diesel Emission Reduction Act (DERA) funding to replace 473 older diesel school buses. The funds are going to 137 school bus fleets in 40 states, including California, which is receiving \$885,000 that is going to the Center, Elk Grove, River Delta and Robla school districts.

EPA Revamps Science Advisory Committees: The EPA is completely resetting its Science Advisory Board (SAB) and Clean Air Scientific Advisory Committee (CASAC). All current members of these committees are being released, and a new application process instituted. In addition, policies related to these committees are being changed to reflect the priorities of the new administration.

EPA Releases Study on the San Pedro Bay Ports' Clean Air Action Plan (CAAP): The CAAP is a program at the Ports of Los Angeles and Long Beach, a result of coordination between community members, port operators and state and local agencies to address air quality impacts from port operations. EPA says the effort is paving the way for significantly cleaner air for near-port communities with environmental justice concerns and can serve as a model for port stakeholders nationwide.

EPA Administrator Prioritizes Environmental Justice: EPA Administrator Michael Regan directed all EPA offices to clearly integrate environmental justice considerations into their plans and actions. EPA defines environmental justice as "the fair and meaningful treatment of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and projects."

EPA Administrator in Joint Statement with Canadian Counterpart: Here is a relevant excerpt from the joint statement:

We also share the priority of making our roads cleaner by tackling vehicle emissions. Recognizing the importance of a zero-emission vehicle future, and understanding our closely connected supply chains, the U.S. and Canada commit to working collaboratively, including with sub-national governments, on stringent short- and long-term vehicle standards to improve fuel efficiency and reduce greenhouse gases from all vehicles – light-, medium- and heavy-duty.

EPA Seeks Experts for National Environmental Education Advisory Council (NEEAC): Applications are due by May 14, 2021.

Department of Transportation

DOT Announces RAISE Grant Program, Replacing BUILD/TIGER: DOT announced in April that \$1 billion was being made available for the FY 21 round of discretionary grants through the program now known as the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program. Maximum grant award is still \$25 million. The Department says it will prioritize projects “that can demonstrate improvements to racial equity, reduce impacts of climate change and create good paying jobs.” Applications are due July 12, 2021.

MARAD Announces Port Infrastructure Funding Availability: The Maritime Administration announced in April that \$230 million was being made available for discretionary grants for port and intermodal projects under the Port Infrastructure Development program. Applications are due July 30, 2021.

FTA Announces Funds Available for Transit Development Planning Grants: The Federal Transit Administration announced that \$10 million was being made available for competitive grants under the Pilot Program for Transit-Oriented Development Planning. Applications are due June 21, 2021.

FTA Awards Four BRT Grants, One in California

The Federal Transit Administration awarded \$187 million for four Bus Rapid Transit (BRT) grants under the Capital Investment Grant program, two in Washington state, one in Utah and one in California. The San Bernardino County Transportation Authority will receive \$86.75 million for a 19-mile zero-emission BRT line that will connect Pomona to Rancho Cucamonga. The project includes the purchase of 40-foot, zero-emission buses, and construction of 21 new bus stations. The BRT will improve transit connections to Ontario International Airport, two Metrolink lines, and multiple major activity centers along Route 61 including Ontario Mills and Victoria Gardens.

DOT Appoints Science Officer and Establishes Climate Change Center: DOT announced the appointment of a Chief Science Advisor for the first time in over 40 years and has begun work to reestablish its Climate Change Center, all in response to the President’s recent Executive Order on Tackling the Climate Crisis.

DOT Joint Statement with Singapore Addresses IMO Issues: Here is a relevant excerpt:

Both sides intend to also strengthen co-operation at the ... International Maritime Organization (IMO), to keep ... maritime transport open, efficient, reliable, safe, sustainable, and resilient, in a manner consistent with applicable international law, and in close consultation with industry and other stakeholders. On climate action and sustainability, this includes: ...At the IMO, to reduce emissions from ships, we plan to work towards at least achieving the ambition reflected in the Initial IMO Strategy on reduction of GHG emissions to halve emissions from ships by 2050 compared to 2008 levels, and to explore strengthening the levels of ambition, with the aim of contributing to the Paris Agreement temperature goals.

Department of Energy

DOE Announces Biofuels Research to Reduce Transportation Emissions: The Department of Energy announced the availability of \$61.4 million for research into technologies that produce low-cost, low-carbon biofuels that could power airplanes, ships, and other heavy-duty vehicles –to help accelerate the path to a net-zero economy by 2050. Applications are due June 21, 2021.

DOE Announces Funds for Research to Reduce Car and Truck Emissions: The Department of Energy unveiled two funding opportunities totaling more than \$162 million to improve efficiency and reduce carbon emissions among cars, trucks, and off-road vehicles. The funding will support the next stage of the SuperTruck initiatives— aimed at electrifying freight trucking—along with efforts to expand electric vehicle (EV) infrastructure and lower emissions for on- and off-road vehicles. Concept papers are due May 13, 2021.

White House

White House Climate Agenda – Selected Activity:

- Environmental Justice Advisory Council -- Members Named (March 29)
- National Climate Task Force – Third Meeting (April 21)
- Earth Day Proclamation (April 22)
- President Biden’s Leaders Summit on Climate (April 22)
- Announcements that US will target:
 - A zero-emission transportation revolution – at home and abroad
 - Reducing emissions by 50-52% by 2030 compared to 2005 levels
 - Joining the zero-emission vehicle transition council
 - Reducing emissions from international shipping
 - Reducing emissions from international aviation

Outreach: Contacts included representatives of all of our business group coalition members focused on truck emission issues. infrastructure and incentives for cleaner truck fleets; Sen. James Inhofe, Senate EPW committee staff, and House T&I committee staff on infrastructure and surface transportation; and Treasury Department, NGA and NACo officials on the American Rescue Act State and Local Fiscal Recovery Fund program.

###



To: South Coast Air Quality Management District
From: Cassidy & Associates
Date: April 27, 2021
Re: April Report

HOUSE/SENATE

At the beginning of the month the Office of Management and Budget submitted to Congress President Biden's discretionary funding request for Fiscal Year (FY) 22. The "skinny budget" includes proposals to make a historic investment in high-poverty schools, launch the Advanced Research projects Agency for Health, help end the opioid epidemic, improve readiness for future public health crises, invest in tackling the climate crisis, extend housing vouchers and help end homelessness, reinvigorate civil rights enforcement, combat the gun violence public health epidemic, address the root causes of migration from Central America, help end gender-based violence, and to uphold our trust responsibility to tribal nations. A more detailed budget request will be released in the coming weeks.

With respect to the Environmental Protection Agency, the skinny budget requests \$11.2 billion, a 21.3-percent increase from the 2021 enacted level. The request includes the following:

- \$936 million toward a new Accelerating Environmental and Economic Justice initiative;
- \$100 million in air quality grants for States and Tribes to reduce greenhouse gas emissions under the Clean Air Act; and
- \$882 million for the Superfund Remedial program.

For complete information on the President's FY 2022 discretionary funding request, please visit: <https://www.whitehouse.gov/omb/FY-2022-Discretionary-Request/>

As we slowly make our way towards Appropriations season the current focus is on the proposed infrastructure package and the GOP counterproposal. The Administration's proposal is roughly \$2 trillion and focused on infrastructure and the climate crisis with a transition to greener energy in eight years. The Republican \$568 billion counterproposal is a five-year

package that they're calling a good-faith effort toward bipartisan negotiations with a focus on traditional infrastructure projects and broadband access. Negotiations and bipartisan conversations are ongoing.

The House is not in session this week and will return on the evening of Tuesday, May 11. When the House returns, they expect to address:

- HR 603 - Raise the Wage Act
- Debt Collection Legislation
- Postal Reform Legislation
- Capitol Security Supplemental
- Senate Hate Crimes Legislation
- Methane Emissions CRA
- Workplace Violence CRA

The Senate is expected to vote on three nominations this week: Jason Scott Miller for Deputy Director for Management at OMB, Janet McCabe to be Deputy Administrator at EPA, and Colin Kahl to be the Under Secretary of Defense for Policy. Senate Majority Leader Schumer is also expected to continue work on the bipartisan Drinking Water and Wastewater Infrastructure Act of 2021, which could pass this week. It is also possible that on Wednesday the Senate will call a vote on a Congressional Review Act resolution disapproving of the Trump administration's rule on methane emissions, which only needs a simple majority to pass.

Congressionally Directed Spending (CDS) guidance is coming from Senators Leahy and Shelby today, announcing the return of earmarks. What to expect:

- Will adhere to Senate Rule 44: <https://www.govinfo.gov/content/pkg/CDOC-113sdoc18/pdf/CDOC-113sdoc18.pdf#page=73>
- Will have additional reforms, to be announced.
- There will be no cap/limit on requests submitted.
- There will be no dollar cap on individual requests or requests in the aggregate.
- Will prioritize requests.
- Will post requests on Member website. Special guidance coming to new members with websites under construction.
- There will be no subcommittee guidance (with eligible accounts) on Monday but should expect that before the end of the recess. Guidance will likely not have deadlines, since Congress is still waiting on the budget - do not expect identical accounts to the House.
- There will be a caucus wide training on earmarks with LDs and approps leads for the offices.
- There will be a 1% cap on earmarks across the entire omnibus/12 bills. TBD on details.
- Leahy's office recommends earmark application windows be between May 1 (or asap after subcommittee guidelines) – May 14, to give offices time to process their requests.

On April 1, the EPA released the case study on California's San Pedro Bay Ports' Clean Air Action Plan (CAAP) addressing air quality and environmental justice in nearby communities. CAAP was the first U.S. port air quality program to include air emission reduction targets. The case study originated from conversations with EPA, the Moving Forward Network and near-port community stakeholders and was developed as part of the EPA Ports Initiative.

The case study summarizes the CAAP's background and history and includes three discussions on environmental justice and levers of community influence; technologies and practices for development and deployment; and an overview of the San Pedro Bay Ports' 2017 Clean Truck Program.

To review the CAAP case study, please visit: <https://www.epa.gov/ports-initiative/san-pedro-bay-ports-clean-air-action-plan-best-practices-and-lessons-learned>

On April 20, the EPA awarded approximately \$10.5 million in Diesel Emissions Reduction Act (DERA) funding to replace 473 older diesel school buses. The funds are going to 137 school bus fleets in 40 states, including California, which is receiving \$885,000 to be awarded to the Center Unified School District, Elk Grove Unified School District, River Delta Unified School District, and the Robla School District. The new buses will reduce pollutants that are linked to health problems such as asthma and lung damage. This is the first year in which EPA is offering additional funds for alternative-fuel and electric bus replacements.

As directed in President Biden's Executive Order 13990 on "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis," and in response to requests by states and other stakeholders, the EPA is seeking public input on its reconsideration of the Agency's 2019 action titled The Safer Affordable Fuel-Efficient Vehicles Rules Part One: One National Program Rule (SAFE-1) for the purposes of rescinding the action taken by the prior administration. EPA is reconsidering whether it was proper for EPA to reconsider previously issued CAA waiver, whether EPA's action to withdraw California's waiver in consideration of EPCA preemption was appropriate, whether the SAFE-1 interpretation of the CAA that enabled EPA to withdraw California's waiver was appropriate, and whether the SAFE-1 interpretation of CAA section 177 that could disallow other states' ability to adopt California GHG emission standards was appropriate.

EPA will hold a virtual public hearing on June 2, and the public comment period on the Notice of Reconsideration will be open until July 6. For more information on today's action, the public comment period, and the public hearing details, see <https://www.epa.gov/regulations-emissions-vehicles-and-engines/notice-reconsideration-previous-withdrawal-waiver>

Cassidy and Associates support in April:

- Engagement with Energy and Commerce staff on CLEAN Future Act provisions relevant to SCAQMD.
- Tracking of relevant tax provisions in Senate Democrats' Clean Energy for America Act.
- Tracking infrastructure discussions among House Transportation and Infrastructure Committee, Senate Environment and Public Works Committee, and bicameral leadership.
- Participation in weekly strategy calls with SCAQMD staff.

PANDEMIC RESPONSE PROGRAMS AND AUTHORITIES

Following a thorough safety review, including two meetings of the CDC's Advisory Committee on Immunization Practices, the U.S. Food and Drug Administration and the U.S. Centers for Disease Control and Prevention have determined that the recommended pause regarding the use of the Johnson & Johnson (Janssen) COVID-19 Vaccine in the U.S. should be lifted and use of the vaccine should resume.

The pause was recommended after reports of six cases of a rare and severe type of blood clot in individuals following administration of the Janssen COVID-19 Vaccine. During the pause, medical and scientific teams at the FDA and CDC examined available data to assess the risk of thrombosis involving the cerebral venous sinuses, or CVST (large blood vessels in the brain), and other sites in the body (including but not limited to the large blood vessels of the abdomen and the veins of the legs) along with thrombocytopenia, or low blood platelet counts. The teams at FDA and CDC also conducted extensive outreach to providers and clinicians to ensure they were made aware of the potential for these adverse events and could properly manage and recognize these events due to the unique treatment required for these blood clots and low platelets, also known as thrombosis-thrombocytopenia syndrome (TTS).

The two agencies have determined the following:

- Use of the Janssen COVID-19 Vaccine should be resumed in the United States.
- The FDA and CDC have confidence that this vaccine is safe and effective in preventing COVID-19.

- The FDA has determined that the available data show that the vaccine's known and potential benefits outweigh its known and potential risks in individuals 18 years of age and older.
- At this time, the available data suggest that the chance of TTS occurring is very low, but the FDA and CDC will remain vigilant in continuing to investigate this risk.
- Health care providers administering the vaccine and vaccine recipients or caregivers should review the [Janssen COVID-19 Vaccine Fact Sheet for Healthcare Providers Administering Vaccine \(Vaccination Providers\)](#) and [Fact Sheet for Recipients and Caregivers](#), which have been revised to include information about the risk of this syndrome, which has occurred in a very small number of people who have received the Janssen COVID-19 Vaccine.

CDC's independent Advisory Committee on Immunization Practices [met today to discuss](#) the latest data on TTS, hearing from the vaccine manufacturer Janssen and the COVID-19 Vaccine Safety Technical (VaST) Subgroup, as well as a risk benefit analysis. ACIP is committed to be vigilant and responsive to additional information that could impact the risk benefit analysis of any of these vaccines. Vaccine safety monitoring will continue and any new information about TTS will be brought to ACIP as needed.

Assessment of Available Data

Medical and scientific teams at the FDA and CDC reviewed several sources of information and data related to the Janssen COVID-19 Vaccine to reach today's decision.

Specifically, the agencies assessed reports submitted to the [Vaccine Adverse Event Reporting System \(VAERS\)](#), reviewed the medical literature and considered the information from global regulatory partners about thrombosis with thrombocytopenia that have been reported following use of a similar, yet not identical, COVID-19 vaccine using a virus from the adenovirus family that has been modified to contain the gene for making a protein from SARS-CoV-2.

Update on Adverse Events

On April 13, the FDA and CDC [announced](#) that, out of more than 6.8 million doses administered, six reports of a rare and severe type of blood clot combined with low blood platelet levels occurring in people after receiving the Janssen COVID-19 Vaccine had been reported to VAERS. In these cases, a type of blood clot called cerebral venous sinus thrombosis (CVST) was seen in combination with low levels of blood platelets (thrombocytopenia).

The agencies can confirm that a total of 15 cases of TTS have been reported to VAERS, including the original six reported cases. All of these cases occurred in women between the ages of 18 and 59, with a median age of 37 years. Reports indicated symptom onset between 6 and 15 days after vaccination.

Monitoring for Safety Will Continue

The surveillance systems that are in place to monitor the safety of COVID-19 vaccines authorized for emergency use are working, as demonstrated by both agencies' quick work to

identify and investigate these rare, but serious adverse events. The FDA and CDC will continue with these efforts to closely monitor the safety of these vaccines.

Reports of adverse events following vaccination can be made to the [Vaccine Adverse Event Reporting System](#).

Additional Resources:

- [Fact Sheet for Healthcare Providers Administering Vaccine](#)
- [Fact Sheet for Recipients and Caregivers](#)
- [CDC Health Alert for Health Care Providers](#)
- [Johnson & Johnson Granting EUA Amendment \(April 23, 2021\)](#)

Reminders:

- FDA holds weekly Virtual Town Halls on COVID Diagnostics, every Wednesday – from 12:15 to 1:15 pm ET. For more information, click [here](#).
- FDA hosts regular webinars to share information and answer your questions about respirators and other personal protective equipment (PPE). The next webinar will be held on February 23 at 12:00 pm ET. For more information, click [here](#).
- [FDA's Coronavirus Disease 2019 \(COVID-19\) webpage](#) provides the latest news and information.
- FDA's COVID-19 Vaccines webpage at www.fda.gov/covid19vaccines highlights new information as it becomes available.
- For a Vaccine Development 101 click [here](#)
- Emergency Use Authorization for Vaccines Explained can be found [here](#)
- FDA Vaccine Facts - [The Path for a COVID-19 Vaccine from Research to Emergency Use Authorization](#)
- FDA's webpage - [A Closer Look at COVID-19 Diagnostic Testing](#) - provides health care providers and other public health professionals, including those who might purchase COVID-19 tests, with more technical information and resources.

End Date/Program

March 27, 2025

Special inspector General for Pandemic Recovery

Sept. 30, 2025

Pandemic Response Accountability Committee, Congressional Oversight Commission

KADESH & ASSOCIATES

South Coast AQMD Report for the May 2021
Legislative Meeting covering April 2021
Kadesh & Associates

April:

This month saw the preliminary rollout of two more components of President Biden's "build back better" agenda, along with progress on the Fiscal Year (FY) 22 budget and appropriations process.

Budget: The timing of the President's full FY22 budget request has been pushed back further into the spring, potentially as far as Memorial Day, but the preliminary spending request was released in early April. This initial document outlines President Biden's requests for discretionary spending levels across government departments and agencies. According to the White House documents, the budget request will include \$11.2 billion for EPA, which includes an additional \$100 million in air quality grants, an increase in funding for the Diesel Emissions Reduction Act grant program, and \$100 million to develop a new community air quality monitoring and notification program. This is just the opening bid in the annual appropriations process that lawmakers will try to complete by the October 1 start of the FY22 fiscal year to avoid a government shutdown. The fast-track process known as reconciliation, which bypasses Senate filibusters, cannot be used for annual appropriations spending. This year, the House has opened up a few categories of annual funding for Community Project Funding projects (also known as earmarks); as of this week, the Senate has agreed to participate in this effort.

Infrastructure: Separately, the White House has provided an initial summary of its infrastructure plan, the American Jobs Plan. The transportation section makes up \$621 billion, which includes funds for electrification (including EV charging infrastructure and consumer rebates); the plan also includes funding to replace 50,000 diesel transit vehicles and electrify at least 20 percent of the school bus fleet. However, only a summary has been released, and Congress will need to fill in many details. To take one example, Senator Padilla and Representative Cardenas just introduced the Clean Commute for Kids Act to invest \$25 billion to replace existing diesel buses with electric buses. The American Jobs Plan's prospects could be enhanced by a ruling from the Senate parliamentarian that opens the door to passing multiple bills this year without any Republican support. The House and Senate leadership still need to determine how much of the American Jobs Plan will be managed through this process, which will dictate the policy scope. Speaker Pelosi has set a goal of July 4 for the House to complete its work.

Other activities: The House Energy & Commerce Committee continues to consider its sweeping climate bill, the CLEAN Future Act, which includes numerous provisions of interest, including funding to reduce air pollution at ports and in nearby communities, and vehicle emission policy and funding. Finally, the President has begun to roll out his American

KADESH & ASSOCIATES

Families Plan, which includes proposed investments in education, child care and paid family leave.

Kadesh & Associates Activity Summary-

- Continue to work with South Coast AQMD staff to prioritize and submit timely funding and community-based project requests to members of Congress;
- Continue outreach to the California congressional delegation, including introductions and a presentation on our key issues to new offices;
- Adding cosponsors to key priorities like the Clean Corridors Act and the Climate Smart Ports Act.
- Discussions with House and Senate Committee staff on issues of concern to South Coast AQMD such as incentives for medium- and heavy-duty trucks, ocean going vessels/vessel speed reduction programs, permitting, air monitoring, and other issues.

Contacts:

Contacts included staff and House Members throughout the CA delegation, especially the authors of priority legislation, members of the South Coast House delegation, and members of key committees. We have also been in touch with administration staff.

###

South Coast Air Quality Management District Legislative and Regulatory Update – April 29, 2021

❖ Important Dates

- Apr. 30 – Last day for policy committees to meet and report to fiscal bills introduced in their house to the Appropriations Committee.
- May 7 – Last day for policy committees to meet and report to non-fiscal bills introduced in their house to the floor.
- May 14 – Last day for policy committees to meet until June 7.
- May 21 – Last day for Appropriations Committees to meet and report to non-fiscal bills introduced in their house to the floor.
- Jun. 1-4 – Floor session only.
- Jun. 4 – Last day for each house to pass bills introduced in that house.
- Jun. 7 – Committee meetings resume.
- Jun. 15 – Budget bill must be passed by midnight.

❖ RESOLUTE Actions on Behalf of South Coast AQMD. RESOLUTE partners David Quintana and Jarrell Cook continued their representation of SCAQMD before the State’s Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Organized and facilitated a meeting between the leaders of the major air quality management districts and Assemblymembers Eduardo García and Cristina García to discuss AB 617 funding and the needs of SCAQMD.

❖ Campaign to Recall Governor Newsom Succeeds in Getting on the Ballot. The California Secretary of State has certified that the campaign to recall Governor Gavin Newsom has secured 1,626,042 valid signatures, roughly 120,000 more than they needed to place the issue on the ballot. Voters will have until June 8 to withdraw their names from the petition, which could bring the number of valid signatures below the threshold needed to qualify—but that appears unlikely.

Four Republicans have announced that they will run as candidates against Governor Newsom: Former San Diego Mayor Kevin Faulkner, former Gubernatorial candidate John Cox, former congressman Doug Ose, and reality TV star Caitlyn Jenner.

Supporters of Governor Newsom have pitched the recall campaign as partisan and a waste of money in the middle of the state’s efforts to combat the coronavirus, wildfires, and emerging drought conditions. The estimated high price of this recall—as high as \$400 million—is expected to place significant strain on local government resources.

Speaker Anthony Rendon (D-Lakewood) stated that “Neither the state nor the counties should be stuck footing the bill for such an unnecessary election.” However, California is also projected to have secured massive tax windfall and discretionary revenue in the state budget totaling as high as \$20 billion through the summer of 2022 that can cover the costs of the conducting an election.

- ❖ **Senate and the Assembly Release Budget Plans.** On April 14, the Senate announced its [‘Build Back Boldly’ budget proposal](#) that would outline its priorities and be a framework for negotiating for 2021-22. Senate Senate Budget Subcommittee 5 (Public Safety, the Judiciary, Labor and Transportation) Chair María Elena Durazo (D-Los Angeles): “Through this budget, we are seeking to address this rise in pandemic-induced economic inequity. This ambitious and practical plan is a road map to a just recovery from this crisis that has exacerbated the disparities that already existed in our communities, and a framework to create quality, high-road jobs that will prepare our workforce for the 21st century. This budget is a strong reflection of what California values should be.” The Senate proposal is anchored by eight proposals:

Build Back Boldly Proposals

The Build Back Boldly budget proposes eight transformative proposals and key subcommittee packages:

- Transformative Build Back Boldly proposals:**
- Debt Free College.
 - Path to Universal 0-3 Early Care and Education.
 - Homelessness, Housing Affordability & Homeownership.
 - Wildfire Prevention and Resilience.
 - Drought Protection.
 - Health Care Access and Affordability.
 - Small Business and Non-Profits Bounce-Back.
 - State Systems Improvements.

Following that, on April 28, Assembly Budget Chair Phil Ting (D-San Francisco) released the Assembly Democrats’ [‘Budget of Opportunity’](#) describing that chamber’s budget priorities for 2021-22. The Assembly budget lists four priorities: ‘Preserve,’ ‘Respond,’ ‘Protect,’ and ‘Recover.’

<p>2021 Budget: Preserve, Respond, Protect, Recover</p> <ul style="list-style-type: none"> • Preserve: Restore state services, prepare for future downturns • Respond: Provide essential state response to COVID-19 • Protect: Help those Californians most impacted by the crisis • Recover: Targeted stimulus to help Californians rebuild the economy 	<p>Preserve</p> <ul style="list-style-type: none"> • Continue to build reserves and reduce liabilities • End phony program suspensions, such as the 7 percent IHSS hours reduction, disabled individuals and foster youth, and the diversion of Proposition 56 funds for Medi-Cal rates • Provide multi-year funding packages with one-time federal and state funds 
<p>Respond</p> <ul style="list-style-type: none"> • COVID-19, vaccinate Californians and be prepared for new variants • Reopen schools in the fall • Provide transitional resources to families and businesses to help state's reopening <ul style="list-style-type: none"> • Early Care and Education: 1 million slots by 2025, universal TK starting 2021 • Homelessness Prevention: \$20 billion over five years • Affordable Housing • More support for families: expand Golden State Stimulus, increase grant levels • Workforce Development: expand job training opportunities to help reengage the workforce in high paying jobs 	<p>Protect</p> <ul style="list-style-type: none"> • Health Care: expand access to Medi-Cal and Covered California • Ongoing funding for public and behavioral health and human services • Streamline CalWORKs to better support families • Make EDD deliver for Californians 

<p>Recover</p> <ul style="list-style-type: none"> • Higher Education: Add 1 million university degrees by 2030, debt-free college, and student housing • Broadband: Eliminate gaps in service and make affordable • Green Economy Investments <ul style="list-style-type: none"> • Increase investments in parks, urban greening, drought resiliency, wildfire prevention, toxic clean up, clean transportation • Respond to our climate crisis with new adaptation funding 	<p>Recover</p> <ul style="list-style-type: none"> • Anti-Racism Investment Portfolio <ul style="list-style-type: none"> • Celebrate diversity by building and enhancing state cultural institutions • Empower and protect communities through investments in stopping hate, community empowerment, and safety. • Lift up communities of color and women most impacted by the pandemic • Fund recidivism reduction strategies 
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The Assembly plan also details an emphasis on funding clean transportation programs and infrastructure.

Subcommittee 3 on Climate Crisis, Resources, Energy, and Transportation

- Responding to Climate Change
 - Wildfire prevention
 - Drought reliance and clean water
 - Adaption and heat impact project planning
 - Clean transportation programs and infrastructure



Subcommittee 3 on Climate Crisis, Resources, Energy, and Transportation

- Enhancing environmental justice and increasing access to green spaces
 - Remediate air, water, and ground pollution that impact our most disadvantaged communities
 - Additional parks and urban greening funding
 - Fully-fund active transportation project backlog to expand bicycle use and improve pedestrian safety



❖ **Newly Appointed Attorney General Rob Bonta Announces an Emphasis on Environmental Justice.** Attorney General Rob Bonta announced that one of his first acts leading California’s Department of Justice will be to expand the state’s environmental justice unit to 11 attorneys, working on land use, drinking water, lead exposure and air and water pollution issues, as well as challenging federal policies that "repeal or reduce public health and environmental protections."

As Bonta lays out his plan of action to complete the remainder of Xavier Becerra's term, potential challengers have already announced their candidacy: Sacramento District Attorney Anne Marie Schubert and Republican former assistant U.S. attorney Nathan Hochman have both stated that they will run against Bonta in 2022.

- ❖ **Biden Administration to Withdraw Trump Rule that Banned California Setting Vehicle Emissions Rules.** In late April, the National Highway Transportation Safety Administration (NHTSA) released a draft of its repeal of the Trump Administration's 'Safer Affordable Fuel-Efficient (SAFE) Vehicles' rule. Following that, the Federal Environmental Protection Agency issued a notice that it would reconsider the Trump administration's withdrawal of California's waiver that allowed the state to set its own standards for greenhouse gas emissions and zero emissions vehicles.

Taken together, these actions would lay the foundation to restore California's waiver. The NHTSA rule would reach a broader finding that the agency never had the authority to issue a regulation that would preempt states from adopting rules on GHG emissions standards.



CALIFORNIA ADVISORS, LLC

South Coast AQMD Report

California Advisors, LLC

May 14, 2021 Legislative Committee Hearing

General Update

April 30th marked the deadline for policy committees to meet and report fiscal bills to the Appropriations committee that were introduced in their house. An overwhelming majority of bills are fiscally tagged, and this means the Legislature is slowly making its way to the halfway point of its legislative calendar. As it relates to legislation, the focus in May will be on the Appropriations Committees' suspense hearings which will decide the fate of hundreds of bills in each house.

On April 22nd, the Legislature confirmed Assemblymember Rob Bonta (D-Oakland) as California's 34th Attorney General. The next day, he was officially sworn in by Governor Newsom. Newsom nominated Bonta for the job last month and he fills the vacancy created when Xavier Becerra was appointed by President Biden as Secretary of the U.S. Department of Health and Human Services. Bonta has indicated that one of his first priorities will be to increase the Department of Justice's Bureau of Environmental Justice. He will hold the position until the 2022 election.

The Governor subsequently declared a special election in California's 18th Assembly District to fill the seat vacated by now Attorney General Rob Bonta. The primary will be held on June 29, 2021. If no candidate receives more than 50 percent of the vote, a runoff will be held on August 31st. The 18th Assembly District encompasses parts of Oakland, Alameda, and San Leandro.

Finally, the Secretary of State's office reported that enough valid signatures have been received to trigger a recall election on Governor Gavin Newsom. Specifically, the latest tally shows recall proponents gathered 1,626,042 valid voter signatures. That surpasses the 1,495,709 signatures needed to trigger an election. However, the recall has not yet technically qualified. Before the recall petition can be certified, any voter who signed the recall petition will have 30 days to withdraw their signature. Additionally, the Department of Finance must analyze the cost of an election. The election likely will not occur until November of this year.

Regulatory

The Governor also took action to end the issuance of new permits for hydraulic fracturing ("fracking") by January of 2024. He further directed the California Air Resources Board to analyze pathways to phase out oil extraction across the state by no later than 2045. This action

built upon his executive order last September which called for an end to fracking and to accelerate California's transition away from gasoline-powered cars and trucks.

Budget

The state published its March 2021 finance bulletin and California continues to exceed its revenue expectations. General Fund revenues are now running \$16.6 billion above January's revenue forecast, with receipts for March exceeding the months projection by \$2.3 billion. This is lower than the month of February which exceeded its monthly projection by \$3.8 billion. Nonetheless, California has a significant amount of money to spend in the upcoming budget cycle.

As May begins, the focus of the Legislature will once again turn back to budget hearings. With most policy committees finishing the bills that were introduced in their house. The budget conversations are already heating up around Sacramento. There will continue to be a focus on one-time spending as California continues to build on its surplus.



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

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Email: gonsalves@gonsalvi.com

TO: South Coast Air Quality Management District

FROM: Anthony, Jason & Paul Gonsalves

SUBJECT: Legislative Update – April 2021

DATE: Thursday, April 29, 2021

The Legislature returned from Spring Recess on April 5, 2021. Upon return, Legislative Committee hearings started in full swing to hear the 2,369 bills (1,560 in the Assembly and 809 in the Senate) introduced this year in an effort to meet the upcoming legislative deadlines. We will continue to work with South Coast AQMD staff to identify bills and amendments that are of interest to the District.

The following will provide you with updates of interest to the District:

RECALL WATCH

On Monday, April 26, 2021, the campaign to recall Governor Newsom secured enough valid signatures to qualify for the ballot. Overall, 1,626,042 valid signatures were collected across all 58 California counties. The recall needed 1,495,709 valid signatures to make the ballot, or 12% of the 12,464,235 votes cast in the previous gubernatorial election. Each county registrar had until April 19 to verify the validity of signatures.

There are still several more deadlines before the recall becomes official. Counties have until April 29 to certify the results of their verification of signatures. Voters also have 30 business days (April 26 to June 8) to withdraw their names from the petition if they so choose. Around mid-May county elections officials must report the total number of signatures withdrawn to the Secretary of State. If the recall qualifies for the ballot, the Department of Finance will estimate the costs of the recall election and submit this

estimate to the Chair of the Joint Legislative Budget Committee, Governor, Lieutenant Governor, and the Secretary of State.

The recall ballot would then have two parts. Voters would be able to vote "yes" or "no" on whether to remove the Governor from office. The second question would give voters the option to vote for a successor candidate. If a majority of voters said yes to the first question to recall, the votes on the second question would be counted. The candidate who received a majority of that vote would be the successor.

A recent poll by the Public Policy Institute of California found 40% of people in the state in support of the recall. Four prominent Republicans have already announced their bid in the possible recall election, the most recent being transgender activist and Olympian Caitlyn Jenner. Additionally, former San Diego Mayor Kevin Faulkner and Governor Newsom's previous gubernatorial challenger, John Cox, also threw their hat in the ring. Former Republican congressman Doug Ose announced that he was entering the recall election, as well.

ATTORNEY GENERAL

On April 23, 2021, Governor Newsom swore in now former Assemblymember Rob Bonta as California's 34th Attorney General. Bonta is the first Filipino American in the state's history to serve in the role.

Attorney General Bonta was selected by Governor Newsom to fill the position vacated by Xavier Becerra, who was recently sworn in as Secretary of the U.S. Department of Health and Human Services. The Governor announced the nomination last month at the historic International Hotel in San Francisco, a site where Asian and Pacific Islander Californians famously rallied in 1977 to save the homes of elderly residents and preserve their community.

The son of activists, Bonta grew up in a trailer in La Paz, where his parents served at the headquarters of the United Farm Workers movement. Inspired to pursue justice through the law, Bonta studied at Yale Law School and went on to work pro-bono protecting vulnerable Californians from exploitation and racial profiling. He served nine years as a Deputy City Attorney in the San Francisco City Attorney's Office before running for local office in Alameda County. In 2012, Bonta became the first Filipino American in California history to win election to the Legislature, representing Assembly District 18 in the cities of Oakland, Alameda and San Leandro.

SPECIAL ELECTIONS

Assembly District 79

Dr. Akilah Weber, the daughter of California's Secretary of State Dr. Shirley Weber, succeeded her mother in the state Legislature. Dr. Akilah Weber won the San Diego area's 79th Assembly District seat with 52% of the vote, avoiding a runoff election by securing more than half the tally.

She was sworn into office by her mother, who in her new position had certified her daughter's election. Dr. Akilah Weber was a La Mesa city councilwoman and is an OBGYN with Rady Children's Hospital and UC San Diego Health. She defeated four other candidates in a special election this month to succeed her mother, who resigned in January to replace Alex Padilla as Secretary of State. Padilla previously left when he was appointed to the U.S. Senate to replace Vice President Kamala Harris.

Assembly District 18

On April 26, 2021, Governor Newsom issued a proclamation declaring a special election for the 18th Assembly District of the State of California on August 31, 2021. The primary for the special election will be held on June 29, 2021.

Assembly District 18, which includes most of Oakland, along with the cities of Alameda and San Leandro, has been represented by Assemblymember Rob Bonta. His nomination to be the State's Attorney General has triggered a special election to fill his seat.

Assemblymember Bonta's wife, Mia Bonta, has launched a campaign to fill her husband's seat. Mia Bonta is the Alameda Unified Board of Education President and she will benefit greatly from the name identification in the District. Three other candidates have already made plans to run for the seat: San Leandro school board member James Aguilar, social justice attorney Janani Ramachandran and Alameda City Councilmember Malia Vella.

Mia Bonta enters the race with endorsements from the Secretary of State, State Treasurer and the California Legislative Black Caucus. Malia Vella has been backed by Assemblymember's Lorena Gonzalez (D-San Diego), and Bill Quirk (D-Hayward), along with two of Bonta's colleagues on the Alameda school board: Jennifer Williams and Heather Little.

CARB'S APPOINTMENT

Earlier this month, CARB Executive Officer Richard W. Corey announced the appointment of Rajinder Sahota as the new Deputy Executive Officer of Climate Change and Research. In her new role, Sahota will continue to help lead CARB's climate change programs while assuming additional responsibilities in the Research Division and working with the executive team to support strengthening collaboration throughout the agency.

Sahota started with CARB in 2001 and is currently the Chief of the Industrial Strategies Division. Her work since joining CARB includes: working on air quality data analyses of studies focused on harmful exposure to local air pollution; assessing ways to reduce locomotive emissions as part of the goods movement effort; developing verification requirements for reporters of greenhouse gas emission data; and implementing major climate change regulations like the Cap-and-Trade Program and the Low Carbon Fuel Standard. In addition, Sahota also led a multi-agency team in developing the 2017 Climate Change Scoping Plan.

LEGISLATIVE DEADLINES

Apr. 30 Last day for policy committees to meet and report to fiscal committees fiscal bills introduced in their house.

May 7 Last day for policy committees to meet and report to the floor non-fiscal bills introduced in their house.

May 10 - Governor's Budget Revise.

May 14 Last day for policy committees to meet prior to June 7.

May 21 Last day for fiscal committees to meet and report to the floor bills introduced in their house.

June 1-4 Floor session only.

June 4 Last day for each house to pass bills introduced in their house.

June 15 Budget Bill must be passed.

 [Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 26

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on Friday, May 21, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben Benoit, Chair
Stationary Source Committee

JA:reh

Committee Members

Present: Mayor Pro Tem Ben Benoit (Chair)
Supervisor Sheila Kuehl (Vice Chair)
Board Member Gideon Kracov
Supervisor Janice Rutherford

Absent: Senator Vanessa Delgado (Ret.)
Vice Mayor Rex Richardson

Call to Order

Chair Benoit called the meeting to order at 10:30 a.m.

INFORMATIONAL ITEMS:

1. Update on Eastern Coachella Valley Community Emissions Reduction Plan Amendments

Daniel Garcia, Planning and Rules Manager, provided an overview of the Eastern Coachella Valley (ECV) Community Emissions Reduction Plan (CERP) community boundary and the air quality priorities identified by the ECV Community Steering Committee (CSC). Mr. Garcia presented the timeline to develop the ECV CERP amendment, public process, amendment highlights, and

key issues. He listed two key issues raised by some committee members in a recent comment letter to staff.

The key issues are that the proposed CERP amendment does not include a pesticide notification system or pursue a ban on agricultural burning. Mr. Garcia explained that the Department of Pesticide Regulation (DPR) has jurisdiction over pesticides under the Health and Safety Code; therefore, staff does not have the regulatory tools to implement a pesticide notification system. Mr. Garcia mentioned that the proposed CERP amendments commit DPR to share information on efforts for a pesticide notification system and support the exploration of a system. He stated that the California Code of Regulations prohibits South Coast AQMD from banning agricultural burning. He noted that staff believes Rule 444 – Open Burning is more effective than the state laws that ban open burning in San Joaquin Valley because Rule 444 does not allow for exceptions based on economic feasibility and includes daily burn limits. He emphasized that San Joaquin still burns 56 times more acreage annually than the Eastern Coachella Valley.

Chair Benoit inquired whether Rule 444 encourages the Greenleaf Desert View Power Plant to reduce agricultural burning while generating electricity and if any studies compare the environmental impacts from open burning and biomass burning power plants. He also asked if there are opportunities to make the facility cleaner and suggested conducting further research on this topic. He stated there may be an opportunity to work with the Coachella Valley Association of Governments (CVAG) and US EPA to use available funding to develop solutions. Mr. Garcia explained the San Joaquin Valley ban requires funding to be available to biomass facilities; otherwise, allowances for open burning can occur. He emphasized the community has advocated avoiding burning at the Greenleaf Desert View Power Plant and instead prefers soil integration. Mr. Garcia stated that the ECV CSC prefers not to provide AB 617 incentives for alternatives to open burning. He noted that US EPA requires controls at the facility and acknowledged some benefits to directing materials to biomass plants compared to open burning near residences and exposure. Jill Whynot, Chief Operating Officer, stated that staff would follow up on this item. Jason Aspell, Deputy Executive Officer / Engineering and Permitting, mentioned the facility is on tribal land, permitted by US EPA, and there is an enforcement agreement with South Coast AQMD. Dr. Jo Kay Ghosh, Health Effects Officer, added that staff had contacted US EPA.

Peter Whittingham, Whittingham Public Affairs Advisors, described the Greenleaf Desert View Power Plant, including its location, the type and amount of fuel processed, the electricity produced, a history of the facility, and how it benefits the community as a solution to open burning.

Harvey Eder, Public Solar Power Coalition, explained an opportunity to use solar steam repowering through agricultural waste burning.

Mariela Lorea, Leadership Council for Justice and Accountability (LCJA), requested that staff provide a progress report to the ECV CSC in English and Spanish at least twice a year. She recommended that the implementation of the ECV CERP should go hand in hand with community outreach and that the CERP should include language on how outreach will be done. She stated that actions related to emissions reductions should include quantifiable emission reduction goals and actions that go beyond incentives). She commented that the ECV CERP should have a more extensive timeline with specific milestones, information on actions related to funding, and next steps. She also suggested that actions should be added regarding agricultural burning, developing a pesticide notification system in the community, and replacing school buses with zero or near-zero emission buses.

Board Member Kracov thanked staff, the CSC, community advocates, and Supervisor Perez for their work on the ECV CERP during the last six months and committed to supporting the CERP. He stated CARB would need to approve the CERP. He mentioned that the Governor made revisions to the State budget that includes funding to implement the statewide pesticide notification system and continued funding for the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) program to replace agricultural diesel equipment. He emphasized continuing to engage the Riverside County Agricultural Commissioner and DPR and asked staff to continue outreach efforts for incentives in Coachella Valley.

Chair Benoit shared a personal experience regarding open burning and dust and recognized that the ECV community experiences impacts from many sources. He was supportive of additional funding for the replacement of agricultural equipment.

2. Update on Implementation of Rule 1111- Reduction of NOx Emissions from Natural-Gas-Fired, Fan Type Central Furnaces

Michael Krause, Planning and Rules Manager, provided an update on implementation of Rule 1111. Supervisor Rutherford commented that there is a disconnect between the manufacturers and installers regarding product availability in high-altitude areas. She does not see the value of proceeding with this portion of the rule requirements. Supervisor Kuehl asked how the Rule 1111 mitigation fee has been utilized and suggested that staff ensure that the 25 percent of the rebates are used for disadvantaged communities. Mr. Krause explained that fees collected have been spent on financing the rebate program and NOx emission reduction projects. Approximately 16 percent of the funds have been used for low income to date, and staff can increase outreach efforts. The 2202 AQMP may include use of these funds for future residential incentive programs.

Jack Scarsi, US Air, Bruce Fuhrman, US Air, and Chris Forth, Johnson Controls, requested a two-month delay (for commercial weatherized furnace implementation) to address supply shortages experienced during COVID-19. Kory Griggs (installer) commented that distributors are not providing enough products for the high-altitude installations (e.g., large furnaces rated at 100,000 Btu/hr), and requested an extension for the high-altitude exemption. Mike Marcote, M&M Mechanical (installer), concurred that large size furnaces rated at 100,000 Btu/hr are needed for high altitude but will not be provided by manufacturers and noted the same concern for downflow units. Harvey Eder, Public Solar Power Coalition, suggested the application of solar thermal technology as a replacement for gas fired furnaces.

Supervisor Rutherford emphasized that more time is needed to solve the supply chain issue, and that staff should consider not regulating furnaces at the high altitude given the small amount of emissions reductions.

3. Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-Hour Ozone Standard

Zorik Pirveysian, Planning and Rules Manager, presented a compliance demonstration that showed how South Coast AQMD's current SIP-approved rules and regulations meet the federal Clean Air Act requirements for nonattainment New Source Review and Clean Fuels for Boilers for the 2015 8-hour ozone standard. There were no committee member or public comments.

WRITTEN REPORTS:

4. 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

The report was acknowledged by the committee.

5. Notice of Violation Penalty Summary

The report was acknowledged by the committee.

OTHER MATTERS:

5. Other Business

There was no other business.

6. Public Comment Period

Jan Victor Andasan, Carson resident, commented on Rule 1109.1 – NOx Reductions from Refinery and Refinery Related Equipment. He emphasized the need for the Board to pass Rule 1109.1 at the September Board meeting and encouraged the Board to pass a strong rule with the strongest emission controls.

7. Next Meeting Date

The next Stationary Source Committee meeting is scheduled for Friday, June 18, 2021 at 10:30 a.m.

Adjournment

The meeting was adjourned at 11:58 a.m.

Attachments

1. Attendance Record
2. 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
3. Notice of Violation Penalty Summary

ATTACHMENT 1

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT STATIONARY SOURCE COMMITTEE

Attendance –May 21, 2021

Mayor Pro Tem Ben Benoit	South Coast AQMD Board
Board Member Gideon Kracov	South Coast AQMD Board
Supervisor Sheila Kuehl	South Coast AQMD Board
Supervisor Janice Rutherford	South Coast AQMD Board
Ruthanne Taylor Berger	Board Consultant (Benoit)
Tom Gross	Board Consultant (Benoit)
Matthew Hamlett	Board Consultant (Richardson)
Lorraine Lundquist	Board Consultant (Kuehl)
Debra Mendelsohn.....	Board Consultant (Rutherford)
Mark Taylor.....	Board Consultant (Rutherford)
Ross Zelen	Board Consultant (Kracov)
Greg Busch	Marathon Petroleum Corporation
Curtis Coleman.....	Southern California Air Quality Alliance
Harvey Eder.....	Public Solar Power Coalition
Chris Forth.....	Johnson Controls
Bruce Fuhrman	US Air
Kory Gregg.....	HVAC Contractor
Frances Keeler	CCEEB
Bill LaMarr	California Small Business Alliance
Mike Marcote	M&M Mechanical
Noel Muyco	Southern California Gas Co
David Rothbart	SCAP
Jack Scarsi	US Air
Marshall Waller	Phillips 66 Company
Peter Whittingham.....	Whittingham Public Affairs Advisors
Derrick Alatorre.....	South Coast AQMD staff
Jason Aspell.....	South Coast AQMD staff
Barbara Baird.....	South Coast AQMD staff
Daniel Garcia.....	South Coast AQMD staff
Bayron Gilchrist	South Coast AQMD staff
Jo Kay Ghosh	South Coast AQMD staff
Mark Henninger.....	South Coast AQMD staff

ATTACHMENT 1

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
STATIONARY SOURCE COMMITTEE**

Attendance –May 21, 2021

Michael Krause..... South Coast AQMD staff
Jason Low South Coast AQMD staff
Terrence Mann..... South Coast AQMD staff
Matt Miyasato..... South Coast AQMD staff
Ron Moskowitz South Coast AQMD staff
Susan Nakamura..... South Coast AQMD staff
Zorik Pirveysian South Coast AQMD staff
Sarah Rees South Coast AQMD staff
Lisa Tanaka South Coast AQMD staff
Anthony Tang..... South Coast AQMD staff
Jill Whynot South Coast AQMD staff
Jillian Wong..... South Coast AQMD staff
William Wong South Coast AQMD staff
Paul Wright..... South Coast AQMD staff
Victor Yip..... South Coast AQMD staff

May 2021 Update on Work with U.S. EPA and California Air Resources Board 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 California Air Resources Board (CARB) since the last report.

Item	Discussion
Video Conference with U.S. EPA and CARB – April 8, 2021	<ul style="list-style-type: none"> • Reviewed presentations for the April RECLAIM and Regulation XIII Working Group Meetings
RECLAIM and Regulation XIII Working Group Meetings – April 15, 2021	<ul style="list-style-type: none"> • Provided updates on rulemakings for the RECLAIM transition • Discussed additional comments from U.S. EPA regarding the RECLAIM transition • Presented updated draft rule language for Proposed Rule 1304
Video Conference with U.S. EPA and CARB – April 20, 2021	<ul style="list-style-type: none"> • Discussed comments from U.S. EPA on the RECLAIM transition to ensure compliance with the Clean Air Act
Video Conference with U.S. EPA and CARB – April 29, 2021	<ul style="list-style-type: none"> • Discussed the RECLAIM transition
Video Conference with U.S. EPA and CARB – May 6, 2021	<ul style="list-style-type: none"> • Discussed the RECLAIM transition
Video Conference with U.S. EPA and CARB – May 10, 2021	<ul style="list-style-type: none"> • Reviewed presentations for the May RECLAIM and Regulation XIII Working Group Meetings
RECLAIM and Regulation XIII Working Group Meetings – May 13, 2021	<ul style="list-style-type: none"> • Provided updates on rulemakings for the RECLAIM transition • Presented initial concepts for a bridge between RECLAIM and command-and-control • Staff responded to a stakeholder comment letter regarding incremental cost-effectiveness • Provided rule development updates for Proposed Rule 1304

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

Settlement Penalty Report (04/01/2021 - 04/30/2021)

Total Penalties

Civil Settlement : \$137,450.00
Hearing Board Settlement : \$25,000.00
MSPAP Settlement : \$12,245.00

Total Cash Settlements: \$174,695.00

Fiscal Year through 04/30/2021 Cash Total : \$4,232,541.19

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
181510	AVCORP COMPOSITE FABRICATION, INC	2004, 2012, 2012 Appendix A	04/30/2021	WW	P66864, P66865	\$4,150.00
58076	BARTO SIGNAL PETROLEUM INC.	1173(c)	04/13/2021	DH	P62967	\$10,000.00
800387	CAL INST OF TECH	3002(c)(1)	04/30/2021	WW	P66838	\$5,000.00
23194	CITY OF HOPE MEDICAL CENTER	461, 1146, 1415, 3002	04/20/2021	SH	P66762, P66782, P66796	\$9,500.00
188558	LANG CONSTRUCTION & DEVELOPMENT, INC.	1403, 40 CFR 61.145	04/27/2021	DH	P69704	\$6,500.00
117297	MM PRIMA DESHECHA ENERGY, LLC	218, 1110.2, 3002	04/30/2021	SH	P63081, P63087, P65519, P65541,	\$37,500.00
186652	STS CONSTRUCTION SERVICES	1403	04/30/2021	SH	P66267	\$800.00
83508	THE TERMO COMPANY	1148.1, 3002	04/30/2021	BT	P66544, P67705, P69275	\$26,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
105368	VIRCO MFG CORP	203, 1147	04/15/2021	WW	P69513	\$38,000.00

Total Civil Settlements : \$137,450.00

Hearing Board

104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	04/20/2021	KCM	5400-4	\$25,000.00
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Total Hearing Board Settlements : \$25,000.00

MSPAP

109968	ALUMAFOLD PACIFIC, INC.	201, 203(a), 1147	04/14/2021	GC	P65857	\$1,275.00
177412	AMERICAN GOLF CORP	461(c)(3)(Q)	04/13/2021	GC	P65877	\$300.00
189057	CENTURION ELITE ENTERPRISES LLC	1403	04/14/2021	GC	P65420	\$1,400.00
179412	CHAMPION CABINET CORPORATION	203	04/13/2021	GC	P65200	\$1,820.00
115566	CHEVRON DLR, AMINDER RANDHAWA	461, H&S 41960	04/13/2021	GC	P68408	\$600.00
99869	J & R SERVICE STATION, BOUQUET MOBIL	203(b), 461	04/13/2021	GC	P67232	\$1,150.00
129478	N.B. OIL CO., INC.	201, 203(a)	04/14/2021	TCF	P68147	\$1,700.00
87180	PAREX USA INC.	203(b), 1157	04/13/2021	TCF	P69369	\$1,600.00
181393	QCM INC. DBA VERIS MFG.	203(a)	04/14/2021	TCF	P69761	\$800.00
134112	ROBERTSON'S READY MIX	403	04/13/2021	TCF	P69582	\$800.00
142012	TRAMMEL CROW RESIDENTIAL	203	04/13/2021	TCF	P66974	\$800.00

Total MSPAP Settlements : \$12,245.00

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX
FOR APRIL 2021 PENALTY REPORT**

REGULATION II - PERMITS

- Rule 201 Permit to Construct
- Rule 202 Temporary Permit to Operate
- Rule 203 Permit to Operate
- Rule 218 Continuous Emission Monitoring

REGULATION IV - PROHIBITIONS

- Rule 403 Fugitive Dust - Pertains to solid particulate matter emitted from man-made activities
- Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

- Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines
- Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
- Rule 1147 NOx Reductions from Miscellaneous Sources
- Rule 1148.1 Oil and Gas Production Wells
- Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
- Rule 1157 PM10 Emission Reductions from Aggregate and Related Operations
- Rule 1173 Fugitive Emissions of Volatile Organic Compounds

REGULATION XIII - NEW SOURCE REVIEW

- Rule 1303 Requirements

REGULATION XIV - TOXICS

- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
- Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

- Rule 2004 RECLAIM Program Requirements
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions
- Rule 2012, Appendix A Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements for Title V Permits

CALIFORNIA HEALTH AND SAFETY CODE

41960 Certification of Gasoline Vapor Recovery System

CODE OF FEDERAL REGULATIONS

40 CFR 61.145 Standard for Demolition and Renovation

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 27

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a meeting remotely on Friday, May 21, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Larry McCallon, Acting Chair
Technology Committee

MMM:psc

Committee Members

Present:

Supervisor Lisa Bartlett
Board Member Gideon Kracov
Mayor Pro Tem Larry McCallon
Mayor Pro Tem Carlos Rodriguez

Absent: Council Member Joe Buscaino/Chair
Vice Mayor Rex Richardson

Call to Order

Acting Chair McCallon called the meeting to order at 12:00 p.m.

ACTION ITEMS:

1. Recognize Revenue and Execute Contract for Class 8 Fuel Cell Truck Demonstration

South Coast AQMD has been awarded \$500,000 from U.S. EPA to develop and demonstrate two class 8 hydrogen fuel cell trucks with Hyundai Motor Company. These actions are to recognize revenue, upon receipt, of \$500,000 from U.S. EPA FY21 Clean Air Technology Initiative Program into the Clean Fuels Program Fund

(31) and execute a contract with Hyundai Motor Company in an amount not to exceed \$500,000 from the Clean Fuels Program Fund (31).

Chair McCallon emphasized the importance of fuel cell technology development in the class 8 truck sector.

Mayor Pro Tem Rodriguez highlighted the importance of data and progress reports regarding this demonstration and urged staff to work closely with the California Fuel Cell Partnership.

Moved by Bartlett; seconded by Rodriquez; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Rodriquez

Noes: None

Absent: Buscaino, Richardson

2. Adopt Resolution Recognizing Funds for FY 2020-21 Carl Moyer State Reserve Program

In April 2021, CARB approved the final allocations for the FY 2020-21 Carl Moyer “Year 23” State Reserve Program, including \$3,753,310 to South Coast AQMD for battery charging and hydrogen fueling infrastructure projects eligible pursuant to the Carl Moyer Program. This action is to adopt a Resolution recognizing up to \$3.8 million in FY 2020-21 Carl Moyer State Reserve funds from CARB for the implementation of infrastructure projects supporting zero emission vehicles within South Coast AQMD.

Board Member Kracov commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is a Board Member of CARB which is involved in this item.

Ranji George, a public member, expressed support for this item suggested and the available State Reserve funds equally between battery electric charging and hydrogen fueling infrastructure and consider solar and solar thermal technologies.

Moved by Bartlett; seconded by Kracov; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Rodriguez

Noes: None

Absent: Buscaino, Richardson

3. Issue Program Announcement for Combustion Freight and Marine Projects Category Under Statewide Volkswagen Environmental Mitigation Trust Program

In December 2019, the Board approved release of a Program Announcement to solicit projects for the Combustion Freight and Marine Projects category considering the first installment of funds totaling \$30 million. This competitive solicitation resulted in approximately \$3.98 million in awarded projects. In an effort to increase participation, CARB and South Coast AQMD propose to release a second solicitation allowing equipment owners to apply on a first-come, first-served basis, however the funding amounts will remain the same. This action is to issue a statewide Program Announcement for the Combustion Freight and Marine Projects category totaling \$26,019,762 for eligible equipment selected on a first-come, first-served basis. This action is also to authorize the Executive Officer to enter into contracts for eligible projects selected through this solicitation.

Board Member Kracov commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is a Board Member of CARB which is involved in this item.

Mayor Pro Tem McCallon asked why this program is undersubscribed and what actions can be taken to increase participation. Staff explained the main reason is low incentive amounts compared to other programs. Staff also made several proposals to CARB to increase program subscription, which were not accepted.

Supervisor Bartlett expressed the importance of getting the funds out quickly to achieve the needed NOx emission reductions and asked for staff feedback on program changes that would increase participation, such as allowing stacking of funds from other programs.

Mayor Pro Tem Rodriguez suggested a letter by South Coast AQMD Board members on this issue and requested the assistance of Board Member Kracov in addressing this issue with CARB.

Mr. George suggested to provide greater funding for zero emission technologies and vehicles.

Tom Swenson, Cummins, Inc., indicated that funding amounts were significantly lower than other incentive programs, contributing to low participation. Mr. Swenson stated the low participation does not necessarily indicate the industry is not interested in NOx technologies. Allowing for a first come, first served solicitation will provide some assistance, overall funding is still low and allowing for fund stacking is recommended.

Harvey Eder, Public Solar Power Coalition, recommended more focus on other zero emission technologies such as fuel cell technologies and solar.

Moved by Kracov; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Rodriguez

Noes: None

Absent: Buscaino, Richardson

4. Recognize Revenue and Reimburse General Fund for Administrative Costs for Enhanced Fleet Modernization Program

Since 2015, South Coast AQMD has been implementing an Enhanced Fleet Modernization Program (EFMP), branded as Replace Your Ride. For FY 2020-21, CARB allocated \$1.4 million in AB 118 funds to South Coast AQMD for the continued implementation of the EFMP. These actions are to: 1) recognize up to \$1.4 million from CARB; 2) approve vouchers and other alternative mobility options until all available funds are exhausted; and 3) reimburse the General Fund for administrative costs necessary to implement the EFMP.

Board Member Kracov commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is a Board Member of CARB which is involved in this item.

Moved by Bartlett; seconded by Rodriguez; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Rodriguez

Noes: None

Absent: Buscaino, Richardson

5. Recognize Revenue, Transfer Funds, and Execute Contracts to Deploy 100 Battery Electric Drayage Trucks as part of CARB and CEC Pilot Project

CARB and CEC awarded South Coast AQMD \$16,019,316 and \$10,964,955 respectively for a Zero-Emission Drayage Truck and Infrastructure Pilot Project. The project will deploy 100 Daimler and Volvo Class 8 battery electric trucks, charging infrastructure, and distributed energy resource technologies at two fleets in disadvantaged communities. These actions, detailed below, are to recognize revenue and co-funding from CARB, CEC, and partners into the GHG Reduction Projects Special Revenue Fund (67); transfer funds as part of our cost share and partner cost share, and as a temporary loan from the Clean Fuels Program Fund (31); return unspent funds to the Clean Fuels Fund upon project completion; authorize the Executive Officer to execute contracts to implement this project; and reimburse the General Fund for administrative costs.

Board Member Kracov commented that he does not have a financial interest or conflict of interest but is required to identify for the record that he is a Board Member of CARB which is involved in this item.

Mayor McCallon remarked that this is a very exciting program and the MSRC is pleased to participate as a partner in the Pilot Project. He commented that incentives are necessary to enable truck drivers to purchase these more expensive battery electric trucks.

Board Member Kracov agreed that the Pilot Project is an exciting program and inquired about the purpose of the project. Staff responded that the intent of the project is to see if real world operations and needs can be achieved. Board Member Kracov asked about the purpose of the data collection process for the battery electric trucks. Staff responded that the data collection will show how the trucks would be charged and if the trucks would be able to make the two trips per day. Board Member Kracov stated that if battery electric trucks are more expensive than CNG or diesel trucks, fleets would not purchase without knowing that battery electric trucks can meet the required duty cycle. Staff responded that the pilot project will be an opportunity to verify that these trucks can meet the required duty cycle, to better understand charging for these trucks and if opportunity charging can increase the number of trips.

Supervisor Bartlett stated that South Coast AQMD's Warehouse Indirect Source Rule (ISR) assesses fees for warehouses in the Inland Empire, but the trucks are polluting along the entire path of travel. Staff clarified that if clean trucks visit these warehouses, the warehouse owner can take credit under the ISR. Supervisor Bartlett pointed out that disadvantaged communities are not deriving any benefits and warehouses that install solar will have to pay mitigation fees in future years. Staff clarified that warehouses would get points in future years for using solar power.

Board Member Kracov stated that the ISR includes multiple options to install solar or purchase low NOx CNG trucks. Staff added that as battery electric trucks get closer to commercialization, these trucks will offer another cleaner option.

Mr. Eder recommended more focus on other zero emission technologies such as fuel cell technologies and solar.

Mr. George recommended more focus on solar technologies and proper battery recycling.

Moved by Kracov; seconded by Bartlett; unanimously approved.

Ayes: Bartlett, Kracov, McCallon, Rodriguez
Noes: None
Absent: Buscaino, Richardson

OTHER MATTERS:

6. Other Business

Mayor Pro Tem Rodriguez requested committee meetings include outreach plans for program funding opportunities. Staff replied that when a press release or other materials are developed, they can be presented to the Board.

Supervisor Bartlett invited everyone to the Volvo Lights Event at 14021 Jeffrey Road in Irvine on May 29, 2021 at 9:00 am, to celebrate the first zero emission refrigerated grocery truck.

Dr. Matt Miyasato introduced Dr. Aaron Katzenstein as the new Assistant Deputy Executive Officer in the Technology Advancement Office. Dr. Katzenstein expressed his excitement for the new opportunity.

7. Public Comment Period

Mr. George expressed concerns regarding funding equality for batteries and fuel cell technology.

Mr. Eder expressed concerns regarding battery recycling and supported the usage of alcohol fuels.

8. Next Meeting Date

The next regular Technology Committee meeting is scheduled for Friday, August 20, 2021 at noon.

Adjournment

The meeting adjourned at 1:30 p.m.

Attachment

Attendance Record

ATTACHMENT

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
TECHNOLOGY COMMITTEE MEETING
Attendance Record – May 21, 2021**

Supervisor Lisa Bartlett.....South Coast AQMD Board Member
Board Member KracovSouth Coast AQMD Board Member
Mayor Pro Tem Carlos RodriguezSouth Coast AQMD Board Member
Mayor Pro Tem Larry McCallonSouth Coast AQMD Board Member

James DinwiddieBoard Consultant (Bartlett)
Matt HolderBoard Consultant (Rodriguez)
Mark Taylor.....Board Consultant (Rutherford)

Mark AbramowitzPublic Member
Naveen BerryPublic Member
Harvey Eder.....Public Member
Ranji George.....Public Member
Jacob Goldberg.....POLA
Ricki LaiPublic Member
Bri LawrencePublic Member
Fred MinassianPublic Member
Erik NeandrossGladstein, Neandross & Associates
Lacy Robertson.....Public Member
Patty SenecalWSPA
Tom SwensonCummins Inc.

Derrick AlatorreSouth Coast AQMD Staff
Jason Aspell.....South Coast AQMD Staff
Ping Gui.....South Coast AQMD Staff
Seungbum HaSouth Coast AQMD Staff
Sheri HanizavarehSouth Coast AQMD Staff
Mark HenningerSouth Coast AQMD Staff
Joseph Impullitti.....South Coast AQMD Staff
Aaron KatzensteinSouth Coast AQMD Staff
Christina KusnandarSouth Coast AQMD Staff
Patricia KwonSouth Coast AQMD Staff
Jason LowSouth Coast AQMD Staff
Krystle Martinez.....South Coast AQMD Staff
Ron MoskowitzSouth Coast AQMD Staff
Matt Miyasato.....South Coast AQMD Staff
Penny Shaw CedilloSouth Coast AQMD Staff

Walter ShenSouth Coast AQMD Staff
Lisa Tanaka O'MalleySouth Coast AQMD Staff
Yuh Jiun TanSouth Coast AQMD Staff
Anthony TangSouth Coast AQMD Staff
Veera TyagiSouth Coast AQMD Staff
Alex VegaSouth Coast AQMD Staff
Nick VolponeSouth Coast AQMD Staff
Todd WardenSouth Coast AQMD Staff
Vicki WhiteSouth Coast AQMD Staff
Jill WhynotSouth Coast AQMD Staff
Paul WrightSouth Coast AQMD Staff
Fan XuSouth Coast AQMD Staff
Victor YipSouth Coast AQMD Staff

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BOARD MEETING DATE: June 4, 2021

AGENDA NO. 28

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a meeting remotely on Thursday, May 20, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben Benoit
South Coast AQMD Representative
to MSRC

MMM:CR:me

MSRC Chair and MSRC Vice Chair Elected

Annually the MSRC elects its Chair and Vice Chair. At its May 20, 2021 meeting, the MSRC re-elected Larry McCallon as its Chair for a one-year term. Mr. McCallon is Mayor Pro Tem District 5 for the City of Highland and represents San Bernardino County Transportation Authority on the MSRC.

The MSRC also re-elected Brian Berkson as its MSRC Vice Chair for a one-year term. Mr. Berkson serves as a Council Member for Council District 3 for the City of Jurupa Valley and represents the Riverside County Transportation Commission on the MSRC.

Meeting Minutes Approved

The MSRC approved the minutes of the February 18, 2021 meeting. The approved minutes are attached (*Attachment 1*).

Consider Incorporating a Labor Law Provision in MSRC Contracts for On-Road Truck Projects

At the April 2, 2021 South Coast AQMD Board meeting, the Board requested MSRC consider adding language in MSRC contracts for on-road truck projects similar to the provision in South Coast AQMD grant contracts regarding labor laws. This item had not

been considered by the MSRC-TAC and was referred back to the MSRC-TAC for their consideration. Therefore, MSRC action was deferred.

FYs 2016-18 Work Program

Update on Hydrogen Infrastructure Partnership Program

Staff provided an update on the MSRC Hydrogen Infrastructure Partnership Program. As an element of their FYs 2016-18 Work Program, the MSRC allocated \$3 million for the implementation of hydrogen refueling stations within South Coast AQMD's jurisdiction. A Program Opportunity Notice (PON) was released on April 6, 2018, which had a closing date of April 9, 2021. The PON had a \$500,000 per county geographic funding minimum. To date, the MSRC has awarded \$1 million for the expansion of a station in Irvine and has authorized the submission of full proposals for two other projects, from Cal State University Los Angeles (CSULA) and San Bernardino County Transportation Authority (SBCTA). Recommendations concerning these two projects are anticipated to be brought to the MSRC-TAC and MSRC in June and will likely exceed the current targeted funding amount. Three additional project concept papers have been received, and consideration of these projects would require the allocation of additional funding. Barring any indication from the MSRC that they do not want to entertain hydrogen infrastructure as a potential use of MSRC unallocated funds, staff and the MSRC-TAC would proceed on their current course and bring recommendations in the summer.

FYs 2018-21 Work Program

Major Event Center Transportation Program

As part of its FYs 2018-21 Work Program, the MSRC allocated \$6.5 million for event center transportation programs and released Program Announcement #PA2019-03. Subsequently, due to the unforeseen effects of COVID-19, the MSRC approved extending the Program Announcement deadline for events by one year to December 31, 2022. To date, the MSRC has awarded a total of \$3,820,682 under this solicitation. The MSRC considered recommendations regarding an additional application submitted by OCTA. OCTA requested the MSRC consider an award of \$289,054 to provide express bus services between existing transit facilities and the 2022 Orange County Fair in Costa Mesa. The service would be provided on nine routes, on Saturday and Sunday for all five weekends of the 2022 Fair season. The service will utilize "near-zero" CNG buses and eight hydrogen fuel cell buses. OCTA and its partners are committed to provide at least \$433,581 in co-funding contributions to the operation and marketing of the program. The MSRC approved a contract award to OCTA in an amount not to exceed \$289,054 for the 2022 Orange County Fair Express bus service.

Update on Partnership with South Coast AQMD and Regional Partners on Large-Scale Zero Emission Demonstration

In December 2020, the MSRC authorized up to \$8 million for partnership with South Coast AQMD and other regional partners on behalf of the Regional Zero & Near Zero

Emission Truck Collaborative in a proposal seeking funding under the joint CARB/CEC “Zero-Emission Drayage Truck and Infrastructure Pilot Project” solicitation. The proposal was successful, resulting in the award of up to \$16,019,316 from CARB and up to \$10,964,955 from CEC. Staff provided an update on the details of the project. The MSRC’s \$8 million contribution will be applied exclusively towards the purchase cost of battery electric trucks, with \$3 million allocated to the NFI fleet and \$5 million allocated to the Schneider fleet. The total cost of 100 trucks for both fleets is \$41,052,625, and MSRC will be contributing 11 percent of the total project cost of \$74,017,175.

Contract Modification Requests

The MSRC considered four contract modification requests and took the following actions:

1. For the City of Bellflower, Contract #ML 12091, which provides \$100,000 for EV charging infrastructure, a location change to Simms Park for one station and a six-month no-cost term extension;
2. For the City of Eastvale, Contract #ML16040, which provides \$110,000 for EV charging infrastructure, an increase in the number of charging stations from 12 to 16 at no additional cost to the MSRC;
3. For the city of South Pasadena, Contract #ML18092, which provides \$50,000 to procure two light-duty ZEVs and install EV charging infrastructure, a 27-month no-cost term extension; and
4. For Omnitrans, proposed Contract #MS18180, which will provide \$83,000 to modify vehicle maintenance facility and train technicians, a modified design for the methane detection system improvements with no change to MSRC’s contribution to the project.

Contracts Administrator’s Report

The MSRC AB 2766 Contracts Administrator’s report provides a written status report on all open contracts from FY 2007-08 to the present. The Contracts Administrator’s Report for March 25 through April 28, 2021 is attached (*Attachment 2*).

Attachments

1. Approved February 18, 2021 Meeting Minutes
2. March 25 through April 28, 2021 Contracts Administrator’s Report



**MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE
THURSDAY, FEBRUARY 18, 2021 MEETING MINUTES
21865 Copley Drive, Diamond, Bar, CA 91765**

**All participants attended the meeting remotely pursuant to
Executive Orders N-25-20 and N-29-20**

MEMBERS PRESENT:

(Chair) Larry McCallon, representing San Bernardino County Transportation Authority (SBCTA)
(Vice-Chair) Brian Berkson, representing Riverside County Transportation Commission (RCTC)
Ben Benoit, representing South Coast AQMD
John Dutrey, representing Regional Rideshare Agency
Jed Leano, representing Southern California Association of Governments (SCAG)
Tim Shaw, representing Orange County Transportation Authority (OCTA)
Sydney Vergis, representing California Air Resources Board (CARB)
Mark Henderson (Alt.), representing SCAG
Linda Krupa (Alt.), representing RCTC
Ray Marquez (Alt.), representing Regional Rideshare Agency
John Valdivia (Alt.), representing SBCTA
Mark Yamarone (Alt.), representing Los Angeles County Metropolitan Transportation Authority (Metro)

MEMBERS ABSENT:

Steve Veres, representing Metro

MSRC-TAC MEMBERS PRESENT:

Chair AJ Marquez, representing Orange County Board of Supervisors
Vice Chair Jenny Chan, representing RCTC
Adriann Cardoso, representing OCTA
Derek Winters, representing CARB
Kelly Lynn, representing SBCTA
Nicole Soto, representing Regional Rideshare Agency
Rongsheng Luo, representing SCAG
Tim Olson, Air Pollution Control Expert

OTHERS PRESENT:

Abas Goodarzi
Debra Mendelsohn
Jennifer Farinas
Kana Sato-Nguyen
Lauren Dunlap
Louis Zhao
Lucas Harrelson
Richard Teebay
Tom Swenson

SOUTH COAST AQMD STAFF & CONTRACTORS PRESENT:

Alejandra Vega, MSRC Administrative Liaison
Anish Pathak, Financial Analyst
Anthony Tang, Information Technology Specialist
Cynthia Ravenstein, MSRC Contracts Administrator
Daphne Hsu, Sr. Deputy District Counsel
De Groeneveld, Information Technology Specialist
Erika Chavez, Sr. Deputy District Counsel
John Kampa, Financial Services Manager
Leah Alfaro, MSRC Contracts Assistant
Marjorie Eaton, Secretary
Matt Mackenzie, MSRC Contracts Assistant
Matt Miyasato, Deputy Executive Officer
Naveen Berry, Assistant Deputy Executive Officer
Paul Wright, Information Technology Specialist
Penny Shaw Cedillo, Sr. Administrative Secretary
Ray Gorski, MSRC Technical Advisor-Contractor
Todd Warden, Sr. Public Information Specialist

CALL TO ORDER

- Chair McCallon called the meeting to order at 2:01 p.m.
- Roll call was taken at the start of the meeting.
- Chair McCallon asked for opening comments.

Naveen Berry announced his retirement.

- Chair McCallon asked for the status report on the Clean Transportation Policy Update.

Cynthia Ravenstein commented that a report was previously provided to all members. She stated that there was not any heavy activity, but highlighted a forum that was held by CARB for Project 800. The project is an initiative aimed at supporting the deployment of zero emission trucks to serve the Ports with the goal of having 800 zero emission drayage truck orders in 2021. This forum was to kick that off. The MSRC, South Coast AQMD and other regional partners are working on a project that would launch 100 zero emission trucks in the region which is working towards this goal.

- Chair McCallon asked if there were public comments on the Consent Calendar items.

There were no members of the public who wished to speak on the Consent items.

- Chair McCallon asked for disclosures.

Item #8 – MSRC Member Jed Leano commented he does not have a financial interest, but is required to identify for the record that he is a policy member of SCAG which is involved in this item.

Item #8 – MSRC Member Tim Shaw commented he does not have a financial interest but is required to identify for the record that he is a Regional Council Member for SCAG which is involved in this item.

Item #8 – MSRC Member Ben Benoit commented he does not have a financial interest, but is required to identify for the record that he is a

Regional Council Member of SCAG which is involved in this item.

Item #7 – Ben Benoit commented he does not have a financial interest, but is required to identify for the record that he is on the City Council of Wildomar which is involved in this item.

Item #8 – MSRC Member John Dutrey commented he does not have a financial interest, but is required to identify for the record that he served on the Transportation Committee for SCAG which is involved in this item.

Item #6 – John Dutrey commented that although not required, he felt more comfortable to disclose he did minor consulting work for the City of Eastvale and recused himself from this item.

Item #8 – Chair McCallon commented he does not have a financial interest, but is required to identify for the record that he is a Regional Council Member for SCAG which is involved in this item.

Item #8 – MSRC Alternate Member Ray Marquez commented he does not have a financial interest, but is required to identify for the record that he is on the Transportation Committee and is a Regional Council Member for SCAG which is involved in this item.

CONSENT ITEMS (Items 1 through 8):

Information Only – Receive and File

1. MSRC Contracts Administrator's Report

The MSRC AB 2766 Contracts Administrator's Report for December 3, 2020 through January 27, 2021 was included in the agenda package.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: Staff will include the MSRC Contracts Administrator's Report in the MSRC Committee Report for the March 5, 2021 South Coast AQMD Board meeting.

2. Financial Report on AB 2766 Discretionary Fund

A financial report on the AB 2766 Discretionary Fund for December 2020 was

included in the agenda package.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: No further action is required.

3. Report on Expired AB 2766 Discretionary Fund Contracts

A summary report concerning expired MSRC contracts was provided.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: No further action is required.

For Approval – As Recommended

4. Consider Nine-Month No-Cost Term Extension by City of Los Angeles, Contract #ML14018 (\$810,000 – Purchase 27 Heavy-Duty Natural Gas Vehicles)

The City of Los Angeles requests a nine-month term extension due to COVID-19 related delays in the delivery and placement into service of their last two vehicles.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

5. Consider One-Year No-Cost Term Extension by City of Fontana, Contract #ML16047 (\$500,000 – Enhance Existing Class I Bikeway)

The City of Fontana requests a one-year term extension due to unanticipated requirements from Caltrans.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

6. Consider Two-Year No-Cost Term Extension by City of Eastvale, Contract #ML18064 (\$80,400 - Procure Two Light-Duty and One Medium-Duty Zero Emission Vehicles and Install Electric Vehicle Charging Infrastructure)

The City of Eastvale requests a two-year term extension due to the current lack of availability of a zero-emission truck which meets their needs.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Leano, McCallon, Shaw, Vergis, Yamarone

Abstain: Dutrey

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

7. Consider One-Year No-Cost Term Extension by City of Wildomar, Contract #ML18137 (\$50,000 - Install Bicycle Lanes)

The City of Wildomar requests a one-year term extension due to unanticipated utility coordination associated with a potential need to relocate utility poles.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

8. Consider Eight-Month No-Cost Term Extension by Southern California Association of Governments (SCAG), Contract #MS18002 (\$2,500,000 – Regional Active Transportation Partnership Program)

SCAG requests an eight-month term extension due to the inability to conduct “Go Human” demonstrations and other in-person public engagement and outreach activities.

Moved by Benoit; seconded by McCallon; under approval of Consent Calendar Items #1 through #8, item unanimously approved.

Ayes: Benoit, Berkson, Dutrey, Leano, McCallon, Shaw, Vergis, Yamarone

Noes: None

Action: MSRC Staff will amend the above contract accordingly.

ACTION ITEM (Item 9):**FYs 2016-18 Work Program****9. Update on MSRC's Regional Goods Movement Program and Hydrogen Infrastructure Partnership Program**

Staff provided an update on MSRC's Regional Goods Movement and Hydrogen Infrastructure Partnership Programs.

There are four categories under the Regional Goods Movement Program.

- Last Mile Freight Delivery, a partnership was established with SCAG and the program is essentially ready for launch.
- "Maritime Ports" Goods Movement, the MSRC partnered with the Regional Zero-Emission Truck Collaborative on a project which should result in 100 zero emission drayage trucks and supporting infrastructure.
- Near-Zero Emission Truck Cooperative, the MSRC partnered with South Coast AQMD on the Market Acceleration Program and the Voucher Incentive Program (VIP) "Plus Up." There was slow uptake for the Plus Up Program. In March, the MSRC's Technical Advisory Committee will review a potential midcourse adjustment for possible MSRC action.
- "Inland Ports" Warehouse Distribution Centers, recent RFPs received a good response and proposals are currently undergoing evaluation.

Staff reported that the MSRC's Hydrogen Infrastructure Partnership Program will close on April 9, 2021 and is expected to be oversubscribed.

Brian Berkson expressed his appreciation and thanked MSRC-TAC and MSRC staff for a successful program. He noted that this was a huge undertaking and is excited to see the results.

Chair McCallon concurred with Brian Berkson's remarks.

John Dutrey asked if the \$60 million balance in the 2016-18 Work Program will be used towards other programs.

Ray Gorski explained that the current unallocated budget can be used to fund backup lists in the various categories. Staff and the MSRC TAC will present options for Committee Members beginning as early as the next meeting.

OTHER BUSINESS:**10. Other Business**

There was no other business.

PUBLIC COMMENT PERIOD

Public comments were allowed during the discussion of each agenda item. No comments were made on non-agenda items.

ADJOURNMENT

The meeting adjourned at 2:48 p.m.

NEXT MEETING

Thursday, March 18, 2021 at 2:00 p.m.

[Prepared by Alejandra Vega]



MSRC Agenda Item No. 2

DATE: May 20, 2021

FROM: Cynthia Ravenstein

SUBJECT: AB 2766 Contracts Administrator's Report

SYNOPSIS: This report covers key issues addressed by MSRC staff, status of open contracts, and administrative scope changes from March 25 to April 28, 2021.

RECOMMENDATION: Receive and file report

WORK PROGRAM IMPACT: None

Contract Execution Status

2016-18 Work Program

On July 8, 2016, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On October 7, 2016, the SCAQMD Governing Board approved three awards under the Event Center Transportation Program and one award for a Regional Active Transportation Partnership Program. These contracts are executed.

On January 6, 2017, the SCAQMD Governing Board approved an award for development, hosting and maintenance of a new MSRC website. This contract is executed.

On April 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On June 2, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On July 7, 2017, the SCAQMD Governing Board approved an award under the Event Center Transportation Program. This contract is executed.

On September 1, 2017, the SCAQMD Governing Board approved one award under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On October 6, 2017, the SCAQMD Governing Board approved two awards under the Event Center Transportation Program and one award under the Natural Gas Infrastructure Program. These contracts are executed.

On December 1, 2017, the SCAQMD Governing Board approved sole source awards for a Hydrogen Infrastructure Partnership Program, for a Southern California Future Communities Partnership Program, and for electric vehicle charging infrastructure planning analysis. These contracts are executed. The MSRC has replaced the award to the California Energy Commission with a Program Opportunity Notice for the Hydrogen Infrastructure Partnership Program.

On February 2, 2018, the SCAQMD Governing Board approved one award under the Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, four awards under the Local Government Partnership Program, and two awards under the County Transportation Commission Partnership Program. These contracts are executed.

On March 2, 2018, the SCAQMD Governing Board approved one award under the Major Event Center Transportation Program, two awards under the Natural Gas Infrastructure Program, and one award under the Local Government Partnership Program. These contracts are executed.

On April 6, 2018, the SCAQMD Governing Board approved one award under the Natural Gas Infrastructure Program and eight awards under the Local Government Partnership Program. These contracts are executed.

On May 4, 2018, the SCAQMD Governing Board approved twenty-seven awards under the Local Government Partnership Program and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On June 1, 2018, the SCAQMD Governing Board approved six awards under the Local Government Partnership Program, one award under the Natural Gas Infrastructure Program, and one award under the County Transportation Commission Partnership Program. These contracts are executed.

On July 6, 2018, the SCAQMD Governing Board approved nine awards under the Local Government Partnership Program. These contracts are executed.

On September 7, 2018, the SCAQMD Governing Board approved nineteen awards under the Local Government Partnership Program, three awards under the County Transportation Commission Partnership Program, one award under the Major Event Center Transportation Program, and twenty awards under the Natural Gas Infrastructure Program. These contracts are executed.

On October 5, 2018, the SCAQMD Governing Board approved forty-eight awards under the Local Government Partnership Program and one award under the Hydrogen Infrastructure Program. These contracts are with the prospective contractor for signature or executed.

On November 2, 2018, the SCAQMD Governing Board approved two awards under the Local Government Partnership Program. These contracts are executed.

2018-21 Work Program

On April 5, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On September 6, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On December 6, 2019, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is executed.

On September 4, 2020, the SCAQMD Governing Board approved an award under the Last Mile component of the MSRC's Regional Goods Movement Program. This contract is with the South Coast AQMD Board Chair for signature.

On April 2, 2021, the SCAQMD Governing Board approved five awards under the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program and ten awards under the Zero and Near-Zero Emission Trucking to Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program. These contracts are under development.

Work Program Status

Contract Status Reports for work program years with open and/or pending contracts are attached.

FY 2010-11 Work Program Contracts

One contract from this work program year is open; and 4 are in "Open/Complete" status. One contract closed during this period: City of Riverside, Contract #ML11036 – Install New CNG Station and Purchase 9 Heavy-Duty Natural Gas Vehicles.

FY 2010-11 Invoices Paid

No invoices were paid during this period.

FY 2011-12 Work Program Contracts

5 contracts from this work program year are open, and 11 are in "Open/Complete" status. One contract closed during this period: Bonita Unified School District, Contract #MS12008 – Construct New Limited-Access CNG Station.

FY 2011-12 Invoices Paid

Two invoices totaling \$51,840.14 were paid during this period.

FYs 2012-14 Work Program Contracts

13 contracts from this work program year are open, and 27 are in "Open/Complete" status. One contract passed into "Open/Complete" status during this period: City of Los Angeles Department of General Services, Contract #ML14018 – Purchase 27 Heavy-Duty Natural Gas Vehicles.

FYs 2012-14 Invoices Paid

One invoice in the amount of \$230,000.00 was paid during this period.

FYs 2014-16 Work Program Contracts

34 contracts from this work program year are open, and 30 are in “Open/Complete” status.

FYs 2014-16 Invoices Paid

No invoices were paid during this period.

FYs 2016-18 Work Program Contracts

102 contracts from this work program year are open, and 39 are in “Open/Complete” status.

2 invoices totaling \$32,000.00 were paid during this period.

FYs 2018-21 Work Program Contracts

3 contracts from this work program year are open.

One invoice in the amount of \$7,256.85 was paid during this period.

Administrative Scope Changes

One administrative scope change was initiated during the period from March 25 to April 28, 2021:

- City of Bell Gardens, Contract #ML18140 (Purchase 2 Heavy-Duty Near-Zero Emission Vehicles) – Terminate at City’s request

Attachments

- FY 2008-09 through FYs 2018-21 (except FY 2009-10) Contract Status Reports



AB2766 Discretionary Fund Program Invoices

March 25 to April 28, 2021

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2011-2012 Work Program</i>							
4/14/2021	5/5/2021	5/6/2021	5/7/2021	ML12091	City of Bellflower	001	\$34,759.94
4/27/2021	5/5/2021	5/6/2021	5/7/2021	ML12057	City of Coachella	20-002/FIN	\$17,080.20
Total: \$51,840.14							
<i>2012-2014 Work Program</i>							
4/27/2021	5/5/2021	5/6/2021	5/7/2021	ML14023	County of Los Angeles Department of Public Wo	10000345/FI	\$230,000.00
Total: \$230,000.00							
<i>2016-2018 Work Program</i>							
3/30/2021	4/7/2021	4/13/2021		MS18117	City of San Bernardino	I-19000003-F	\$12,000.00
4/1/2021	4/7/2021	4/14/2021	4/20/2021	ML18092	City of South Pasadena	1	\$20,000.00
Total: \$32,000.00							
<i>2018-2021 Work Program</i>							
4/7/2021	4/7/2021	4/13/2021		MS21002	Better World Group Advisors	WG-MSRC1	\$7,256.85
Total: \$7,256.85							

Total This Period: \$321,096.99



FYs 2008-09 Through 2018-21 AB2766 Contract Status Report

5/13/2021

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2008-2009 Contracts									
Declined/Cancelled Contracts									
ML09017	County of San Bernardino Public Wo	1/28/2010	7/27/2016		\$200,000.00	\$0.00	8 Nat. Gas Heavy-Duty Vehicles	\$200,000.00	No
ML09018	Los Angeles Department of Water an	7/16/2010	9/15/2012		\$850,000.00	\$0.00	Retrofit 85 Off-Road Vehicles w/DECS	\$850,000.00	No
ML09019	City of San Juan Capistrano Public	12/4/2009	11/3/2010		\$10,125.00	\$0.00	Remote Vehicle Diagnostics/45 Vehicles	\$10,125.00	No
ML09022	Los Angeles County Department of P				\$8,250.00	\$0.00	Remote Vehicle Diagnostics/15 Vehicles	\$8,250.00	No
ML09025	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$50,000.00	\$0.00	Remote Vehicle Diagnostics/85 Vehicles	\$50,000.00	No
ML09028	Riverside County Waste Manageme				\$140,000.00	\$0.00	Retrofit 7 Off-Road Vehicles w/DECS	\$140,000.00	No
ML09039	City of Inglewood				\$310,000.00	\$0.00	Purchase 12 H.D. CNG Vehicles and Remot	\$310,000.00	No
ML09040	City of Cathedral City				\$83,125.00	\$0.00	Purchase 3 H.D. CNG Vehicles and Remote	\$83,125.00	No
ML09044	City of San Dimas				\$425,000.00	\$0.00	Install CNG Station and Purchase 1 CNG S	\$425,000.00	No
ML09045	City of Orange				\$125,000.00	\$0.00	Purchase 5 CNG Sweepers	\$125,000.00	No
Total: 10									
Closed Contracts									
ML09007	City of Rancho Cucamonga	2/26/2010	4/25/2012		\$117,500.00	\$62,452.57	Maintenance Facility Modification	\$55,047.43	Yes
ML09008	City of Culver City Transportation De	1/19/2010	7/18/2016	7/18/2017	\$175,000.00	\$175,000.00	8 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09009	City of South Pasadena	11/5/2010	12/4/2016	3/4/2019	\$125,930.00	\$125,930.00	CNG Station Expansion	\$0.00	Yes
ML09010	City of Palm Springs	1/8/2010	2/7/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09011	City of San Bernardino	2/19/2010	5/18/2016		\$250,000.00	\$250,000.00	10 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09012	City of Gardena	3/12/2010	11/11/2015		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09013	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$144,470.00	\$128,116.75	Traffic Signal Synchr./Moreno Valley	\$16,353.25	Yes
ML09014	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$113,030.00	\$108,495.94	Traffic Signal Synchr./Corona	\$4,534.06	Yes
ML09015	City of Riverside Public Works	9/10/2010	12/9/2011	7/31/2013	\$80,060.00	\$79,778.52	Traffic Signal Synchr./Co. of Riverside	\$281.48	Yes
ML09016	County of San Bernardino Public Wo	1/28/2010	3/27/2014		\$50,000.00	\$50,000.00	Install New CNG Station	\$0.00	Yes
ML09020	County of San Bernardino	8/16/2010	2/15/2012		\$49,770.00	\$49,770.00	Remote Vehicle Diagnostics/252 Vehicles	\$0.00	Yes
ML09021	City of Palm Desert	7/9/2010	3/8/2012		\$39,450.00	\$38,248.87	Traffic Signal Synchr./Rancho Mirage	\$1,201.13	Yes
ML09023	Los Angeles County Department of P	12/10/2010	12/9/2017		\$50,000.00	\$50,000.00	2 Heavy-Duty Alternative Fuel Transit Vehicl	\$0.00	Yes
ML09026	Los Angeles County Department of P	10/15/2010	10/14/2017	4/14/2019	\$150,000.00	\$80,411.18	3 Off-Road Vehicles Repowers	\$69,588.82	Yes
ML09027	Los Angeles County Department of P	7/23/2010	3/22/2012	6/22/2012	\$150,000.00	\$150,000.00	Freeway Detector Map Interface	\$0.00	Yes
ML09029	City of Whittier	11/6/2009	4/5/2016		\$25,000.00	\$25,000.00	1 Nat. Gas Heavy-Duty Vehicle	\$0.00	Yes
ML09030	City of Los Angeles GSD/Fleet Servi	6/18/2010	6/17/2011		\$22,310.00	\$22,310.00	Remote Vehicle Diagnostics/107 Vehicles	\$0.00	Yes
ML09031	City of Los Angeles Dept of General	10/29/2010	10/28/2017		\$825,000.00	\$825,000.00	33 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes
ML09032	Los Angeles World Airports	4/8/2011	4/7/2018		\$175,000.00	\$175,000.00	7 Nat. Gas Heavy-Duty Vehicles	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML09033	City of Beverly Hills	3/4/2011	5/3/2017	1/3/2019	\$550,000.00	\$550,000.00	10 Nat. Gas Heavy-Duty Vehicles & CNG St	\$0.00	Yes
ML09034	City of La Palma	11/25/2009	6/24/2015		\$25,000.00	\$25,000.00	1 LPG Heavy-Duty Vehicle	\$0.00	Yes
ML09035	City of Fullerton	6/17/2010	6/16/2017	6/16/2018	\$450,000.00	\$450,000.00	2 Heavy-Duty CNG Vehicles & Install CNG	\$0.00	Yes
ML09037	City of Redondo Beach	6/18/2010	6/17/2016		\$50,000.00	\$50,000.00	Purchase Two CNG Sweepers	\$0.00	Yes
ML09038	City of Chino	9/27/2010	5/26/2017		\$250,000.00	\$250,000.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09041	City of Los Angeles, Bureau of Sanit	10/1/2010	9/30/2017		\$875,000.00	\$875,000.00	Purchase 35 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML09042	Los Angeles Department of Water an	12/10/2010	12/9/2017		\$1,400,000.00	\$1,400,000.00	Purchase 56 Dump Trucks	\$0.00	Yes
ML09043	City of Covina	10/8/2010	4/7/2017	10/7/2018	\$179,591.00	\$179,591.00	Upgrade Existing CNG Station	\$0.00	Yes
ML09046	City of Newport Beach	5/20/2010	5/19/2016		\$162,500.00	\$162,500.00	Upgrade Existing CNG Station, Maintenance	\$0.00	Yes
ML09047	Los Angeles County Department of P	8/13/2014	8/12/2015	11/12/2015	\$400,000.00	\$272,924.53	Maintenance Facility Modifications	\$127,075.47	Yes

Total: 29

Closed/Incomplete Contracts

ML09024	Los Angeles County Department of P	10/15/2010	12/14/2012	6/14/2013	\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
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Total: 1

Open/Complete Contracts

ML09036	City of Long Beach Fleet Services B	5/7/2010	5/6/2017	11/6/2022	\$875,000.00	\$875,000.00	Purchase 35 Natural Gas Refuse Trucks	\$0.00	Yes
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Total: 1

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2010-2011 Contracts									
Open Contracts									
ML11029	City of Santa Ana	9/7/2012	3/6/2020	3/6/2023	\$262,500.00	\$75,000.00	Expansion of Existing CNG Station, Install N	\$187,500.00	No
Total: 1									
Declined/Cancelled Contracts									
ML11038	City of Santa Monica	5/18/2012	7/17/2018		\$400,000.00	\$0.00	Maintenance Facility Modifications	\$400,000.00	No
MS11013	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Huntington Beach	\$150,000.00	No
MS11014	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Santa Ana	\$150,000.00	No
MS11015	Go Natural Gas, Inc.				\$150,000.00	\$0.00	New CNG Station - Inglewood	\$150,000.00	No
MS11046	Luis Castro				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11047	Ivan Borjas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11048	Phase II Transportation				\$1,080,000.00	\$0.00	Repower 27 Heavy-Duty Vehicles	\$1,080,000.00	No
MS11049	Ruben Caceras				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11050	Carlos Arrue				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11051	Francisco Vargas				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11053	Jose Ivan Soltero				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11054	Albino Meza				\$40,000.00	\$0.00	Repower One Heavy-Duty Vehicle	\$40,000.00	No
MS11059	Go Natural Gas				\$150,000.00	\$0.00	New Public Access CNG Station - Paramou	\$150,000.00	No
MS11063	Standard Concrete Products				\$310,825.00	\$0.00	Retrofit Two Off-Road Vehicles under Showc	\$310,825.00	No
MS11070	American Honda Motor Company				\$100,000.00	\$0.00	Expansion of Existing CNG Station	\$100,000.00	No
MS11072	Trillium USA Company DBA Californi				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS11077	DCL America Inc.				\$263,107.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$263,107.00	No
MS11083	Cattrac Construction, Inc.				\$500,000.00	\$0.00	Install DECS on Eight Off-Road Vehicles	\$500,000.00	No
MS11084	Ivanhoe Energy Services and Develo				\$66,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$66,750.00	No
MS11088	Diesel Emission Technologies				\$32,750.00	\$0.00	Retrofit Three H.D. Off-Road Vehicles Under	\$32,750.00	No
MS11089	Diesel Emission Technologies				\$9,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$9,750.00	No
MS11090	Diesel Emission Technologies				\$14,750.00	\$0.00	Retrofit One H.D. Off-Road Vehicle Under S	\$14,750.00	No
Total: 22									
Closed Contracts									
ML11007	Coachella Valley Association of Gov	7/29/2011	7/28/2012		\$250,000.00	\$249,999.96	Regional PM10 Street Sweeping Program	\$0.04	Yes
ML11020	City of Indio	2/1/2013	3/31/2019	9/30/2020	\$15,000.00	\$9,749.50	Retrofit one H.D. Vehicles w/DECS, repower	\$5,250.50	Yes
ML11021	City of Whittier	1/27/2012	9/26/2018	6/26/2019	\$210,000.00	\$210,000.00	Purchase 7 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11022	City of Anaheim	3/16/2012	7/15/2018		\$150,000.00	\$150,000.00	Purchase of 5 H.D. Vehicles	\$0.00	Yes
ML11023	City of Rancho Cucamonga	4/20/2012	12/19/2018	9/19/2020	\$260,000.00	\$260,000.00	Expand Existing CNG Station, 2 H.D. Vehicl	\$0.00	Yes
ML11026	City of Redlands	3/2/2012	10/1/2018		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11027	City of Los Angeles, Dept. of General	5/4/2012	7/3/2015	1/3/2016	\$300,000.00	\$300,000.00	Maintenance Facility Modifications	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML11028	City of Glendale	1/13/2012	5/12/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. CNG Vehicles	\$0.00	Yes
ML11030	City of Fullerton	2/3/2012	3/2/2018		\$109,200.00	\$109,200.00	Purchase 2 Nat. Gas H.D. Vehicles, Retrofit	\$0.00	Yes
ML11031	City of Culver City Transportation De	12/2/2011	12/1/2018		\$300,000.00	\$300,000.00	Purchase 10 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11032	City of Gardena	3/2/2012	9/1/2018	10/1/2020	\$102,500.00	\$102,500.00	Purchase Heavy-Duty CNG Vehicle, Install S	\$0.00	Yes
ML11033	City of Los Angeles, Bureau of Sanit	3/16/2012	1/15/2019		\$1,080,000.00	\$1,080,000.00	Purchase 36 LNG H.D. Vehicles	\$0.00	Yes
ML11034	City of Los Angeles Dept of General	5/4/2012	1/3/2019		\$630,000.00	\$630,000.00	Purchase 21 H.D. CNG Vehicles	\$0.00	Yes
ML11035	City of La Quinta	11/18/2011	11/17/2012		\$25,368.00	\$25,368.00	Retrofit 3 On-Road Vehicles w/DECS	\$0.00	Yes
ML11036	City of Riverside	1/27/2012	1/26/2019	3/26/2021	\$670,000.00	\$670,000.00	Install New CNG Station, Purchase 9 H.D. N	\$0.00	Yes
ML11037	City of Anaheim	12/22/2012	12/21/2019		\$300,000.00	\$300,000.00	Purchase 12 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11039	City of Ontario, Housing & Municipal	1/27/2012	9/26/2018		\$180,000.00	\$180,000.00	Purchase 6 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11041	City of Santa Ana	9/7/2012	11/6/2018	1/6/2021	\$265,000.00	\$244,651.86	Purchase 7 LPG H.D. Vehicles, Retrofit 6 H.	\$20,348.14	Yes
ML11042	City of Chino	2/17/2012	4/16/2018		\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle, Repower	\$0.00	Yes
ML11043	City of Hemet Public Works	2/3/2012	2/2/2019		\$60,000.00	\$60,000.00	Purchase 2 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML11044	City of Ontario, Housing & Municipal	1/27/2012	6/26/2019		\$400,000.00	\$400,000.00	Expand Existing CNG Station	\$0.00	Yes
ML11045	City of Newport Beach	2/3/2012	8/2/2018	3/2/2021	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes
MS11001	Mineral LLC	4/22/2011	4/30/2013	4/30/2015	\$111,827.00	\$103,136.83	Design, Develop, Host and Maintain MSRC	\$8,690.17	Yes
MS11002	A-Z Bus Sales, Inc.	7/15/2011	12/31/2011	6/30/2013	\$1,705,000.00	\$1,705,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11003	BusWest	7/26/2011	12/31/2011	12/31/2012	\$1,305,000.00	\$1,305,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS11004	Los Angeles County MTA	9/9/2011	2/29/2012		\$450,000.00	\$299,743.34	Clean Fuel Transit Service to Dodger Stadiu	\$150,256.66	Yes
MS11006	Orange County Transportation Autho	10/7/2011	2/29/2012	8/31/2012	\$268,207.00	\$160,713.00	MetroLink Service to Angel Stadium	\$107,494.00	Yes
MS11008	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11009	USA Waste of California, Inc.	10/24/2013	4/23/2020		\$125,000.00	\$125,000.00	Expansion of Existing LCNG Station	\$0.00	Yes
MS11010	Border Valley Trading	8/26/2011	10/25/2017	4/25/2020	\$150,000.00	\$150,000.00	New LNG Station	\$0.00	Yes
MS11011	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Signal Hill	\$0.00	Yes
MS11012	EDCO Disposal Corporation	12/30/2011	4/29/2019		\$100,000.00	\$100,000.00	New CNG Station - Buena Park	\$0.00	Yes
MS11016	CR&R Incorporated	4/12/2013	10/11/2019		\$100,000.00	\$100,000.00	New CNG Station - Perris	\$0.00	Yes
MS11017	CR&R, Inc.	3/2/2012	2/1/2018		\$100,000.00	\$100,000.00	Expansion of existing station - Garden Grove	\$0.00	Yes
MS11018	Orange County Transportation Autho	10/14/2011	1/31/2012		\$211,360.00	\$211,360.00	Express Bus Service to Orange County Fair	\$0.00	Yes
MS11019	City of Corona	11/29/2012	4/28/2020		\$225,000.00	\$225,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11052	Krisda Inc	9/27/2012	6/26/2013		\$120,000.00	\$120,000.00	Repower Three Heavy-Duty Vehicles	\$0.00	Yes
MS11055	KEC Engineering	2/3/2012	8/2/2018	8/2/2019	\$200,000.00	\$200,000.00	Repower 5 H.D. Off-Road Vehicles	\$0.00	Yes
MS11056	Better World Group Advisors	12/30/2011	12/29/2013	12/29/2015	\$206,836.00	\$186,953.46	Programmatic Outreach Services	\$19,882.54	Yes
MS11057	Riverside County Transportation Co	7/28/2012	3/27/2013		\$100,000.00	\$89,159.40	Develop and Implement 511 "Smart Phone"	\$10,840.60	Yes
MS11058	L A Service Authority for Freeway E	5/31/2013	4/30/2014		\$123,395.00	\$123,395.00	Implement 511 "Smart Phone" Application	\$0.00	Yes
MS11060	Rowland Unified School District	8/17/2012	1/16/2019	1/16/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11061	Eastern Municipal Water District	3/29/2012	5/28/2015		\$11,659.00	\$1,450.00	Retrofit One Off-Road Vehicle under Showc	\$10,209.00	Yes
MS11062	Load Center	9/7/2012	1/6/2016	12/6/2016	\$175,384.00	\$169,883.00	Retrofit Six Off-Road Vehicles under Showc	\$5,501.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS11065	Temecula Valley Unified School Distr	8/11/2012	1/10/2019		\$50,000.00	\$48,539.62	Expansion of Existing CNG Station	\$1,460.38	Yes
MS11066	Torrance Unified School District	11/19/2012	9/18/2018		\$42,296.00	\$42,296.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11067	City of Redlands	5/24/2012	11/23/2018	11/23/2019	\$85,000.00	\$85,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS11068	Ryder System Inc.	7/28/2012	10/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Fontana)	\$0.00	Yes
MS11069	Ryder System Inc.	7/28/2012	8/27/2018		\$175,000.00	\$175,000.00	New Public Access L/CNG Station (Orange)	\$0.00	Yes
MS11071	City of Torrance Transit Department	12/22/2012	1/21/2019	1/21/2020	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11074	SunLine Transit Agency	5/11/2012	7/31/2012		\$41,849.00	\$22,391.00	Transit Service for Coachella Valley Festival	\$19,458.00	Yes
MS11079	Bear Valley Unified School District	2/5/2013	10/4/2019		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes
MS11080	Southern California Regional Rail Aut	4/6/2012	7/31/2012		\$26,000.00	\$26,000.00	MetroLink Service to Auto Club Speedway	\$0.00	Yes
MS11086	DCL America Inc.	6/7/2013	10/6/2016		\$500,000.00	\$359,076.96	Retrofit Eight H.D. Off-Road Vehicles Under	\$140,923.04	Yes
MS11087	Cemex Construction Material Pacific,	10/16/2012	2/15/2016		\$448,766.00	\$448,760.80	Retrofit 13 H.D. Off-Road Vehicles Under Sh	\$5.20	Yes
MS11092	Griffith Company	2/15/2013	6/14/2016	12/14/2017	\$390,521.00	\$78,750.00	Retrofit 17 H.D. Off-Road Vehicles Under Sh	\$311,771.00	Yes

Total: 56

Closed/Incomplete Contracts

MS11064	City of Hawthorne	7/28/2012	8/27/2018	8/27/2019	\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No
MS11076	SA Recycling, LLC	5/24/2012	9/23/2015		\$424,801.00	\$0.00	Retrofit of 13 Off-Road Diesel Vehicles with	\$424,801.00	No
MS11081	Metropolitan Stevedore Company	9/7/2012	1/6/2016		\$45,416.00	\$0.00	Install DECS on Two Off-Road Vehicles	\$45,416.00	No
MS11082	Baumot North America, LLC	8/2/2012	12/1/2015		\$65,958.00	\$4,350.00	Install DECS on Four Off-Road Vehicles	\$61,608.00	Yes
MS11085	City of Long Beach Fleet Services B	8/23/2013	12/22/2016		\$159,012.00	\$0.00	Retrofit Seven H.D. Off-Road Vehicles Unde	\$159,012.00	No
MS11091	California Cartage Company, LLC	4/5/2013	8/4/2016	2/4/2018	\$55,000.00	\$0.00	Retrofit Two H.D. Off-Road Vehicles Under	\$55,000.00	No

Total: 6

Open/Complete Contracts

ML11024	County of Los Angeles, Dept of Publi	12/5/2014	6/4/2022		\$90,000.00	\$90,000.00	Purchase 3 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11025	County of Los Angeles Department o	3/14/2014	9/13/2021		\$150,000.00	\$150,000.00	Purchase 5 Nat. Gas H.D. Vehicles	\$0.00	Yes
ML11040	City of South Pasadena	5/4/2012	1/3/2019	1/3/2022	\$30,000.00	\$30,000.00	Purchase 1 Nat. Gas H.D. Vehicle	\$0.00	Yes
MS11073	Los Angeles Unified School District	9/11/2015	2/10/2022		\$175,000.00	\$175,000.00	Expansion of Existing CNG Station	\$0.00	Yes

Total: 4

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2011-2012 Contracts

Open Contracts

ML12014	City of Santa Ana	11/8/2013	8/7/2020	8/7/2021	\$338,000.00	\$4,709.00	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$333,291.00	No
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	6/13/2025	\$400,000.00	\$0.00	Install New CNG Station	\$400,000.00	No
ML12090	City of Palm Springs	10/9/2015	10/8/2021	9/8/2025	\$21,163.00	\$0.00	EV Charging Infrastructure	\$21,163.00	No
ML12091	City of Bellflower	10/5/2018	10/4/2019	6/30/2021	\$100,000.00	\$34,759.94	EV Charging Infrastructure	\$65,240.06	No

Total: 4

Declined/Cancelled Contracts

ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructure	\$60,000.00	No
ML12038	City of Long Beach Public Works				\$26,000.00	\$0.00	Electric Vehicle Charging Infrastructure	\$26,000.00	No
ML12040	City of Duarte				\$30,000.00	\$0.00	One Heavy-Duty Nat. Gas Vehicle	\$30,000.00	No
ML12044	County of San Bernardino Public Wo				\$250,000.00	\$0.00	Install New CNG Station	\$250,000.00	No
ML12048	City of La Palma	1/4/2013	11/3/2018		\$20,000.00	\$0.00	Two Medium-Duty LPG Vehicles	\$20,000.00	No
ML12052	City of Whittier	3/14/2013	7/13/2019		\$165,000.00	\$0.00	Expansion of Existing CNG Station	\$165,000.00	No
ML12053	City of Mission Viejo				\$60,000.00	\$0.00	EV Charging Infrastructure	\$60,000.00	No
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Access CNG Station	\$100,000.00	No
MS12027	C.V. Ice Company, Inc.	5/17/2013	11/16/2019		\$75,000.00	\$0.00	Purchase 3 Medium-Heavy Duty Vehicles	\$75,000.00	No
MS12030	Complete Landscape Care, Inc.				\$150,000.00	\$0.00	Purchase 6 Medium-Heavy Duty Vehicles	\$150,000.00	No
MS12067	Leatherwood Construction, Inc.	11/8/2013	3/7/2017		\$122,719.00	\$0.00	Retrofit Six Vehicles w/DECS - Showcase III	\$122,719.00	No
MS12070	Valley Music Travel/CID Entertainme				\$99,000.00	\$0.00	Implement Shuttle Service to Coachella Mus	\$99,000.00	No

Total: 12

Closed Contracts

ML12013	City of Pasadena	10/19/2012	3/18/2015	9/18/2015	\$200,000.00	\$65,065.00	Electric Vehicle Charging Infrastructure	\$134,935.00	Yes
ML12019	City of Palm Springs	9/6/2013	7/5/2015		\$38,000.00	\$16,837.00	EV Charging Infrastructure	\$21,163.00	Yes
ML12020	City of Los Angeles Dept of General	9/27/2012	3/26/2019	3/26/2020	\$450,000.00	\$450,000.00	15 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12021	City of Rancho Cucamonga	9/14/2012	1/13/2020		\$40,000.00	\$40,000.00	Four Medium-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12022	City of La Puente	12/6/2013	6/5/2020		\$110,000.00	\$110,000.00	2 Medium-Duty and Three Heavy-Duty CNG	\$0.00	Yes
ML12023	County of Los Angeles Internal Servi	8/1/2013	2/28/2015		\$250,000.00	\$192,333.00	EV Charging Infrastructure	\$57,667.00	Yes
ML12037	Coachella Valley Association of Gov	3/14/2013	3/13/2014		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML12039	City of Redlands	2/8/2013	10/7/2019		\$90,000.00	\$90,000.00	Three Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12041	City of Anaheim Public Utilities Depa	4/4/2014	11/3/2015	11/3/2017	\$68,977.00	\$38,742.16	EV Charging Infrastructure	\$30,234.84	Yes
ML12042	City of Chino Hills	1/18/2013	3/17/2017		\$87,500.00	\$87,500.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12046	City of Irvine	8/11/2013	3/10/2021		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12047	City of Orange	2/1/2013	1/31/2019		\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12049	City of Rialto Public Works	7/14/2014	9/13/2015		\$30,432.00	\$3,265.29	EV Charging Infrastructure	\$27,166.71	Yes
ML12050	City of Baldwin Park	4/25/2013	4/24/2014	10/24/2014	\$402,400.00	\$385,363.00	EV Charging Infrastructure	\$17,037.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	EV Charging Infrastructure	\$0.00	Yes
ML12055	City of Manhattan Beach	3/1/2013	12/31/2018		\$10,000.00	\$10,000.00	One Medium-Duty Nat. Gas Vehicle	\$0.00	Yes
ML12056	City of Cathedral City	3/26/2013	5/25/2014		\$25,000.00	\$25,000.00	Regional Street Sweeping Program	\$0.00	Yes
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadium	\$88,830.00	Yes
MS12002	Orange County Transportation Autho	9/7/2012	4/30/2013		\$342,340.00	\$333,185.13	Express Bus Service to Orange County Fair	\$9,154.87	Yes
MS12003	Orange County Transportation Autho	7/20/2012	2/28/2013		\$234,669.00	\$167,665.12	Implement Metrolink Service to Angel Stadium	\$67,003.88	Yes
MS12004	USA Waste of California, Inc.	10/24/2013	11/23/2019		\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12005	USA Waste of California, Inc.	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12006	Waste Management Collection & Re	10/19/2012	8/18/2013		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12008	Bonita Unified School District	7/12/2013	12/11/2019	4/11/2021	\$175,000.00	\$175,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12009	Sysco Food Services of Los Angeles	1/7/2014	4/6/2020		\$150,000.00	\$150,000.00	Construct New Public-Access LNG Station	\$0.00	Yes
MS12010	Murrieta Valley Unified School Distric	4/5/2013	9/4/2019		\$242,786.00	\$242,786.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS12012	Rim of the World Unified School Dist	12/20/2012	5/19/2014		\$75,000.00	\$75,000.00	Vehicle Maintenance Facility Modifications	\$0.00	Yes
MS12024	Southern California Gas Company	6/13/2013	12/12/2019	11/12/2020	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12025	Silverado Stages, Inc.	11/2/2012	7/1/2018		\$150,000.00	\$150,000.00	Purchase Six Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12026	U-Haul Company of California	3/14/2013	3/13/2019		\$500,000.00	\$353,048.26	Purchase 23 Medium-Heavy Duty Vehicles	\$146,951.74	Yes
MS12028	Dy-Dee Service of Pasadena, Inc.	12/22/2012	1/21/2019		\$45,000.00	\$40,000.00	Purchase 2 Medium-Duty and 1 Medium-He	\$5,000.00	Yes
MS12029	Community Action Partnership of Or	11/2/2012	11/1/2018		\$25,000.00	\$14,850.00	Purchase 1 Medium-Heavy Duty Vehicle	\$10,150.00	Yes
MS12031	Final Assembly, Inc.	11/2/2012	11/1/2018		\$50,000.00	\$32,446.00	Purchase 2 Medium-Heavy Duty Vehicles	\$17,554.00	Yes
MS12032	Fox Transportation	12/14/2012	12/13/2018		\$500,000.00	\$500,000.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12035	Disneyland Resort	1/4/2013	7/3/2019		\$25,000.00	\$18,900.00	Purchase 1 Medium-Heavy Duty Vehicle	\$6,100.00	Yes
MS12036	Jim & Doug Carter's Automotive/VSP	1/4/2013	11/3/2018		\$50,000.00	\$50,000.00	Purchase 2 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12058	Krisda Inc	4/24/2013	1/23/2019		\$25,000.00	\$25,000.00	Repower One Heavy-Duty Off-Road Vehicle	\$0.00	Yes
MS12059	Orange County Transportation Autho	2/28/2013	12/27/2014		\$75,000.00	\$75,000.00	Maintenance Facilities Modifications	\$0.00	Yes
MS12060	City of Santa Monica	4/4/2014	8/3/2017	8/3/2019	\$500,000.00	\$434,202.57	Implement Westside Bikeshare Program	\$65,797.43	Yes
MS12061	Orange County Transportation Autho	3/14/2014	3/13/2017		\$224,000.00	\$114,240.00	Transit-Oriented Bicycle Sharing Program	\$109,760.00	Yes
MS12062	Fraser Communications	12/7/2012	5/31/2014		\$998,669.00	\$989,218.49	Develop & Implement "Rideshare Thursday"	\$9,450.51	Yes
MS12063	Custom Alloy Light Metals, Inc.	8/16/2013	2/15/2020		\$100,000.00	\$100,000.00	Install New Limited Access CNG Station	\$0.00	Yes
MS12064	Anaheim Transportation Network	3/26/2013	12/31/2014		\$127,296.00	\$56,443.92	Implement Anaheim Circulator Service	\$70,852.08	Yes
MS12065	Orange County Transportation Autho	7/27/2013	11/30/2013		\$43,933.00	\$14,832.93	Ducks Express Service to Honda Center	\$29,100.07	Yes
MS12068	Southern California Regional Rail Aut	3/1/2013	9/30/2013		\$57,363.00	\$47,587.10	Implement Metrolink Service to Autoclub Sp	\$9,775.90	Yes
MS12069	City of Irvine	8/11/2013	2/28/2014		\$45,000.00	\$26,649.41	Implement Special Transit Service to Solar	\$18,350.59	Yes
MS12071	Transit Systems Unlimited, Inc.	5/17/2013	12/16/2018		\$21,250.00	\$21,250.00	Expansion of Existing CNG Station	\$0.00	Yes
MS12072	99 Cents Only Stores	4/5/2013	9/4/2019		\$100,000.00	\$100,000.00	Construct New CNG Station	\$0.00	Yes
MS12073	FirstCNG, LLC	7/27/2013	12/26/2019		\$150,000.00	\$150,000.00	Construct New CNG Station	\$0.00	Yes
MS12074	Arcadia Unified School District	7/5/2013	9/4/2019		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS12076	City of Ontario, Housing & Municipal	3/8/2013	4/7/2015		\$75,000.00	\$75,000.00	Maintenance Facilities Modification	\$0.00	Yes
MS12078	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$73,107.00	Maintenance Facility Modifications - Vernon	\$1,893.00	Yes
MS12081	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$75,000.00	Maintenance Facility Modifications - Santa A	\$0.00	Yes
MS12085	Bear Valley Unified School District	4/25/2013	6/24/2014		\$75,000.00	\$75,000.00	Maintenance Facility Modifications	\$0.00	Yes
MS12086	SuperShuttle International, Inc.	3/26/2013	3/25/2019		\$225,000.00	\$225,000.00	Purchase 23 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12087	Los Angeles County MTA	8/29/2013	11/28/2015		\$125,000.00	\$125,000.00	Implement Rideshare Incentives Program	\$0.00	Yes
MS12088	Orange County Transportation Autho	12/6/2013	3/5/2016		\$125,000.00	\$18,496.50	Implement Rideshare Incentives Program	\$106,503.50	Yes
MS12089	Riverside County Transportation Co	10/18/2013	9/17/2015		\$249,136.00	\$105,747.48	Implement Rideshare Incentives Program	\$143,388.52	Yes
MS12Hom	Mansfield Gas Equipment Systems				\$296,000.00	\$0.00	Home Refueling Apparatus Incentive Progra	\$296,000.00	Yes

Total: 60

Closed/Incomplete Contracts

ML12051	City of Bellflower	2/7/2014	2/6/2016	5/6/2018	\$100,000.00	\$0.00	EV Charging Infrastructure	\$100,000.00	No
MS12077	City of Coachella	6/14/2013	6/13/2020		\$225,000.00	\$0.00	Construct New CNG Station	\$225,000.00	No
MS12079	Penske Truck Leasing Co., L.P.	1/7/2014	1/6/2016		\$75,000.00	\$0.00	Maintenance Facility Modifications - Boyle H	\$75,000.00	No
MS12084	Airport Mobil Inc.	12/6/2013	5/5/2020		\$150,000.00	\$0.00	Install New CNG Infrastructure	\$150,000.00	No

Total: 4

Open/Complete Contracts

ML12015	City of Fullerton	4/25/2013	11/24/2020	11/24/2021	\$40,000.00	\$40,000.00	HD CNG Vehicle, Expand CNG Station	\$0.00	Yes
ML12017	City of Los Angeles, Bureau of Sanit	6/26/2013	5/25/2020	11/25/2021	\$950,000.00	\$950,000.00	32 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML12018	City of West Covina	10/18/2013	10/17/2020	8/17/2023	\$300,000.00	\$300,000.00	Expansion of Existing CNG Station	\$0.00	Yes
ML12043	City of Hemet	6/24/2013	9/23/2019	11/23/2021	\$30,000.00	\$30,000.00	One Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML12057	City of Coachella	8/28/2013	8/27/2019	1/27/2022	\$57,456.00	\$57,456.00	Purchase One Nat. Gas H.D. Vehicle/Street	\$0.00	Yes
MS12011	Southern California Gas Company	6/14/2013	6/13/2019	5/28/2021	\$150,000.00	\$150,000.00	Construct New Public-Access CNG Station -	\$0.00	Yes
MS12033	Mike Diamond/Phace Management	12/22/2012	12/21/2018	6/21/2021	\$148,900.00	\$148,900.00	Purchase 20 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12034	Ware Disposal Company, Inc.	11/2/2012	11/1/2018	5/1/2022	\$133,070.00	\$133,070.00	Purchase 8 Medium-Heavy Duty Vehicles	\$0.00	Yes
MS12075	CR&R Incorporated	7/27/2013	1/26/2021	1/26/2022	\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12080	City of Pasadena	11/8/2013	8/7/2020	2/7/2022	\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS12082	City of Los Angeles, Bureau of Sanit	11/20/2013	2/19/2021	2/19/2023	\$175,000.00	\$175,000.00	Install New CNG Infrastructure	\$0.00	Yes
MS12083	Brea Olinda Unified School District	7/30/2015	2/29/2024		\$59,454.00	\$59,454.00	Install New CNG Infrastructure	\$0.00	Yes

Total: 12

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2012-2014 Contracts

Open Contracts

ML14012	City of Santa Ana	2/13/2015	10/12/2021		\$244,000.00	\$0.00	EV Charging and 7 H.D. LPG Vehicles	\$244,000.00	No
ML14021	Riverside County Regional Park and	7/24/2014	12/23/2016	9/30/2024	\$250,000.00	\$0.00	Bicycle Trail Improvements	\$250,000.00	No
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2021	\$230,000.00	\$0.00	Maintenance Fac. Modifications-Baldwin Par	\$230,000.00	No
ML14027	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	12/1/2025	\$492,000.00	\$0.00	Construct New CNG Station in Canyon Coun	\$492,000.00	No
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	7/30/2021	\$425,000.00	\$25,000.00	Bicycle Racks, Outreach & Education	\$400,000.00	No
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$41,000.00	\$35,089.03	Install Bicycle Racks & Implement Bicycle E	\$5,910.97	No
ML14097	County of Los Angeles Internal Servi	9/6/2019	9/5/2020	9/5/2021	\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
MS14057	Los Angeles County MTA	11/7/2014	10/6/2019	10/6/2023	\$1,250,000.00	\$0.00	Implement Various Signal Synchronization P	\$1,250,000.00	No
MS14059	Riverside County Transportation Co	9/5/2014	3/4/2018	3/4/2022	\$1,250,000.00	\$899,594.08	Implement Various Signal Synchronization P	\$350,405.92	No
MS14072	San Bernardino County Transportatio	3/27/2015	3/26/2018	3/26/2022	\$1,250,000.00	\$887,566.17	Implement Various Signal Synchronization P	\$362,433.83	No
MS14079	Waste Resources, Inc.	9/14/2016	8/13/2022	2/13/2024	\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022		\$175,000.00	\$0.00	New Limited Access CNG Station	\$175,000.00	No

Total: 12

Pending Execution Contracts

MS21010	MHX Leasing, LLC				\$569,275.00	\$0.00	Deploy One Zero-Emission Overhead Crane	\$569,275.00	No
MS21011	RDS Logistics Group				\$808,500.00	\$0.00	Deploy 3 Zero-Emission Yard Tractors and	\$808,500.00	No

Total: 2

Declined/Cancelled Contracts

ML14063	City of Hawthorne				\$32,000.00	\$0.00	Expansion of Existng CNG Infrastructure	\$32,000.00	No
ML14068	City of South Pasadena	9/12/2014	10/11/2015	1/11/2020	\$10,183.00	\$0.00	Electric Vehicle Charging Infrastructure	\$10,183.00	No
ML14069	City of Beaumont	3/3/2017	3/2/2025		\$200,000.00	\$0.00	Construct New CNG Infrastructure	\$200,000.00	No
MS14035	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Sun Valle	\$75,000.00	No
MS14036	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - La Mirad	\$75,000.00	No
MS14038	Penske Truck Leasing Co., L.P.				\$75,000.00	\$0.00	Vehicle Maint. Fac. Modifications - Fontana	\$75,000.00	No
MS14043	City of Anaheim				\$175,000.00	\$0.00	Expansion of Existing CNG Station	\$175,000.00	No
MS14078	American Honda Motor Co., Inc.	9/4/2015	8/3/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14085	Prologis, L.P.				\$100,000.00	\$0.00	New Limited Access CNG Station	\$100,000.00	No
MS14086	San Gabriel Valley Towing I				\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS14091	Serv-Wel Disposal				\$100,000.00	\$0.00	New Limited-Access CNG Infrastructure	\$100,000.00	No

Total: 11

Closed Contracts

ML14010	City of Cathedral City	8/13/2014	10/12/2015		\$25,000.00	\$25,000.00	Street Sweeping Operations	\$0.00	Yes
ML14011	City of Palm Springs	6/13/2014	1/12/2016		\$79,000.00	\$78,627.00	Bicycle Racks, Bicycle Outreach & Educatio	\$373.00	Yes
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$56,000.00	EV Charging Infrastructure	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML14015	Coachella Valley Association of Gov	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$0.00	Yes
ML14023	County of Los Angeles Department o	10/2/2015	9/1/2017	3/1/2021	\$230,000.00	\$230,000.00	Maintenance Fac. Modifications-Westcheste	\$0.00	Yes
ML14029	City of Irvine	7/11/2014	6/10/2017		\$90,500.00	\$71,056.78	Bicycle Trail Improvements	\$19,443.22	Yes
ML14031	Riverside County Waste Manageme	6/13/2014	12/12/2020		\$90,000.00	\$90,000.00	Purchase 3 H.D. CNG Vehicles	\$0.00	Yes
ML14034	City of Lake Elsinore	9/5/2014	5/4/2021		\$56,700.00	\$56,700.00	EV Charging Stations	\$0.00	Yes
ML14049	City of Moreno Valley	7/11/2014	3/10/2021		\$105,000.00	\$101,976.09	One HD Nat Gas Vehicle, EV Charging, Bicy	\$3,023.91	Yes
ML14051	City of Brea	9/5/2014	1/4/2017	7/4/2018	\$450,000.00	\$450,000.00	Installation of Bicycle Trail	\$0.00	Yes
ML14054	City of Torrance	11/14/2014	4/13/2017	7/13/2017	\$350,000.00	\$319,908.80	Upgrade Maintenance Facility	\$30,091.20	Yes
ML14055	City of Highland	10/10/2014	3/9/2018	3/9/2019	\$500,000.00	\$489,385.24	Bicycle Lanes and Outreach	\$10,614.76	Yes
ML14056	City of Redlands	9/5/2014	5/4/2016	5/4/2018	\$125,000.00	\$125,000.00	Bicycle Lanes	\$0.00	Yes
ML14064	City of Claremont	7/11/2014	7/10/2020	1/10/2021	\$60,000.00	\$60,000.00	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$0.00	Yes
ML14065	City of Orange	9/5/2014	8/4/2015		\$10,000.00	\$10,000.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14070	City of Rancho Cucamonga	9/3/2016	12/2/2018		\$365,245.00	\$326,922.25	Bicycle Trail Improvements	\$38,322.75	Yes
ML14071	City of Manhattan Beach	1/9/2015	11/8/2018		\$22,485.00	\$22,485.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML14094	City of Yucaipa	6/9/2017	6/8/2018		\$84,795.00	\$84,795.00	Installation of Bicycle Lanes	\$0.00	Yes
ML14095	City of South Pasadena	1/10/2019	7/9/2019		\$142,096.00	\$134,182.09	Bicycle Trail Improvements	\$7,913.91	Yes
ML14096	County of Los Angeles Dept of Pub	5/3/2019	12/2/2019	3/2/2020	\$74,186.00	\$74,186.00	San Gabriel BikeTrail Underpass Improveme	\$0.00	Yes
MS14001	Los Angeles County MTA	3/6/2015	4/30/2015		\$1,216,637.00	\$1,199,512.68	Clean Fuel Transit Service to Dodger Stadiu	\$17,124.32	Yes
MS14002	Orange County Transportation Autho	9/6/2013	4/30/2014		\$576,833.00	\$576,833.00	Clean Fuel Transit Service to Orange Count	\$0.00	Yes
MS14003	Orange County Transportation Autho	8/1/2013	4/30/2014	10/30/2014	\$194,235.00	\$184,523.00	Implement Metrolink Service to Angel Stadiu	\$9,712.00	Yes
MS14004	Orange County Transportation Autho	9/24/2013	4/30/2014		\$36,800.00	\$35,485.23	Implement Express Bus Service to Solar De	\$1,314.77	Yes
MS14005	Transit Systems Unlimited, Inc.	4/11/2014	2/28/2016		\$515,200.00	\$511,520.00	Provide Expanded Shuttle Service to Hollyw	\$3,680.00	Yes
MS14007	Orange County Transportation Autho	6/6/2014	4/30/2015		\$208,520.00	\$189,622.94	Implement Special Metrolink Service to Ang	\$18,897.06	Yes
MS14008	Orange County Transportation Autho	8/13/2014	5/31/2015		\$601,187.00	\$601,187.00	Implement Clean Fuel Bus Service to Orang	\$0.00	Yes
MS14009	A-Z Bus Sales, Inc.	1/17/2014	12/31/2014	3/31/2015	\$388,000.00	\$388,000.00	Alternative Fuel School Bus Incentive Progra	\$0.00	Yes
MS14037	Penske Truck Leasing Co., L.P.	4/7/2017	6/6/2020		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Carson	\$0.00	Yes
MS14039	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Irvine	\$0.00	Yes
MS14040	Waste Management Collection and	7/10/2015	4/9/2016		\$75,000.00	\$75,000.00	Vehicle Maint. Fac. Modifications - Santa An	\$0.00	Yes
MS14044	TIMCO CNG Fund I, LLC	5/2/2014	11/1/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Santa A	\$0.00	Yes
MS14045	TIMCO CNG Fund I, LLC	6/6/2014	12/5/2020		\$150,000.00	\$150,000.00	New Public-Access CNG Station in Inglewoo	\$0.00	Yes
MS14047	Southern California Regional Rail Aut	3/7/2014	9/30/2014		\$49,203.00	\$32,067.04	Special Metrolink Service to Autoclub Speed	\$17,135.96	Yes
MS14048	BusWest	3/14/2014	12/31/2014	5/31/2015	\$940,850.00	\$847,850.00	Alternative Fuel School Bus Incentive Progra	\$93,000.00	Yes
MS14052	Arcadia Unified School District	6/13/2014	10/12/2020		\$78,000.00	\$78,000.00	Expansion of an Existing CNG Fueling Statio	\$0.00	Yes
MS14058	Orange County Transportation Autho	11/7/2014	4/6/2016	4/6/2017	\$1,250,000.00	\$1,250,000.00	Implement Various Signal Synchronization P	\$0.00	Yes
MS14073	Anaheim Transportation Network	1/9/2015	4/30/2017		\$221,312.00	\$221,312.00	Anaheim Resort Circulator Service	\$0.00	Yes
MS14074	Midway City Sanitary District	1/9/2015	3/8/2021		\$250,000.00	\$250,000.00	Limited-Access CNG Station & Facility Modif	\$0.00	Yes
MS14077	County Sanitation Districts of L.A. Co	3/6/2015	5/5/2021		\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS14087	Orange County Transportation Autho	8/14/2015	4/30/2016		\$239,645.00	\$195,377.88	Implement Special Metrolink Service to Ang	\$44,267.12	Yes
MS14088	Southern California Regional Rail Aut	5/7/2015	9/30/2015		\$79,660.00	\$66,351.44	Special Metrolink Service to Autoclub Speed	\$13,308.56	Yes
MS14089	Top Shelf Consulting, LLC	1/18/2017	8/4/2016	3/31/2017	\$200,000.00	\$200,000.00	Enhanced Fleet Modernization Program	\$0.00	Yes
MS14090	City of Monterey Park	5/7/2015	5/6/2021		\$225,000.00	\$225,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

Total: 44

Closed/Incomplete Contracts

ML14020	County of Los Angeles Dept of Pub	8/13/2014	1/12/2018		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
ML14050	City of Yucaipa	7/11/2014	9/10/2015	7/1/2016	\$84,795.00	\$0.00	Installation of Bicycle Lanes	\$84,795.00	No
ML14060	County of Los Angeles Internal Servi	10/6/2017	1/5/2019		\$104,400.00	\$0.00	Electric Vehicle Charging Infrastructure	\$104,400.00	No
ML14066	City of South Pasadena	9/12/2014	7/11/2016	2/11/2018	\$142,096.00	\$0.00	Bicycle Trail Improvements	\$142,096.00	No
ML14093	County of Los Angeles Dept of Pub	8/14/2015	1/13/2019		\$150,000.00	\$0.00	San Gabriel BikeTrail Underpass Improveme	\$150,000.00	No
MS14092	West Covina Unified School District	9/3/2016	12/2/2022		\$124,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$124,000.00	No

Total: 6

Open/Complete Contracts

ML14013	City of Los Angeles, Bureau of Sanit	10/7/2016	2/6/2025		\$400,000.00	\$400,000.00	Purchase 14 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14016	City of Anaheim	4/3/2015	9/2/2021		\$380,000.00	\$380,000.00	Purchase 2 H.D. Vehicles, Expansion of Exi	\$0.00	Yes
ML14018	City of Los Angeles Dept of General	3/6/2015	9/5/2021	2/5/2026	\$810,000.00	\$810,000.00	Purchase 27 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14019	City of Corona Public Works	12/5/2014	6/4/2020	3/6/2023	\$111,518.00	\$111,517.18	EV Charging, Bicycle Racks, Bicycle Locker	\$0.82	Yes
ML14022	County of Los Angeles Department o	10/2/2015	5/1/2022		\$270,000.00	\$270,000.00	Purchase 9 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML14025	County of Los Angeles Dept of Publi	10/2/2015	7/1/2018	7/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Malibu	\$0.00	Yes
ML14026	County of Los Angeles Dept of Publi	10/2/2015	5/1/2023	5/1/2024	\$300,000.00	\$300,000.00	Construct New CNG Station in Castaic	\$0.00	Yes
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
ML14032	City of Rancho Cucamonga	1/9/2015	1/8/2022		\$113,990.00	\$104,350.63	Expansion of Existing CNG Infras., Bicycle L	\$9,639.37	Yes
ML14033	City of Irvine	7/11/2014	2/10/2021	2/10/2022	\$60,000.00	\$60,000.00	Purchase 2 H.D. CNG Vehicles	\$0.00	Yes
ML14061	City of La Habra	3/11/2016	3/10/2022		\$41,600.00	\$41,270.49	Purchase Two Heavy-Duty Nat. Gas Vehicle	\$329.51	Yes
ML14062	City of San Fernando	3/27/2015	5/26/2021	10/31/2023	\$325,679.00	\$325,679.00	Expand Existing CNG Fueling Station	\$0.00	Yes
ML14067	City of Duarte	12/4/2015	1/3/2023	6/3/2024	\$60,000.00	\$60,000.00	Purchase Two Electric Buses	\$0.00	Yes
MS14041	USA Waste of California, Inc.	9/4/2015	10/3/2021		\$175,000.00	\$175,000.00	Limited-Access CNG Station, Vehicle Maint.	\$0.00	Yes
MS14042	Grand Central Recycling & Transfer	6/6/2014	9/5/2021		\$150,000.00	\$150,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS14046	Ontario CNG Station Inc.	5/15/2014	5/14/2020	11/14/2021	\$150,000.00	\$150,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14053	Upland Unified School District	1/9/2015	7/8/2021		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS14075	Fullerton Joint Union High School Di	7/22/2016	11/21/2023		\$300,000.00	\$293,442.00	Expansion of Existing CNG Infrastructure/Ma	\$6,558.00	Yes
MS14076	Rialto Unified School District	6/17/2015	2/16/2022	6/25/2023	\$225,000.00	\$225,000.00	New Public Access CNG Station	\$0.00	Yes
MS14080	CR&R Incorporated	6/1/2015	8/31/2021	8/31/2022	\$200,000.00	\$200,000.00	Expansion of Existing CNG Infrastructure/Ma	\$0.00	Yes
MS14081	CR&R Incorporated	6/1/2015	5/30/2021		\$175,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure/Ma	\$75,000.00	Yes
MS14082	Grand Central Recycling & Transfer	12/4/2015	3/3/2023	3/3/2024	\$150,000.00	\$150,000.00	Construct New Public Access CNG Station	\$0.00	Yes
MS14084	US Air Conditioning Distributors	5/7/2015	9/6/2021		\$100,000.00	\$100,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Total: 23									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
FY 2014-2016 Contracts									
Open Contracts									
ML16006	City of Cathedral City	4/27/2016	4/26/2022		\$25,000.00	\$0.00	Bicycle Outreach	\$25,000.00	No
ML16007	City of Culver City Transportation De	10/6/2015	4/5/2023		\$246,000.00	\$246,000.00	Purchase 7 H.D. Nat. Gas Vehicles, EV Cha	\$0.00	No
ML16008	City of Pomona	9/20/2016	11/19/2022	5/19/2025	\$60,000.00	\$0.00	Purchase 3 Medium-Duty and 1 Heavy-Duty	\$60,000.00	No
ML16010	City of Fullerton	10/7/2016	4/6/2023	4/6/2024	\$78,222.00	\$27,896.71	Install EV Charging Stations	\$50,325.29	No
ML16017	City of Long Beach	2/5/2016	8/4/2023	1/4/2026	\$1,445,400.00	\$1,375,400.00	Purchase 50 Medium-Duty, 17 H.D. Nat. Ga	\$70,000.00	No
ML16018	City of Hermosa Beach	10/7/2016	1/6/2023		\$29,520.00	\$23,768.44	Purchase 2 M.D. Nat. Gas Vehicles, Bicycle	\$5,751.56	No
ML16022	Los Angeles Department of Water an	5/5/2017	3/4/2024	9/4/2025	\$360,000.00	\$0.00	Purchase 12 H.D. Nat. Gas Vehicles	\$360,000.00	No
ML16025	City of South Pasadena	6/22/2016	4/21/2023	10/21/2024	\$160,000.00	\$0.00	Purchase H.D. Nat. Gas Vehicle, Expand Exi	\$160,000.00	No
ML16038	City of Palm Springs	4/1/2016	7/31/2022	9/30/2022	\$170,000.00	\$0.00	Install Bicycle Lanes & Purchase 2 Heavy-D	\$170,000.00	No
ML16039	City of Torrance Transit Department	1/6/2017	9/5/2022	9/5/2023	\$32,000.00	\$0.00	Install EV Charging Infrastructure	\$32,000.00	No
ML16040	City of Eastvale	1/6/2017	7/5/2022	7/5/2026	\$110,000.00	\$0.00	Install EV Charging Infrastructure	\$110,000.00	No
ML16041	City of Moreno Valley	9/3/2016	1/2/2021	1/2/2024	\$20,000.00	\$0.00	Install EV Charging Infrastructure	\$20,000.00	No
ML16046	City of El Monte	4/1/2016	5/31/2021	5/31/2023	\$20,160.00	\$0.00	Install EV Charging Infrastructure	\$20,160.00	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2022	\$500,000.00	\$0.00	Enhance an Existing Class 1 Bikeway	\$500,000.00	No
ML16048	City of Placentia	3/26/2016	5/25/2021	6/25/2022	\$90,000.00	\$18,655.00	Install a Bicycle Locker and EV Charging Infr	\$71,345.00	No
ML16052	City of Rancho Cucamonga	9/3/2016	11/2/2019	3/31/2021	\$315,576.00	\$305,576.00	Install Two Class 1 Bikeways	\$10,000.00	No
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2022	\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16070	City of Beverly Hills	2/21/2017	6/20/2023		\$90,000.00	\$0.00	Purchase 3 H.D. Nat. Gas Vehicles	\$90,000.00	No
ML16071	City of Highland	5/5/2017	1/4/2020	1/4/2022	\$264,500.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$264,500.00	No
ML16075	City of San Fernando	10/27/2016	2/26/2019	2/26/2022	\$354,000.00	\$0.00	Install a Class 1 Bikeway	\$354,000.00	No
ML16077	City of Rialto	5/3/2018	10/2/2021	2/2/2026	\$463,216.00	\$158,105.51	Pedestrian Access Improvements, Bicycle L	\$305,110.49	No
ML16083	City of El Monte	4/1/2016	4/30/2021	4/30/2023	\$57,210.00	\$25,375.60	Install EV Charging Infrastructure	\$31,834.40	No
MS16086	San Bernardino County Transportatio	9/3/2016	10/2/2021		\$800,625.00	\$573,686.88	Freeway Service Patrols	\$226,938.12	No
MS16094	Riverside County Transportation Co	1/25/2017	1/24/2022		\$1,909,241.00	\$0.00	MetroLink First Mile/Last Mile Mobility Strate	\$1,909,241.00	No
MS16096	San Bernardino County Transportatio	10/27/2016	12/26/2019	6/30/2021	\$450,000.00	\$0.00	EV Charging Infrastructure	\$450,000.00	No
MS16110	City of Riverside	10/6/2017	2/5/2025	2/5/2026	\$300,000.00	\$71,250.00	Expansion of Existing CNG Station and Main	\$228,750.00	No
MS16115	City of Santa Monica	4/14/2017	7/13/2025		\$870,000.00	\$427,500.00	Repower 58 Transit Buses	\$442,500.00	No
MS16117	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS16118	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	No
MS16119	Omnitrans	4/21/2017	8/20/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
MS16120	Omnitrans	4/7/2017	5/6/2025		\$945,000.00	\$299,250.00	Repower 63 Existing Buses	\$645,750.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2026	\$600,000.00	\$28,500.00	Repower 39 and Purchase 1 New Transit Bu	\$571,500.00	No
MS16123	Orange County Transportation Autho	12/7/2018	11/6/2023		\$91,760.00	\$0.00	Install La Habra Union Pacific Bikeway	\$91,760.00	No

Total: 33

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Pending Execution Contracts									
MS16127	Los Angeles County MTA				\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No
Total: 1									
Declined/Cancelled Contracts									
ML16014	City of Dana Point				\$153,818.00	\$0.00	Extend an Existing Class 1 Bikeway	\$153,818.00	No
ML16065	City of Temple City				\$500,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$500,000.00	No
ML16067	City of South El Monte				\$73,329.00	\$0.00	Implement an "Open Streets" Event	\$73,329.00	No
ML16074	City of La Verne	7/22/2016	1/21/2023		\$365,000.00	\$0.00	Install CNG Fueling Station	\$365,000.00	No
MS16043	LBA Realty Company LLC				\$100,000.00	\$0.00	Install Limited-Access CNG Station	\$100,000.00	No
MS16080	Riverside County Transportation Co				\$1,200,000.00	\$0.00	Passenger Rail Service for Coachella and St	\$1,200,000.00	No
MS16098	Long Beach Transit				\$198,957.00	\$0.00	Provide Special Bus Service to Stub Hub Ce	\$198,957.00	No
MS16104	City of Perris				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16106	City of Lawndale	3/1/2019	11/30/2025		\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS16107	Athens Services				\$100,000.00	\$0.00	Construct a Limited-Access CNG Station	\$100,000.00	No
MS16108	VNG 5703 Gage Avenue, LLC				\$150,000.00	\$0.00	Construct Public-Access CNG Station in Bell	\$150,000.00	No
MS16109	Sanitation Districts of Los Angeles C				\$275,000.00	\$0.00	Expansion of an Existing L/CNG Station	\$275,000.00	No
MS16111	VNG 925 Lakeview Avenue, LLC				\$150,000.00	\$0.00	Construct Public Access CNG Station in Pla	\$150,000.00	No
Total: 13									
Closed Contracts									
ML16009	City of Fountain Valley	10/6/2015	2/5/2018	5/5/2019	\$46,100.00	\$46,100.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$0.00	Yes
ML16020	City of Pomona	4/1/2016	2/1/2018	8/1/2018	\$440,000.00	\$440,000.00	Install Road Surface Bicycle Detection Syste	\$0.00	Yes
ML16026	City of Downey	5/6/2016	9/5/2017		\$40,000.00	\$40,000.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16028	City of Azusa	9/9/2016	4/8/2018		\$25,000.00	\$25,000.00	Enhance Existing Class 1 Bikeway	\$0.00	Yes
ML16031	City of Cathedral City	12/19/2015	2/18/2017		\$25,000.00	\$25,000.00	Street Sweeping in Coachella Valley	\$0.00	Yes
ML16032	City of Azusa	9/9/2016	4/8/2019	4/8/2021	\$474,925.00	\$474,925.00	Implement a "Complete Streets" Pedestrian	\$0.00	No
ML16033	Coachella Valley Association of Gov	4/27/2016	4/26/2018		\$250,000.00	\$250,000.00	Street Sweeping Operations in Coachella Va	\$0.00	Yes
ML16034	City of Riverside	3/11/2016	10/10/2018	7/10/2020	\$500,000.00	\$500,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16036	City of Brea	3/4/2016	12/3/2018		\$500,000.00	\$500,000.00	Install a Class 1 Bikeway	\$0.00	Yes
ML16042	City of San Dimas	4/1/2016	12/31/2019	12/31/2021	\$55,000.00	\$55,000.00	Install EV Charging Infrastructure	\$0.00	No
ML16045	City of Anaheim	6/22/2016	8/21/2019		\$275,000.00	\$255,595.08	Maintenance Facility Modifications	\$19,404.92	Yes
ML16049	City of Buena Park	4/1/2016	11/30/2018		\$429,262.00	\$429,262.00	Installation of a Class 1 Bikeway	\$0.00	Yes
ML16051	City of South Pasadena	2/12/2016	1/11/2017	12/11/2017	\$320,000.00	\$258,691.25	Implement "Open Streets" Event with Variou	\$61,308.75	Yes
ML16053	City of Claremont	3/11/2016	7/10/2018	12/10/2020	\$498,750.00	\$498,750.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16054	City of Yucaipa	3/26/2016	7/26/2018	10/25/2019	\$120,000.00	\$120,000.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
ML16060	City of Cudahy	2/5/2016	10/4/2017		\$73,910.00	\$62,480.00	Implement an "Open Streets" Event	\$11,430.00	Yes
ML16061	City of Murrieta	4/27/2016	1/26/2020		\$11,642.00	\$9,398.36	Installation of EV Charging Infrastructure	\$2,243.64	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16062	City of Colton	6/3/2016	7/2/2020		\$21,003.82	\$21,003.82	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16064	County of Orange, OC Parks	2/21/2017	10/20/2018		\$204,073.00	\$157,632.73	Implement "Open Streets" Events with Vario	\$46,440.27	Yes
ML16066	City of Long Beach Public Works	1/13/2017	9/12/2018		\$75,050.00	\$63,763.62	Implement an "Open Streets" Event	\$11,286.38	Yes
ML16068	Riverside County Dept of Public Heal	12/2/2016	8/1/2018		\$171,648.00	\$171,648.00	Implement "Open Streets" Events with Vario	\$0.00	Yes
ML16073	City of Long Beach Public Works	1/13/2017	7/12/2017		\$50,000.00	\$50,000.00	Implement an "Open Streets" Event	\$0.00	Yes
ML16078	City of Moreno Valley	5/6/2016	11/5/2017	5/5/2018	\$32,800.00	\$31,604.72	Install Bicycle Infrastructure & Implement Bi	\$1,195.28	Yes
ML16079	City of Yucaipa	4/1/2016	3/31/2020		\$5,000.00	\$5,000.00	Purchase Electric Lawnmower	\$0.00	Yes
ML16122	City of Wildomar	6/8/2018	6/7/2019		\$500,000.00	\$500,000.00	Install Bicycle Lanes	\$0.00	Yes
ML16126	City of Palm Springs	7/31/2019	7/30/2020	10/30/2020	\$22,000.00	\$19,279.82	Install Bicycle Racks, and Implement Bicycle	\$2,720.18	Yes
MS16001	Los Angeles County MTA	4/1/2016	4/30/2017		\$1,350,000.00	\$1,332,039.84	Clean Fuel Transit Service to Dodger Stadiu	\$17,960.16	Yes
MS16002	Orange County Transportation Autho	10/6/2015	5/31/2016		\$722,266.00	\$703,860.99	Clean Fuel Transit Service to Orange Count	\$18,405.01	Yes
MS16003	Special Olympics World Games Los	10/9/2015	12/30/2015		\$380,304.00	\$380,304.00	Low-Emission Transportation Service for Sp	\$0.00	Yes
MS16004	Mineral LLC	9/4/2015	7/3/2017	1/3/2018	\$27,690.00	\$9,300.00	Design, Develop, Host and Maintain MSRC	\$18,390.00	Yes
MS16029	Orange County Transportation Autho	1/12/2018	6/11/2020		\$836,413.00	\$567,501.06	TCM Partnership Program - OC Bikeways	\$268,911.94	Yes
MS16030	Better World Group Advisors	12/19/2015	12/31/2017	12/31/2019	\$271,619.00	\$245,355.43	Programmic Outreach Services to the MSR	\$26,263.57	Yes
MS16084	Transit Systems Unlimited, Inc.	5/6/2016	2/28/2018		\$565,600.00	\$396,930.00	Implement Special Shuttle Service from Uni	\$168,670.00	Yes
MS16085	Southern California Regional Rail Aut	3/11/2016	9/30/2016		\$78,033.00	\$64,285.44	Special MetroLink Service to Autoclub Spee	\$13,747.56	Yes
MS16089	Orange County Transportation Autho	7/8/2016	4/30/2017		\$128,500.00	\$128,500.00	Implement Special Bus Service to Angel Sta	\$0.00	Yes
MS16092	San Bernardino County Transportatio	2/3/2017	1/2/2019		\$242,937.00	\$242,016.53	Implement a Series of "Open Streets" Event	\$920.47	Yes
MS16093	Orange County Transportation Autho	9/3/2016	3/2/2018	9/2/2018	\$1,553,657.00	\$1,499,575.85	Implement a Mobile Ticketing System	\$54,081.15	Yes
MS16095	Orange County Transportation Autho	7/22/2016	5/31/2017		\$694,645.00	\$672,864.35	Implement Special Bus Service to Orange C	\$21,780.65	Yes
MS16099	Foothill Transit	3/3/2017	3/31/2017		\$50,000.00	\$50,000.00	Provide Special Bus Service to the Los Ange	\$0.00	Yes
MS16100	Southern California Regional Rail Aut	5/5/2017	9/30/2017		\$80,455.00	\$66,169.43	Provide Metrolink Service to Autoclub Speed	\$14,285.57	Yes
MS16124	Riverside County Transportation Co	12/14/2018	12/14/2019	5/14/2020	\$253,239.00	\$246,856.41	Extended Freeway Service Patrols	\$6,382.59	Yes
MS16125	San Bernardino County Transportatio	9/20/2019	11/19/2020		\$1,000,000.00	\$1,000,000.00	Traffic Signal Synchronization Projects	\$0.00	Yes

Total: 43

Closed/Incomplete Contracts

ML16005	City of Palm Springs	3/4/2016	10/3/2017		\$40,000.00	\$0.00	Install Bicycle Racks, and Implement Bicycle	\$40,000.00	No
ML16035	City of Wildomar	4/1/2016	11/1/2017		\$500,000.00	\$0.00	Install Bicycle Lanes	\$500,000.00	No
MS16082	Riverside County Transportation Co	9/3/2016	8/2/2018		\$590,759.00	\$337,519.71	Extended Freeway Service Patrols	\$253,239.29	No
MS16090	Los Angeles County MTA	10/27/2016	4/26/2020	10/26/2020	\$2,500,000.00	\$0.00	Expansion of the Willowbrook/Rosa Parks Tr	\$2,500,000.00	No
MS16091	San Bernardino County Transportatio	10/7/2016	11/6/2018		\$1,000,000.00	\$0.00	Traffic Signal Synchronization Projects	\$1,000,000.00	No

Total: 5

Open/Complete Contracts

ML16011	City of Claremont	10/6/2015	6/5/2022		\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16012	City of Carson	1/15/2016	10/14/2022		\$60,000.00	\$60,000.00	Purchase 2 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16013	City of Monterey Park	12/4/2015	7/3/2022	7/3/2024	\$90,000.00	\$90,000.00	Purchase 3 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16016	City of Los Angeles Dept of General	2/5/2016	12/4/2022		\$630,000.00	\$630,000.00	Purchase 21 Heavy-Duty Nat. Gas Vehicles	\$0.00	Yes
ML16019	City of Los Angeles, Dept of General	1/25/2017	3/24/2023		\$102,955.00	\$102,955.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16021	City of Santa Clarita	10/7/2016	6/6/2024		\$49,400.00	\$49,399.00	Install EV Charging Infrastructure	\$1.00	Yes
ML16023	City of Banning	12/11/2015	12/10/2021		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16024	City of Azusa	4/27/2016	2/26/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16027	City of Whittier	1/8/2016	11/7/2022		\$30,000.00	\$30,000.00	Purchase 1 H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16037	City of Rancho Cucamonga	2/5/2016	11/4/2022		\$30,000.00	\$30,000.00	Purchase One Heavy-Duty Natural Gas Vehi	\$0.00	Yes
ML16050	City of Westminster	5/6/2016	7/5/2020	5/5/2022	\$115,000.00	\$93,925.19	Installation of EV Charging Infrastructure	\$21,074.81	Yes
ML16055	City of Ontario	5/6/2016	5/5/2022		\$270,000.00	\$270,000.00	Purchase Nine Heavy-Duty Natural-Gas Veh	\$0.00	Yes
ML16056	City of Ontario	3/23/2016	9/22/2020	9/22/2021	\$106,565.00	\$106,565.00	Expansion of an Existing CNG Station	\$0.00	Yes
ML16058	Los Angeles County Department of P	10/7/2016	4/6/2024		\$371,898.00	\$371,898.00	Purchase 11 H.D. Nat. Gas Vehicles and Ins	\$0.00	Yes
ML16059	City of Burbank	4/1/2016	2/28/2022		\$180,000.00	\$180,000.00	Purchase 6 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML16063	City of Glendora	3/4/2016	4/3/2022		\$30,000.00	\$30,000.00	Purchase One H.D. Nat. Gas Vehicle	\$0.00	Yes
ML16069	City of West Covina	3/10/2017	6/9/2021		\$54,199.00	\$54,199.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16072	City of Palm Desert	3/4/2016	1/4/2020	1/3/2022	\$56,000.00	\$56,000.00	Installation of EV Charging Infrastructure	\$0.00	Yes
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$0.00	Yes
MS16081	EDCO Disposal Corporation	3/4/2016	10/3/2022		\$150,000.00	\$150,000.00	Expansion of Existing Public Access CNG St	\$0.00	Yes
MS16087	Burrtec Waste & Recycling Services,	7/8/2016	3/7/2023		\$100,000.00	\$100,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS16088	Transit Systems Unlimited, Inc.	5/12/2017	1/11/2023		\$17,000.00	\$17,000.00	Expansion of Existing CNG Station	\$0.00	Yes
MS16097	Walnut Valley Unified School District	10/7/2016	11/6/2022		\$250,000.00	\$250,000.00	Expand CNG Station & Modify Maintenance	\$0.00	Yes
MS16102	Nasa Services, Inc.	2/21/2017	4/20/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	Yes
MS16103	Arrow Services, Inc.	2/3/2017	4/2/2023		\$100,000.00	\$100,000.00	Construct a Limited-Access CNG Station	\$0.00	Yes
MS16105	Huntington Beach Union High School	3/3/2017	7/2/2024		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16112	Orange County Transportation Autho	4/14/2017	3/13/2024		\$1,470,000.00	\$1,470,000.00	Repower Up to 98 Transit Buses	\$0.00	Yes
MS16113	Los Angeles County MTA	5/12/2017	4/11/2024		\$1,875,000.00	\$1,875,000.00	Repower Up to 125 Transit Buses	\$0.00	Yes
MS16114	City of Norwalk	3/3/2017	6/2/2024		\$45,000.00	\$32,170.00	Purchase 3 Transit Buses	\$12,830.00	Yes
MS16116	Riverside Transit Agency	3/3/2017	1/2/2023		\$10,000.00	\$9,793.00	Purchase One Transit Bus	\$207.00	Yes

Total: 30

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2016-2018 Contracts

Open Contracts

ML18020	City of Colton	5/3/2018	4/2/2024		\$67,881.00	\$35,667.00	Purchase One Medium-Duty and One Heavy	\$32,214.00	No
ML18030	City of Grand Terrace	6/28/2018	3/27/2022	3/27/2025	\$45,000.00	\$0.00	Install EVSE	\$45,000.00	No
ML18031	City of Diamond Bar	9/7/2018	11/6/2025		\$73,930.00	\$0.00	Install EVSE, Purchase up to 2-LD Vehicles	\$73,930.00	No
ML18034	City of Calabasas	6/8/2018	3/7/2022	3/7/2023	\$50,000.00	\$0.00	Install EVSE	\$50,000.00	No
ML18036	City of Indian Wells	8/8/2018	5/7/2023		\$50,000.00	\$0.00	Install EV Charging Station	\$50,000.00	No
ML18038	City of Anaheim	10/5/2018	5/4/2025	5/4/2026	\$221,500.00	\$147,883.27	Purchase 5 Light-Duty ZEVs and Install EVS	\$73,616.73	No
ML18039	City of Redlands	6/28/2018	7/27/2024	1/27/2025	\$87,000.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$87,000.00	No
ML18041	City of West Hollywood	8/8/2018	12/7/2023		\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18043	City of Yorba Linda	9/7/2018	12/6/2023		\$87,990.00	\$0.00	Install EV Charging Infrastructure	\$87,990.00	No
ML18044	City of Malibu	8/8/2018	10/7/2022	10/7/2023	\$50,000.00	\$0.00	Install EV Charging Infrastructure	\$50,000.00	No
ML18046	City of Santa Ana	11/9/2018	7/8/2026		\$385,000.00	\$0.00	Purchase 6 Light-Duty ZEVs, 9 Heavy-Duty	\$385,000.00	No
ML18047	City of Whittier	8/8/2018	4/7/2026		\$113,910.00	\$45,564.00	Purchase 5 Heavy-Duty Near-Zero Emission	\$68,346.00	No
ML18050	City of Irvine	9/7/2018	8/6/2028		\$330,490.00	\$0.00	Purchase 1 Medium/Heavy-Duty ZEV and In	\$330,490.00	No
ML18051	City of Rancho Cucamonga	3/1/2019	10/31/2025		\$227,040.00	\$0.00	Purchase 9 Light-Duty ZEVs, 2 Med-Duty ZE	\$227,040.00	No
ML18053	City of Paramount	9/7/2018	3/6/2023		\$64,675.00	\$0.00	Install EV Charging Infrastructure	\$64,675.00	No
ML18055	City of Long Beach Fleet Services B	11/29/2018	11/28/2026		\$622,220.00	\$140,291.13	Install EV Charging Stations	\$481,928.87	No
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$103,868.00	Install EV Charging Infrastructure	\$0.00	No
ML18057	City of Carson	10/5/2018	7/4/2023		\$106,250.00	\$50,000.00	Purchase 5 Zero-Emission Vehicles and Infr	\$56,250.00	No
ML18058	City of Perris	10/12/2018	11/11/2024		\$94,624.00	\$0.00	Purchase 1 Med. H.D. ZEV and EV Chargin	\$94,624.00	No
ML18059	City of Glendale Water & Power	2/1/2019	7/31/2026		\$260,500.00	\$0.00	Install Electric Vehicle Charging Infrastructur	\$260,500.00	No
ML18060	County of Los Angeles Internal Servi	10/5/2018	8/4/2026		\$1,367,610.00	\$599,306.31	Purchase 29 Light-Duty Zero Emission Vehi	\$768,303.69	No
ML18063	City of Riverside	6/7/2019	1/6/2027		\$383,610.00	\$0.00	Expand Existing CNG Stations	\$383,610.00	No
ML18064	City of Eastvale	11/29/2018	4/28/2026	10/28/2028	\$80,400.00	\$28,457.43	Purchase 2 Light-Duty, One Medium-Duty. Z	\$51,942.57	No
ML18067	City of Pico Rivera	9/7/2018	11/6/2022		\$83,500.00	\$0.00	Instal EVSE	\$83,500.00	No
ML18068	City of Mission Viejo	7/31/2019	6/30/2027		\$125,690.00	\$10,000.00	Purchase 2 Light-Duty ZEVs, Install EVSE &	\$115,690.00	No
ML18069	City of Torrance	3/1/2019	7/31/2027		\$187,400.00	\$100,000.00	Purchase 4 Heavy-Duty Near-Zero Emission	\$87,400.00	No
ML18078	County of Riverside	10/5/2018	10/4/2028		\$425,000.00	\$225,000.00	Purchase 17 Heavy-Duty Vehicles	\$200,000.00	No
ML18080	City of Santa Monica	1/10/2019	12/9/2023	7/9/2025	\$121,500.00	\$14,748.62	Install EV Charging Stations	\$106,751.38	No
ML18082	City of Los Angeles Bureau of Sanita	8/30/2019	8/29/2028		\$900,000.00	\$0.00	Purchase Medium-Duty Vehicles and EV Ch	\$900,000.00	No
ML18083	City of San Fernando	11/2/2018	11/1/2022		\$20,000.00	\$0.00	Implement Traffic Signal Synchronization	\$20,000.00	No
ML18084	City of South El Monte	10/18/2019	9/17/2023	9/17/2024	\$30,000.00	\$0.00	EV Charging Infrastructure	\$30,000.00	No
ML18087	City of Murrieta	3/29/2019	3/28/2025		\$143,520.00	\$143,520.00	Install Four EV Charging Stations	\$0.00	No
ML18088	City of Big Bear Lake	11/29/2018	8/28/2020	8/28/2021	\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18089	City of Glendora	7/19/2019	4/18/2025	4/18/2026	\$50,760.00	\$0.00	Purchase a medium-duty ZEV	\$50,760.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18090	City of Santa Clarita	5/9/2019	2/8/2023		\$122,000.00	\$0.00	Install Nine EV Charging Stations	\$122,000.00	No
ML18091	City of Temecula	1/19/2019	7/18/2023		\$141,000.00	\$0.00	Install Sixteen EV Charging Stations	\$141,000.00	No
ML18092	City of South Pasadena	2/1/2019	1/31/2025		\$50,000.00	\$20,000.00	Procure Two Light-Duty ZEVs and Install EV	\$30,000.00	No
ML18093	City of Monterey Park	2/1/2019	2/28/2026		\$25,000.00	\$0.00	Purchase Heavy-Duty Near-ZEV	\$25,000.00	No
ML18094	City of Laguna Woods	7/12/2019	12/11/2024		\$50,000.00	\$0.00	Install Two EV Charging Stations	\$50,000.00	No
ML18096	City of Highland	12/13/2019	8/12/2024		\$70,210.00	\$9,918.84	Purchase Light-Duty ZEV and Install Three	\$60,291.16	No
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2025	\$89,400.00	\$0.00	Install Six EV Charging Stations	\$89,400.00	No
ML18099	City of Laguna Hills	3/1/2019	5/31/2023		\$32,250.00	\$0.00	Install Six EV Charging Stations	\$32,250.00	No
ML18100	City of Brea	10/29/2020	12/28/2024		\$56,500.00	\$0.00	Install Thirteen EV Charging Stations	\$56,500.00	No
ML18101	City of Burbank	2/1/2019	4/30/2024		\$137,310.00	\$0.00	Install Twenty EV Charging Stations	\$137,310.00	No
ML18128	City of Aliso Viejo	8/30/2019	11/29/2023		\$65,460.00	\$0.00	Purchase Two Light-Duty ZEVs and Install S	\$65,460.00	No
ML18129	City of Yucaipa	12/14/2018	3/13/2023		\$63,097.00	\$0.00	Install Six EV Charging Stations	\$63,097.00	No
ML18130	City of Lake Forest	3/1/2019	9/30/2022		\$106,480.00	\$106,480.00	Install Twenty-One EVSEs	\$0.00	No
ML18132	City of Montclair	4/5/2019	9/4/2023		\$40,000.00	\$0.00	Install Eight EVSEs	\$40,000.00	No
ML18134	City of Los Angeles Dept of General	5/3/2019	5/2/2028		\$290,000.00	\$0.00	Purchase Five Medium-Duty ZEVs	\$290,000.00	No
ML18135	City of Azusa	12/6/2019	12/5/2029		\$55,000.00	\$0.00	Purchase Three Light-Duty ZEVs and One H	\$55,000.00	No
ML18136	City of Orange	4/12/2019	8/11/2024		\$42,500.00	\$40,000.00	Purchase Four Light-Duty ZEVs and Install	\$2,500.00	No
ML18137	City of Wildomar	3/1/2019	5/31/2021	12/1/2022	\$50,000.00	\$0.00	Install Bicycle Trail	\$50,000.00	No
ML18138	City of La Canada Flintridge	2/8/2019	5/7/2023		\$50,000.00	\$32,588.07	Install Four EVSEs and Install Bicycle Racks	\$17,411.93	No
ML18139	City of Calimesa	8/30/2019	7/29/2020	11/29/2021	\$50,000.00	\$0.00	Install Bicycle Lane	\$50,000.00	No
ML18140	City of Bell Gardens	12/14/2018	12/13/2028		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-ZEVs	\$50,000.00	No
ML18141	City of Rolling Hills Estates	2/14/2020	1/13/2024		\$40,000.00	\$0.00	Purchase One Light-Duty ZEV and Install Tw	\$40,000.00	No
ML18142	City of La Quinta	4/24/2019	2/23/2023	8/23/2023	\$51,780.00	\$0.00	Install Two EV Charging Stations	\$51,780.00	No
ML18144	City of Fontana Public Works	10/4/2019	12/3/2023		\$269,090.00	\$0.00	Install Twelve EVSEs	\$269,090.00	No
ML18145	City of Los Angeles Dept of Transpor	1/10/2020	4/9/2027		\$1,400,000.00	\$0.00	Provide One Hundred Rebates to Purchaser	\$1,400,000.00	No
ML18146	City of South Gate	3/1/2019	11/30/2023		\$127,400.00	\$50,000.00	Purchase Five Light-Duty ZEVs and Install T	\$77,400.00	No
ML18147	City of Palm Springs	1/10/2019	1/9/2024		\$60,000.00	\$0.00	Install Eighteen EV Charging Stations	\$60,000.00	No
ML18151	County of San Bernardino Departme	8/25/2020	10/24/2029		\$200,000.00	\$0.00	Purchase Eight Heavy-Duty Near Zero Emis	\$200,000.00	No
ML18152	County of San Bernardino Flood Con	8/11/2020	10/10/2029		\$108,990.00	\$0.00	Purchase Five Heavy-Duty Near Zero Emissi	\$108,990.00	No
ML18156	City of Covina	2/1/2019	3/31/2023	12/31/2023	\$63,800.00	\$62,713.00	Purchase Four Light-Duty ZEVs and EV Cha	\$1,087.00	No
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$0.00	Purchase One Medium-Duty ZEV	\$85,000.00	No
ML18159	City of Rialto	12/13/2019	5/12/2024		\$135,980.00	\$0.00	Purchase Nine Light-Duty ZEVs and EV Cha	\$135,980.00	No
ML18161	City of Indio	5/3/2019	10/2/2025		\$50,000.00	\$10,000.00	Purchase 1 Light-Duty Zero Emission, 1 Hea	\$40,000.00	No
ML18163	City of San Clemente	3/8/2019	12/7/2024	12/7/2025	\$85,000.00	\$70,533.75	Purchase Four Light-Duty ZEVs and EV Cha	\$14,466.25	No
ML18165	City of Baldwin Park	2/1/2019	1/30/2024		\$49,030.00	\$0.00	Expand CNG Station	\$49,030.00	No
ML18166	City of Placentia	2/18/2021	5/17/2027		\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emis	\$25,000.00	No
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emis	\$50,000.00	No

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$111,980.00	Install EV Charging Infrastructure	\$0.00	No
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$85,100.00	\$0.00	Purchase Two Light-Duty ZEVs and EV Cha	\$85,100.00	No
ML18171	City of El Monte	3/1/2019	4/30/2025		\$119,757.00	\$68,077.81	Purchase One Heavy-Duty ZEVs and EV Ch	\$51,679.19	No
ML18172	City of Huntington Park	3/1/2019	2/28/2025		\$65,450.00	\$0.00	Purchase One Heavy-Duty ZEV	\$65,450.00	No
ML18174	City of Bell	11/22/2019	7/21/2026		\$25,000.00	\$0.00	Purchase One Heavy-Duty ZEV	\$25,000.00	No
ML18177	City of San Bernardino	6/7/2019	12/6/2026		\$279,088.00	\$0.00	Purchase Medium- and Heavy-Duty Evs and	\$279,088.00	No
ML18178	City of La Puente	11/1/2019	11/30/2025	11/30/2026	\$25,000.00	\$25,000.00	Purchase One Heavy-Duty Near-Zero Emiss	\$0.00	No
MS18002	Southern California Association of G	6/9/2017	11/30/2018	12/30/2021	\$2,500,000.00	\$886,787.98	Regional Active Transportation Partnership	\$1,613,212.02	No
MS18003	Geographics	2/21/2017	2/20/2021	6/20/2021	\$72,453.00	\$63,947.96	Design, Host and Maintain MSRC Website	\$8,505.04	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	8/31/2021	\$2,000,000.00	\$0.00	Southern California Future Communities Par	\$2,000,000.00	No
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021		\$500,000.00	\$285,073.44	Weekend Freeway Service Patrols	\$214,926.56	No
MS18024	Riverside County Transportation Co	6/28/2018	8/27/2021		\$1,500,000.00	\$659,640.00	Vanpool Incentive Program	\$840,360.00	No
MS18027	City of Gardena	11/2/2018	9/1/2026		\$365,000.00	\$0.00	Install New Limited Access CNG, Modify Mai	\$365,000.00	No
MS18029	Irvine Ranch Water District	8/8/2018	10/7/2024		\$185,000.00	\$0.00	Install New Limited Access CNG Station & T	\$185,000.00	No
MS18065	San Bernardino County Transportatio	3/29/2019	8/28/2023		\$2,000,000.00	\$1,996,473.93	Implement Metrolink Line Fare Discount Pro	\$3,526.07	No
MS18066	El Dorado National	12/6/2019	2/5/2026		\$100,000.00	\$100,000.00	Install New Limited-Access CNG Station	\$0.00	No
MS18073	Los Angeles County MTA	1/10/2019	2/9/2026		\$2,000,000.00	\$2,000,000.00	Purchase 40 Zero-Emission Transit Buses	\$0.00	No
MS18104	Orange County Transportation Autho	2/21/2020	3/31/2021	3/31/2022	\$212,000.00	\$165,235.92	Implement College Pass Transit Fare Subsid	\$46,764.08	No
MS18106	R.F. Dickson Co., Inc.	7/19/2019	1/18/2026		\$265,000.00	\$250,000.00	Expansion of Existing Infrastructure/Mechani	\$15,000.00	No
MS18108	Capistrano Unified School District	2/1/2019	5/30/2025		\$116,000.00	\$0.00	Expansion of Existing Infrastructure & Train	\$116,000.00	No
MS18110	Mountain View Unified School Distric	2/1/2019	3/31/2025		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18114	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18115	City of Commerce	6/7/2019	12/6/2025		\$275,000.00	\$0.00	Expansion of Existing L/CNG Infrastructure	\$275,000.00	No
MS18116	Los Angeles County Department of P	11/15/2019	11/14/2026		\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18117	City of San Bernardino	6/7/2019	11/6/2025		\$240,000.00	\$240,000.00	Expansion of Existing CNG Infrastructure/Me	\$0.00	No
MS18118	City of Beverly Hills	3/29/2019	7/28/2025		\$85,272.00	\$0.00	Expansion of Existing CNG Infrastructure	\$85,272.00	No
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	3/31/2026	\$200,000.00	\$0.00	Install New Limited Access CNG Infrastructur	\$200,000.00	No
MS18124	County Sanitation Districts of Los An	7/31/2019	2/28/2027		\$275,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$275,000.00	No
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$180,000.00	Install New Limited-Access CNG Infrastructu	\$20,000.00	No
MS18175	Regents of the University of Californi	6/7/2019	8/6/2025	8/6/2026	\$1,000,000.00	\$0.00	Expansion of Existing Hydrogen Station	\$1,000,000.00	No

Total: 102

Pending Execution Contracts

ML18148	City of San Dimas				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18179	City of Rancho Mirage				\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
MS18180	Omnitrans				\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	No

Total: 3

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
Declined/Cancelled Contracts									
ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	No
ML18149	City of Sierra Madre				\$50,000.00	\$0.00	Implement Bike Share Program	\$50,000.00	No
ML18150	City of South El Monte				\$20,000.00	\$0.00	Implement Bike Share Program	\$20,000.00	No
ML18153	City of Cathedral City	5/3/2019	4/2/2025		\$52,215.00	\$0.00	Install EV Charging Infrastructure	\$52,215.00	No
ML18158	City of Inglewood				\$146,000.00	\$0.00	Purchase 4 Light-Duty Zero Emission, 4 Hea	\$146,000.00	No
ML18164	City of Pomona				\$200,140.00	\$0.00	Purchase Three Heavy-Duty ZEVs	\$200,140.00	No
MS18009	Penske Truck Leasing Co., L.P.	8/8/2018	12/7/2020		\$82,500.00	\$0.00	Modify Maintenance Facility & Train Technici	\$82,500.00	No
MS18013	California Energy Commission				\$3,000,000.00	\$0.00	Advise MSRC and Administer Hydrogen Infr	\$3,000,000.00	No
MS18017	City of Banning				\$225,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$225,000.00	No
MS18018	City of Norwalk	6/8/2018	9/7/2019		\$75,000.00	\$0.00	Vehicle Maintenance Facility Modifications	\$75,000.00	No
MS18107	Huntington Beach Union High School				\$225,000.00	\$0.00	Expansion of Existing Infrastructure	\$225,000.00	No
MS18109	City of South Gate				\$175,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$175,000.00	No
MS18111	Newport-Mesa Unified School District				\$175,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$175,000.00	No
MS18112	Banning Unified School District	11/29/2018	11/28/2024	11/28/2025	\$275,000.00	\$0.00	Install New CNG Infrastructure	\$275,000.00	No
MS18113	City of Torrance				\$100,000.00	\$0.00	Expansion of Existing CNG Infrastructure	\$100,000.00	No
MS18119	LBA Realty Company XI LP				\$100,000.00	\$0.00	Install New Limited-Access CNG Infrastructu	\$100,000.00	No
MS18121	City of Montebello				\$70,408.00	\$0.00	Expansion of Existing CNG Infrastructure	\$70,408.00	No
Total: 17									
Closed Contracts									
ML18022	City of Desert Hot Springs	5/3/2018	1/2/2020	1/2/2021	\$50,000.00	\$50,000.00	Traffic Signal and Synchronization Project	\$0.00	Yes
ML18126	City of Lomita	12/7/2018	1/6/2020		\$26,500.00	\$13,279.56	Install bicycle racks and lanes	\$13,220.44	Yes
MS18001	Los Angeles County MTA	6/29/2017	4/30/2018		\$807,945.00	\$652,737.07	Provide Clean Fuel Transit Service to Dodge	\$155,207.93	Yes
MS18004	Orange County Transportation Autho	8/3/2017	4/30/2019		\$503,272.00	\$456,145.29	Provide Special Rail Service to Angel Stadiu	\$47,126.71	Yes
MS18005	Orange County Transportation Autho	1/5/2018	4/30/2019		\$834,222.00	\$834,222.00	Clean Fuel Bus Service to OC Fair	\$0.00	Yes
MS18006	Anaheim Transportation Network	10/6/2017	2/28/2020		\$219,564.00	\$9,488.22	Implement Anaheim Circulator Service	\$210,075.78	Yes
MS18008	Foothill Transit	1/12/2018	3/31/2019		\$100,000.00	\$99,406.61	Special Transit Service to LA County Fair	\$593.39	Yes
MS18010	Southern California Regional Rail Aut	12/28/2017	7/31/2019		\$351,186.00	\$275,490.61	Implement Special Metrolink Service to Unio	\$75,695.39	Yes
MS18011	Southern California Regional Rail Aut	2/9/2018	6/30/2018		\$239,565.00	\$221,725.12	Special Train Service to Festival of Lights	\$17,839.88	Yes
MS18014	Regents of the University of Californi	10/5/2018	12/4/2019	3/4/2020	\$254,795.00	\$251,455.59	Planning for EV Charging Infrastructure Inve	\$3,339.41	Yes
MS18016	Southern California Regional Rail Aut	1/10/2019	3/31/2019		\$87,764.00	\$73,140.89	Special Train Service to Auto Club Speedwa	\$14,623.11	Yes
MS18025	Los Angeles County MTA	11/29/2018	5/31/2019		\$1,324,560.00	\$961,246.86	Special Bus and Train Service to Dodger Sta	\$363,313.14	Yes
MS18102	Orange County Transportation Autho	10/4/2019	5/31/2020		\$1,146,000.00	\$1,146,000.00	Implement OC Flex Micro-Transit Pilot Proje	\$0.00	Yes
MS18103	Orange County Transportation Autho	2/8/2019	9/7/2020		\$642,000.00	\$613,303.83	Install Hydrogen Detection System	\$28,696.17	Yes
MS18105	Southern California Regional Rail Aut	1/10/2019	6/30/2019		\$252,696.00	\$186,830.04	Special Train Service to the Festival of Light	\$65,865.96	Yes
Total: 15									
Closed/Incomplete Contracts									

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
MS18026	Omnitrans	10/5/2018	1/4/2020		\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	No
Total: 2									
Open/Complete Contracts									
ML18019	City of Hidden Hills	5/3/2018	5/2/2022	5/2/2023	\$49,999.00	\$49,999.00	Purchase Two Light-Duty ZEVs and EVSE	\$0.00	Yes
ML18021	City of Signal Hill	4/6/2018	1/5/2022		\$49,661.00	\$46,079.31	Install EV Charging Station	\$3,581.69	Yes
ML18028	City of Artesia	6/28/2018	3/27/2025		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18032	City of Arcadia	2/1/2019	4/30/2025		\$24,650.00	\$24,650.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18033	City of Duarte	8/8/2018	2/7/2025		\$50,000.00	\$50,000.00	Purchase 1-HD ZEV	\$0.00	Yes
ML18035	City of Westlake Village	8/8/2018	11/7/2022		\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes
ML18037	City of Westminster	6/28/2018	6/27/2024	12/27/2026	\$120,900.00	\$120,900.00	Install EVSE, Purchase up to 3-LD ZEV & 1-	\$0.00	Yes
ML18040	City of Agoura Hills	7/13/2018	6/12/2022		\$17,914.00	\$17,914.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18042	City of San Fernando	6/28/2018	2/27/2024		\$10,000.00	\$10,000.00	Purchase 1 Light-Duty ZEV	\$0.00	Yes
ML18045	City of Culver City Transportation De	6/28/2018	6/27/2025		\$51,000.00	\$51,000.00	Purchase Eight Near-Zero Vehicles	\$0.00	Yes
ML18048	City of Lynwood	6/28/2018	10/27/2024		\$93,500.00	\$44,505.53	Purchase Up to 3 Medium-Duty Zero-Emissi	\$48,994.47	Yes
ML18049	City of Downey	7/6/2018	5/5/2023		\$148,260.00	\$148,116.32	Install EV Charging Stations	\$143.68	Yes
ML18052	City of Garden Grove	8/8/2018	10/7/2022		\$53,593.00	\$46,164.28	Purchase 4 L.D. ZEVs and Infrastructure	\$7,428.72	Yes
ML18054	City of La Habra Heights	8/8/2018	4/7/2022		\$9,200.00	\$9,200.00	Purchase 1 L.D. ZEV	\$0.00	Yes
ML18061	City of Moreno Valley	4/9/2019	2/8/2025		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18062	City of Beaumont	8/8/2018	9/7/2024		\$25,000.00	\$25,000.00	Purchase 1 Heavy-Duty Near-ZEV	\$0.00	Yes
ML18070	City of Lomita	11/29/2018	6/28/2022		\$6,250.00	\$6,250.00	Purchase 1 Light-Duty ZEV	\$0.00	Yes
ML18071	City of Chino Hills	9/7/2018	10/6/2022		\$20,000.00	\$20,000.00	Purchase 2 Light-Duty ZEVs	\$0.00	Yes
ML18072	City of Anaheim	12/18/2018	11/17/2026		\$239,560.00	\$239,560.00	Purchase 9 Light-Duty ZEVs & 2 Med/Hvy-D	\$0.00	Yes
ML18074	City of Buena Park	12/14/2018	6/13/2026		\$107,960.00	\$107,960.00	EV Charging Infrastructure	\$0.00	Yes
ML18076	City of Culver City Transportation De	10/5/2018	10/4/2023		\$1,130.00	\$1,130.00	Purchase Light-Duty ZEV	\$0.00	Yes
ML18077	City of Orange	11/2/2018	10/1/2022		\$59,776.00	\$59,776.00	Four Light-Duty ZEV and EV Charging Infras	\$0.00	Yes
ML18079	City of Pasadena	12/7/2018	11/6/2023		\$183,670.00	\$183,670.00	EV Charging Infrastructure	\$0.00	Yes
ML18081	City of Beaumont	10/5/2018	10/4/2022	10/4/2025	\$31,870.00	\$31,870.00	EV Charging Infrastructure	\$0.00	Yes
ML18085	City of Orange	4/12/2019	10/11/2026		\$50,000.00	\$50,000.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$0.00	Yes
ML18086	City of Los Angeles Bureau of Street	2/8/2019	4/7/2023		\$300,000.00	\$300,000.00	Install Sixty EV Charging Stations	\$0.00	Yes
ML18095	City of Gardena	11/9/2018	12/8/2024		\$25,000.00	\$25,000.00	Purchase Heavy-Duty Near-ZEV	\$0.00	Yes
ML18097	City of Temple City	11/29/2018	7/28/2022		\$16,000.00	\$12,000.00	Purchase Two Light-Duty ZEVs	\$4,000.00	Yes
ML18127	City of La Puente	2/1/2019	2/28/2023		\$10,000.00	\$7,113.70	Purchase Light-Duty Zero Emission Vehicle	\$2,886.30	Yes
ML18131	City of Los Angeles, Police Departm	5/3/2019	12/2/2022		\$19,294.00	\$19,294.00	Purchase Three Light-Duty ZEVs	\$0.00	Yes
ML18143	City of La Habra	10/18/2019	9/17/2025	9/17/2027	\$80,700.00	\$80,700.00	Install Two EV Charging Stations	\$0.00	Yes
ML18154	City of Hemet	11/22/2019	9/21/2023	3/21/2024	\$30,000.00	\$30,000.00	Purchase Two Light-Duty ZEVs and EV Cha	\$0.00	Yes
ML18155	City of Claremont	7/31/2019	9/30/2023		\$50,000.00	\$35,608.86	Install EV Charging Infrastructure	\$14,391.14	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18160	City of Irwindale	3/29/2019	12/28/2022		\$14,263.00	\$14,263.00	Purchase Two Light-Duty ZEVs	\$0.00	Yes
ML18162	City of Costa Mesa	1/10/2020	7/9/2026		\$148,210.00	\$148,210.00	Purchase Three Light-Duty ZEVs and EV Ch	\$0.00	Yes
ML18173	City of Manhattan Beach	3/29/2019	2/28/2023		\$49,000.00	\$49,000.00	Purchase Two Light-Duty ZEVs and EV Cha	\$0.00	Yes
ML18176	City of Coachella	3/1/2019	11/30/2024		\$58,020.00	\$58,020.00	Install EV Charging Stations	\$0.00	Yes
MS18012	City of Hermosa Beach	2/2/2018	2/1/2024		\$36,000.00	\$36,000.00	Construct New Limited-Access CNG Station	\$0.00	Yes
MS18120	City of Redondo Beach	2/1/2019	9/30/2025		\$275,000.00	\$275,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes
MS18123	City Rent A Bin DBA Serv-Wel Dispo	12/14/2018	2/13/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

Total: 40

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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FY 2018-2021 Contracts

Open Contracts

MS21002	Better World Group Advisors	11/1/2019	12/31/2022		\$265,079.00	\$91,107.45	Programmatic Outreach Services	\$173,971.55	No
MS21003	Orange County Transportation Autho	7/8/2020	5/31/2021		\$468,298.00	\$0.00	Provide Express Bus Service to the Orange	\$468,298.00	No
MS21004	Los Angeles County MTA	1/7/2021	5/31/2023		\$2,188,899.00	\$0.00	Clean Fuel Bus Service to Dodger Stadium	\$2,188,899.00	No

Total: 3

Pending Execution Contracts

MS21005	Southern California Association of G				#####	\$0.00	Implement Last Mile Goods Movement Progr	#####	No
MS21006	Geographics				\$12,952.00	\$0.00	Hosting & Maintenance of the MSRC Websit	\$12,952.00	No
MS21007	Penske Truck Leasing Co., L.P.				\$1,160,000.00	\$0.00	Deploy 5 Zero-Emission Yard Tractors and	\$1,160,000.00	No
MS21008	CMA CGM (America) LLC				\$3,000,000.00	\$0.00	Deploy 2 Zero-Emission Rubber Tire Gantry	\$3,000,000.00	No
MS21009	ITS Technologies & Logistics, LLC				\$3,000,000.00	\$0.00	Deploy 12 Zero-Emission Yard Tractors and	\$3,000,000.00	No
MS21012	Amazon Logistics, Inc.				\$4,157,710.00	\$0.00	Deploy up to 10 Zero-Emission and 100 Nea	\$4,157,710.00	No
MS21013	4 Gen Logistics				\$7,000,000.00	\$0.00	Deploy up to 40 Zero Emssions Trucks and I	\$7,000,000.00	No
MS21014	Green Fleet Systems, LLC				\$500,000.00	\$0.00	Deploy up to 5 Near Zero Emission Trucks	\$500,000.00	No
MS21015	Premium Transportation Services, In				\$1,500,000.00	\$0.00	Deploy up to 15 Near-Zero Emssions Trucks	\$1,500,000.00	No
MS21016	Ryder System, Inc.				\$3,169,746.00	\$0.00	Procure Two Integrated Power Centers and	\$3,169,746.00	No
MS21017	MHX Leasing, LLC				\$1,900,000.00	\$0.00	Deploy up to 10 Zero-Emission Trucks & Infr	\$1,900,000.00	No
MS21018	Pac Anchor Transportation, Inc.				\$2,300,000.00	\$0.00	Deploy up to 23 Near Zero Emission Trucks	\$2,300,000.00	No
MS21019	Volvo Financial Services				\$3,930,270.00	\$0.00	Lease up to 14 Zero-Emission Trucks and Pr	\$3,930,270.00	No
MS21020	Sea-Logix, LLC				\$2,300,000.00	\$0.00	Deploy up to 23 Near-Zero Emssions Trucks	\$2,300,000.00	No
MS21021	CMA CGM (America) LLC				\$1,946,463.00	\$0.00	Deploy up to 13 Near Zero Emission Trucks	\$1,946,463.00	No

Total: 15

Closed Contracts

MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$1,148,742.00	\$285,664.87	Implement Special Transit Service to Dodger	\$863,077.13	Yes
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Total: 1

 [Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 29

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held a meeting on May 20, 2021. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Gideon Kracov, Member
South Coast AQMD Governing Board

ft

The California Air Resources Board (CARB or Board) held a meeting remotely on May 20, 2021 via a web-based videoconferencing service. The key items presented are summarized below.

DISCUSSION ITEMS

21-4-1: Public Hearing to Consider Proposed Clean Miles Standard

The Board adopted the proposed Clean Miles Standard Regulation (Regulation) which requires transportation network companies (TNC) to meet annual electrification and greenhouse gas reduction targets. Senate Bill 1014 (Skinner, Chapter 369, Statutes of 2018) established the California Clean Miles Standard and Incentive Program, requiring the Board to establish annual GHG reduction targets for TNCs that include miles traveled by zero-emission means. SB 1014 also requires that the California Public Utilities Commission (CPUC) implement the regulation beginning in 2023. The Regulation requires TNCs to achieve a goal by 2030 of 90 percent electric vehicle miles traveled and zero CO2 emissions per passenger-mile-traveled. The Regulation also provides GHG credits to TNCs for connecting passengers to mass transit.

21-4-2: Public Meeting to Consider Appointment of New Members to the Assembly Bill 32 Environmental Justice Advisory Committee

The Board appointed seven new members to the Environmental Justice Advisory Committee (EJAC). Pursuant to Assembly Bill 32, CARB originally convened the EJAC in 2007 to advise on the Initial Scoping Plan. EJAC members are comprised of representatives from California communities most heavily impacted by air pollution, including those communities with minority or low-income populations. Staff is reconvening the EJAC to advise the Board on the development of the 2022 Scoping Plan Update that staff plans to bring to the Board by December 2022. The new EJAC members were nominated by a panel of representatives from CalEPA, CARB and current EJAC members. The Board further stipulated that at least four more committee members be appointed from areas not currently represented on the EJAC.

21-4-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Southeast Los Angeles Community

The Board approved the Southeast Los Angeles Community Emissions Reduction Plan (Plan) and directed CARB staff to collaborate with the South Coast Air Quality Management District (South Coast AQMD) and the community steering committee to take additional actions to strengthen implementation of the Plan. The Plan was developed by the South Coast AQMD and the community steering committee comprised of residents, local community based groups, industry, and local government. On December 4, 2020, the South Coast AQMD Governing Board adopted the Plan for the Southeast Los Angeles community under the requirements of Assembly Bill (AB) 617. The Board heard staff's review of the Plan and conclusion that it meets the criteria established in AB 617 and the Community Air Protection Blueprint, and is likely to reduce emissions and exposure to air pollution in the community.

South Coast AQMD Staff Comments/Testimony: Staff presented an overview of the Community Emissions Reduction Plan (CERP) for the Year 2 AB 617 community of Southeast Los Angeles. The presentation highlighted the Southeast Los Angeles Community Steering Committee's air quality priorities, CERP actions to address the air quality priorities, and emissions and exposure reduction targets in the CERP. Staff emphasized the collaborative efforts with the Community Steering Committee to develop the CERP. Members of the Southeast Los Angeles Community Steering Committee testified in support of the CERP and recommended improvements to the AB 617 program.

Attachment

CARB May 20, 2021 Meeting Agenda



Public Meeting Agenda

Thursday, May 20, 2021

In accordance with Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#) as well as recommendations from the California Department of Public Health, the May 20, 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: 845 4350 5778

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 20 de mayo de 2021](#)

Spanish Translation will be provided for the May Board Meeting.

Thursday, May 20, 2021 @ 11:00 a.m.

Discussion Items:

Note: The following agenda items may be heard in a different order at the Board meeting.

21-4-1: Public Hearing to Consider Proposed Clean Miles Standard

The Board will consider the proposed Clean Miles Standard Regulation, which includes the proposed annual electrification and greenhouse gas targets for transportation network companies (TNC). This is a proposed regulation in response to Senate Bill 1014 (Skinner, Stats. 2018, Ch. 369) adopted in 2018.

- [More Information](#)
- [Public Hearing Notice](#)
- [Staff Report](#)
 - [Appendix A: Proposed Regulation Order](#)
 - [Appendix B: Base Year Inventory Report](#)
 - [Appendix C-1: Standardized Regulatory Impact Analysis](#)
 - [Appendix C-2 Summary and Response to Department of Finance Comments on the Standardized Regulatory Impact Assessment](#)
 - [Appendix D: Notices of Public Workshops](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

The following Board Item will not begin prior to 3:00 p.m.

21-4-2: Public Meeting to Consider Appointment of New Members to the Assembly Bill 32 Environmental Justice Advisory Committee

The Board will consider staff's recommendations for the appointment of new members to the Environmental Justice Advisory Committee. Pursuant to Assembly Bill 32, CARB originally convened the Environmental Justice Advisory Committee in 2007 to advise on the Initial Scoping Plan and reconvened the Committee in 2013 and 2015 to advise on the First Scoping Plan Update and the 2017 Climate Change Scoping Plan, respectively.

- [More Information](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

The following Board Item will not begin prior to 4:00 p.m.

21-4-3: Public Meeting to Consider Assembly Bill 617 Community Air Protection Program – Community Emissions Reduction Program for Southeast Los Angeles Community

The community emissions reduction program was developed through a partnership between the South Coast Air Quality Management District and the community steering committee.

The Board will consider the Southeast Los Angeles community emissions reduction program as required by Assembly Bill 617.

- [More Information](#)
- [Public Meeting Notice](#)
- [Staff Report](#)
- [Item Summary](#)
- [Hearing Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Written Comments](#)

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 Coatings Association, Inc. v. State of California and California Air Resources Board, Sacramento County Superior Court, Case No. 04CS01707.

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.

Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al., Sacramento County Superior Court, Case No. 34-2020-80003442.

In re Pacific Gas and Electric Company, U.S. Bankruptcy Court, Northern District of California, Case No. 19-30089.

John R. Lawson Rock & Oil, Inc. et al., v. California Air Resources Board, et al., Fresno County Superior Court, Case No. 19CEGG00331.

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

Sowinski v. California Air Resources Board et al., United States District Court for the Northern District of California, No. 3:18-cv-03979-LHK.

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. Environmental Protection Agency, United States Court of Appeals, District of Columbia Circuit, Case No. 21-1035.

State of California, et al. v. United States Environmental Protection Agency, United States Court of Appeals, District Court of Columbia Circuit, Case No. 19-1227

State of California, et al., v. United States Environmental Protection Agency, United States District Court, Northern District of California, Case No. 4:18-cv-03237-HSG.

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 New York et al. v. United States Environmental Protection Agency, United States District Court for the Southern District of New York, Case No. 1:21-cv-00462.

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.

United States v. California, United States District Court, Eastern District of California, Case No. 2:19-cv-02142-WBS-EFB; United States Court of Appeals, Ninth Circuit, Case No. 20-16789.

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.

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.

To request these special accommodations or language needs, please contact the Clerks' Office at cotb@arb.ca.gov or at (916) 322-5594 as soon as possible, but no later than 7 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

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 electrónico 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.

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 31

PROPOSAL: Determine That Proposed Amendments to Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, Are Exempt from CEQA, and Amend Rule 1469.1 (*Continued from May 7, 2021 Board Meeting*)

SYNOPSIS: Proposed Amended Rule 1469.1 would further reduce hexavalent chromium emissions from chromate spray coating operations by including requirements for other related activities such as dried coating removal and demasking, enhancing the point source requirements, enhancing parameter monitoring requirements for air pollution controls, and further minimizing the release of fugitive emissions through additional requirements for building enclosure, housekeeping, and best management practices. The proposed amendments would also remove outdated definitions and provisions.

COMMITTEE: Stationary Source Committee, March 19, 2021, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, is exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium.

Wayne Natri
Executive Officer

Background

Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, was adopted on March 4, 2005 and regulates hexavalent chromium emissions from chromate coating spraying operations. Chromate coatings are typically applied as an anti-corrosion agent onto parts in the aerospace, military, and commercial industries. Rule 1469.1 includes requirements for point sources, transfer efficiency, spray booth operation, housekeeping, monitoring, reporting, and recordkeeping.

Proposed Amended Rule 1469.1 (PAR 1469.1) is needed to further reduce point and fugitive sources of hexavalent chromium emissions from chromate coating spraying operations and to establish requirements to reduce emissions of hexavalent chromium from spraying-related operations, such as those that disturb dried chromate coatings. Many of the provisions in PAR 1469.1, such as requirements for best management practices and building enclosures as well as enhanced housekeeping provisions are based on updates to other toxic metal particulate rules that have been recently adopted or amended. PAR 1469.1 also removes outdated definitions and provisions from the rule.

Public Process

Development of PAR 1469.1 has been conducted through a public process. A working group was formed to provide the public and stakeholders an opportunity to discuss important details about the proposed amended rule and provide input during the rule development process. The Working Group is composed of representatives from businesses, environmental groups, public agencies, and consultants. Staff held seven working group meetings, six of which were conducted virtually using Zoom due to COVID-19 restrictions. The meetings were held on March 4, 2020, June 10, 2020, July 22, 2020, September 9, 2020, October 22, 2020, January 13, 2021, and March 10, 2021. In addition, a Public Workshop was held on February 18, 2021 to present the proposed amended rule and receive public comment.

Proposal

PAR 1469.1 establishes requirements to further reduce hexavalent chromium emissions from facilities that conduct chromate coating spraying operations. PAR 1469.1 includes new provisions to minimize emissions from dried chromate coating removal and demasking activities. PAR 1469.1 also updates spray booth point source compliance options to require HEPA or better filtration for new or modified facilities and provides a pathway for the two facilities that are currently not required to have HEPA filtration for their spray booths to either install HEPA filtration or accept emission limits and filtration requirements based on the facility's existing approved health risk assessment. The final implementation date under PAR 1469.1 for new HEPA filtration requirements is January 1, 2026 to recognize economic impacts that these businesses have experienced under COVID-19.

PAR1469.1 requires dried chromate coating removal activities to be vented to filtration equivalent or better than HEPA. PAR 1469.1 strengthens parameter monitoring of pollution controls providing more specificity for measuring filter collection efficiencies and performance. PAR 1469.1 enhances housekeeping provisions and adds new provisions for best management practices and building enclosures for spray booths and areas where fugitive emissions may be generated. Housekeeping requirements include more frequent cleaning requirements and specifying approved cleaning methods to prevent the accumulation of dried chromate coatings that can become fugitive emissions. Best management practices include requirements to prohibit the use of compressed air for certain activities and to mark pathways and storage areas for workpiece support equipment that may be coated with chromate coating overspray. Building enclosure requirements ensure that building openings near operations that can generate fugitive emissions are closed, and that equipment that may be a source of fugitive emissions are stored within a building.

Since the Public Hearing for PAR 1469.1 was delayed for one month, PAR 1469.1 provisions with a July 1, 2021 effective date have been extended an additional month to August 1, 2021 to allow the affected industry the same lead time to implement new provisions.

Key Issues

Throughout the rulemaking process, staff has worked with stakeholders to address comments and resolve issues. Staff is not aware of any remaining key issues.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board Letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

Socioeconomic Assessment

PAR 1469.1 would affect a total of 115 facilities (with 231 spray booths) that are mainly in manufacturing sectors. The total annual cost of the proposed amendments is expected to be approximately \$443,000 across the universe of affected facilities. The sectors of electroplating, plating, polishing, anodizing, and coloring will have the greatest share of the compliance costs (28.6 percent). The majority of estimated costs are attributable to housekeeping and parameter monitoring requirements. The regional economic impacts of PAR 1469.1 are expected to be minimal.

AQMP and Legal Mandates

Pursuant to Health & Safety Code Section 40460 (a), South Coast AQMD is required to adopt an AQMP demonstrating compliance with all federal regulations and standards. South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PAR 1469.1 will implement an air toxics control measure (TXM-03) from the 2016 AQMP but is not a control measure for attainment of state or federal regulations. PAR 1469.1 is needed to further reduce hexavalent chromium emissions from facilities that spray coatings containing chromium.

Implementation and Resource Impact

Existing South Coast AQMD resources will be used to implement PAR 1469.1.

Attachments

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1469.1
- G. Final Staff Report
- H. Notice of Exemption
- I. Board Meeting Presentation

ATTACHMENT A
SUMMARY OF PROPOSAL

Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium

Point Source Requirements

- HEPA filtration or better for chromate spraying operations at new or modified facilities
- Provides compliance pathway for two facilities currently not required to have HEPA filtration
- Vent dried chromate coating removal activities to HEPA filtration or better

Spray Booth Parameter Monitoring

- Establishes minimum air velocity requirements
- Measure inward face air velocity at specified frequency
- Establishes maximum and minimum filter pressure drop limits
- Requires daily pressure differential gauge readings

Housekeeping Requirements

- Conduct weekly cleaning in most areas using approved cleaning methods
- Conduct daily cleaning of ground areas within 20 feet of spray booth ingress and egress
- Conduct weekly cleaning of floor areas within spray booths, replace all protective floor or wall coverings every six months, or replace sticky mats at spray booth entrances daily
- Visually inspect spray booth exhaust duct during final stage filter replacement, and take a photo
- Clean spray booth exhaust duct if overspray is observed or if analysis of overspray is positive for hexavalent chromium
- Store waste in closed containers

Best Management Practices

- Close enclosed spray booth doors when conducting certain activities within the spray booth
- Install a system that ensures air pollution control device operation during spraying
- Prohibit use of compressed air for demasking activities outside enclosed spray booth
- Establish and mark transit and storage areas for workpiece support equipment
- Remove personal protective equipment in a manner that minimizes fugitive emissions

Building Enclosure Requirements

- Conduct spraying operations, dried chromate coating removal activities, and demasking activities within a building enclosure
- Close building openings within 20 feet of the opening of an open face spray booth and areas where dried chromate coating removal and demasking activities occur
- Store workpiece support equipment and cleaning equipment within a building enclosure

Recordkeeping

- Maintain records to demonstrate compliance with parameter monitoring, housekeeping, best management practices, and spray booth exhaust duct cleaning
- Retain records for five years

Prohibitions

- Prohibit new open face spray booths unless located within a permanent total enclosure
- Prohibit new outdoor spray booths unless greater than 10,000 sq ft

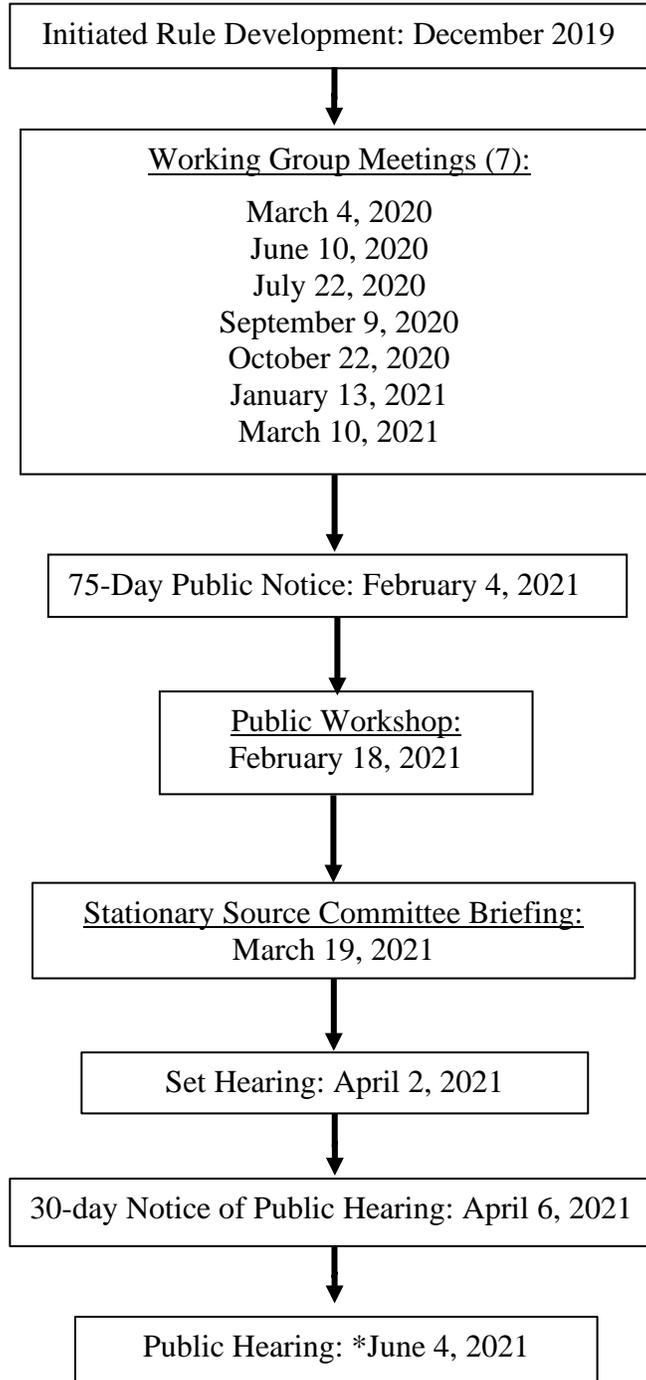
ATTACHMENT B
KEY ISSUES AND RESPONSES

Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium

Through the rulemaking process staff has worked with stakeholders to address a variety of issues. Staff is not aware of any remaining key issues.

**ATTACHMENT C
RULE DEVELOPMENT PROCESS**

**Proposed Amended Rule 1469.1 –
Spraying Operations Using Coatings Containing Chromium**



Eighteen (18) months spent in rule development.

* Initial Public Hearing was set for May 7 but was continued to June 4.

One (1) Public Workshop.

Seven (7) Working Group Meetings.

ATTACHMENT D
KEY CONTACTS LIST

- AAA Plating & Inspection
- Aircraft X-Ray Laboratories
- AirKinetics
- Anadite, Inc.
- Anaplex Corp.
- Andrien Associates
- BFK Solutions LLC
- Boeing Company
- California Air Resources Board
- California Council for Environmental and Economic Balance
- California Office of Environmental Health Hazard Assessment
- California Small Business Alliance
- California Safe Schools
- Circor Aerospace Inc.
- Collins Aerospace
- Southern California Air Quality Alliance
- D. Elsworth, Inc.
- Del Amo Action Committee
- Desmond & Desmond LLC
- Division of Occupational Safety and Health (Cal/OSHA)
- E.M.E., Inc.
- Ecotek
- Electrolurgy Manufacturing Inc.
- GAMA Contracting Services, Inc.
- GSP Metal Finishing
- Impresa Aerospace LLC
- Integral Aerospace
- K&L Anodizing
- Kryler Corp
- Lisi Aerospace
- Meggitt
- Metal Finishing Association of Southern California
- Montrose Environmental Group, Inc.
- Northrop Grumman
- City of Paramount
- Plasma Technology Inc.
- Robinson Helicopter Company
- Shimadzu Precision Instruments, Inc.
- Sierra Aluminum Company
- Springer Industrial
- Tiodize Company, Inc.
- Valence Surface Technologies, LLC

ATTACHMENT E

RESOLUTION NO. 21-____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1469.1 is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l) and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that since the only physical modifications that may occur as a result of the proposed project are associated with implementing the building enclosure requirements, which may be achieved without involving construction or via minimal construction activities, depending on the affected facility, it can be seen with certainty that there is no possibility that proposed project may have any significant adverse effects on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the South Coast AQMD staff conducted a public workshop meeting on February 18, 2021 regarding Proposed Amended Rule 1469.1; and

WHEREAS, Proposed Amended Rule 1469.1 and supporting documentation, including but not limited to, the Notice of Exemption, Final Staff Report,

ATTACHMENT E

and Socioeconomic Impact Assessment, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), since the notice of public hearing was published, that one modification has been made to subparagraph (h)(4)(B) has been modified since the notice of public hearing was published to correct a typographical error and the effective date in subparagraph (j)(2)(C) and paragraphs (j)(5), (j)(6), and (j)(7) have been changed from July 1, 2021 to August 1, 2021 to allow an additional month of lead time, since the Public Hearing was delayed by one month. These modifications are ~~This correction is~~ not so substantial as to significantly affect the meaning of Proposed Amended Rule 1469.1 within the meaning of Health and Safety Code Section 40726 because: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the notice of public hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 1469.1 will be not be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 1469.1 to reduce hexavalent chromium emissions from chromate coating operations and associated operations to further protect public health; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 39650 et. seq., 40000, 40440, 40441, 40702, 40725 through 40728, 41508, and 41700 of the Health and Safety Code; and

ATTACHMENT E

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1469.1 is written and displayed so that its meaning can be easily understood by the persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1469.1 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1469.1 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in adopting Proposed Amended Rule 1469.1, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 41700 and Federal Clean Air Act Sections 112 and 116; and

WHEREAS, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and the South Coast AQMD's comparative analysis of Proposed Amended Rule 1469.1 is included in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment of Proposed Amended Rule 1469.1 is consistent with the March 17, 1989 Governing Board Socioeconomic Resolution for rule adoption; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment for Proposed Amended Rule 1469.1 is consistent with the provisions of Health and Safety Code Sections 40440.8 and 40728.5, and that Health and Safety Code Section 40920.6 is not applicable to rules regulating toxic air contaminants; and

WHEREAS, the South Coast AQMD Governing Board has determined Proposed Amended Rule 1469.1 will result in increased costs to the affected industries, yet are considered to be reasonable, with a total annualized cost as specified in the Socioeconomic Impact Assessment which is included in the Final Staff Report; and

ATTACHMENT E

WHEREAS, the South Coast AQMD Governing Board has actively considered the Socioeconomic Impact Assessment and has made a good faith effort to minimize such impacts; and

WHEREAS, the public hearing has been properly noticed in accordance with the provisions of Health and Safety Code Section 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all applicable provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Planning and Rules Manager overseeing the rule development of Proposed Amended Rule 1469.1 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the amended rules are based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on the proposed project; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, as set forth in the attached, and incorporated herein by reference.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F

(Adopted March 4, 2005) (PAR 1469.1 June 4, 2021)

PROPOSED AMENDED RULE 1469.1 **SPRAYING OPERATIONS USING COATINGS CONTAINING CHROMIUM**

[Rule Index to be included after adoption]

(a) Purpose

The purpose of this rule is to reduce emissions of hexavalent chromium from spray coating and related operations.

(b) Applicability

This rule ~~shall apply~~ ies to an owner or operator conducting any operation in which spraying of chromate coatings, containing hexavalent chromium are sprayed, with the exception of thermal spraying operations. Compliance with this rule shall be in addition to other applicable rules.

(c) Definitions

For the purpose of this rule the following definitions shall apply:

- (1) APPROVED CLEANING METHOD means cleaning using a wet mop, damp cloth, wet wash, low pressure spray nozzle, HEPA VACUUM, protective coverings, or other method as approved by the Executive Officer.
- (42) APPROVED HEALTH RISK ASSESSMENT means a health risk assessment prepared pursuant to Rule 1402 that is approved by the Executive Officer.
- (3) BENCH SPRAY BOOTH means a SPRAY BOOTH with a raised spray enclosure area typically used for smaller workpieces, in which the operator cannot stand within the enclosure.
- (4) BUILDING ENCLOSURE means a permanent building or physical structure, or a portion of a building, with a floor, walls, and a roof to prevent exposure to the elements, (e.g. precipitation, wind, run-off), with limited openings to allow access for people, vehicles, equipment, or workpieces.
- (2) ~~CAPTURE EFFICIENCY~~ is the ~~percentage of the mass of the solids fraction of overspray that is collected and directed to an air pollution control device.~~
- (35) ~~CHROMATE~~ is ~~any salt or ester of chromic acid. For the purpose of this rule, chromate means strontium chromate~~ CHROMATE, zinc chromate

~~CHROMATE~~, lead—chromate CHROMATE, barium—chromate CHROMATE, calcium chromate—CHROMATE, and any other chromate CHROMATE used in primers or coatings COATINGS for corrosion protection or other properties.

(c) (46) COATING ~~means~~ is a material ~~that~~which is applied to a surface and ~~that~~which forms a continuous film in order to beautify and/or protect such surface and includes primers used for corrosion prevention, protection from the environment, functional fluid resistance and/or adhesion of subsequent COATINGS, adhesives, or sealants.

(5) ~~COATING APPLICATION EQUIPMENT~~ are those used for applying coating to a substrate. Coating application equipment includes coating distribution lines, coating hoses, pressure pots, spray guns, and hand-application equipment, such as hand rollers, brushes, daubers, spatulas, and trowels.

(67) COMPLIANCE PLAN APPROVAL LETTER ~~means~~ is the official notice of approval for a compliance plan.

(7) ~~CONTROL EFFICIENCY~~ is the difference between the uncontrolled and the controlled total emissions divided by the total emissions and multiplied by 100. Control efficiency is represented by the following equation:

$$\eta = \frac{T_u - T_c}{T_u} \times 100$$

~~Where~~ η = Control Efficiency.

~~T_u~~ = Uncontrolled Emissions of Hexavalent Chromium

~~T_c~~ = Controlled Emissions of Hexavalent Chromium

(8) DEMASKING ACTIVITY means an activity in which tape or other masking material is removed from workpieces that have been coated with CHROMATE COATINGS.

(9) DRIED CHROMATE COATING REMOVAL ACTIVITY means an activity whereby dried CHROMATE COATINGS on workpieces are removed through physical or mechanical means, such as buffing, scuffing, sanding, or grinding. DRIED CHROMATE COATING REMOVAL ACTIVITY does not include DEMASKING ACTIVITY.

(810) ELECTROSTATIC APPLICATION ~~means~~ is charging of atomized paint droplets for deposition by electrostatic attraction.

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- (c) (11) ENCLOSED SPRAY BOOTH means a SPRAY BOOTH with four sides that are enclosed during spraying operations and where the only openings in the SPRAY BOOTH during spraying operations are for makeup air.
- (9) ~~EQUIPMENT~~ includes the spray gun or other application device, the booth, enclosure or other area in which the spraying process occurs, and the associated air pollution control equipment.
- (10) ~~12~~ EXHAUST COVERING means a material placed in front of existing filters and pre-filters, that is located on the inside of a spray enclosure and that is not part of the designed filter system.
- (11) ~~EXISTING AIR POLLUTION CONTROLS~~ means all control equipment existing as of March 4, 2005.
- (12) ~~EXISTING SCHOOL~~ means any school, public or private, kindergarten through grade 12, existing as of March 4, 2005.
- (13) ~~EXISTING SOURCE~~ or SOURCE means any process where spraying primers or coatings containing chromium that is operating on or before March 4, 2005.
- (14) ~~13~~ FACILITY means any source or group of sources or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or persons under common control), or an outer continental shelf as determined in 40 CFR Section 55.2. Such above-described groups, if non-contiguous, but connected by land carrying a pipeline, shall not be considered one ~~facility~~ FACILITY. Sources or installations involved in crude oil and gas production in Southern California Coastal or Outer Continental Shelf (OCS) Waters and transport of such crude oil and gas in Southern California Coastal or OCS Waters shall be included in the same ~~facility~~ FACILITY which is under the same ownership or use entitlement as the crude oil and gas production ~~facility~~ FACILITY onshore.
- (15) ~~14~~ HAND APPLICATION METHOD ~~means~~ is the application of materials by manually held, non-mechanically operated equipment. Such equipment includes paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.
- (15) HEPA VACUUM means a vacuum that is both designed to be fitted and used with a filter that is individually tested and certified by the

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manufacturer to have a control efficiency of not less than 99.97 percent on 0.3 micron particles.

- (c) (16) ~~HIGH EFFICIENCY PARTICULATE ARRESTORS—AIR~~ (HEPA) FILTER means a filter(s) that is both individually tested and certified by the manufacturer to have a control efficiency of not less than 99.97%— percent on 0.3 micron particles~~or more efficient in collecting particle sizes 0.3 microns or greater in size.~~
- (17) ~~HIGH-VOLUME, LOW-PRESSURE (HVLP)-SPRAY~~ is—means a material application system ~~which—~~that is operated at air pressure of between 0.1 and 10 pounds per square inch gauge ~~(psig).~~
- (18) ~~NEW SOURCE~~ means ~~any source spraying primers or coatings containing chromium that is initially operated in the South Coast District after March 4, 2005.~~
- (19) ~~OPEN FACE ENCLOSURE-SPRAY BOOTH~~ means for the purpose of this rule a ~~SPRAY enclosure—~~BOOTH in which one side of the ~~enclosure~~ booth is not enclosed, and air can flows through the open face horizontally. ~~Open face enclosure—~~OPEN FACE SPRAY BOOTH does not include any ~~enclosure-SPRAY BOOTH~~ configured for downdraft ventilation.
- (20) ~~OVERSPRAY~~ means is—the fraction of ~~coating—~~COATING sprayed that does not adhere to the intended surface.
- (21) ~~PERMANENT TOTAL ENCLOSURE~~ means a permanent building or containment structure, enclosed with a floor, walls, and a roof to prevent exposure to the elements, (e.g., precipitation, wind, run-off) that has limited openings to allow access for people and vehicles, that is free of breaks or deterioration that could cause or result in fugitive emissions, and has been evaluated to meet the design requirements set forth in U.S. EPA Method 204, or other design approved by the Executive Officer.
- (22) ~~PRIMER~~ is a coating applied to a part for purposes of corrosion prevention, protection from the environment, functional fluid resistance and/or adhesion of subsequent coatings, adhesives, or sealants.
- (23) ~~RECEPTOR~~ means any off-site location where persons may be exposed to emissions of hexavalent chromium from a source subject to this rule. Receptor locations include residential, commercial, and industrial land-use areas, and other locations where sensitive populations may be located.

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- (23) ~~RESIDENTIAL RECEPTOR~~ means a single family dwelling or a multi-family dwelling, including but not limited to a duplex, condominium, townhome, apartment building, or other rental unit.
- (24) ~~RESPONSIBLE OFFICIAL~~ means one of the following:
- (A) ~~For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:~~
 - (i) ~~The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or~~
 - (ii) ~~The delegation of authority to such representative is approved in advance by the Executive Officer.~~
 - (B) ~~For a partnership or sole proprietorship: a general partner or the proprietor, respectively.~~
 - (C) ~~For a municipality, state, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the U.S. Environmental Protection Agency [U.S. EPA]).~~
 - (D) ~~For sources (as defined in this rule) applying for or subject to a Title V permit: "responsible official" shall have the same meaning as defined in District's Regulation XXX.~~
- (c) (2521) SENSITIVE RECEPTOR includes ~~schools, public and private~~ (kindergarten through grade 12), licensed daycare centers, hospitals, and convalescent homes. means any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care FACILITIES such as hospitals or retirement and nursing homes. A SENSITIVE RECEPTOR includes long

term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

(c) (22) SPRAY BOOTH means for the purpose of this rule any enclosure with walls and an impermeable ceiling used to contain and capture OVERSPRAY from the spray application of any CHROMATE COATINGS.

~~(26) SPRAYING OPERATION or SPRAYING PROCESS, for the purpose of this rule, includes the equipment used to spray coatings containing chromium, and the spray enclosure in which it is sprayed. Spraying operation or spraying process includes all spraying of primers or coatings containing chromium, except for thermal spraying operations.~~

(23) STICKY MAT means a non-reusable floor mat or floor covering with an adhesive or tacky surface that removes particles from shoes, wheels, or other objects that travel over the mat or covering.

~~(2724) THERMAL SPRAYING OPERATIONS means are~~ one of several processes in which metallic or nonmetallic surfacing materials are deposited in a molten or semi-molten condition on a substrate to form a ~~coating~~ COATING. The surfacing material may originate in the form of powder, rod, or wire before it is heated, prior to spraying and deposition. ~~Thermal spraying operations~~ THERMAL SPRAYING OPERATIONS include: detonation gun spraying, flame spraying, high-velocity oxy-fuel spraying, plasma spraying, and twin-wire electric arc spraying.

~~(2825) TOUCH UP AND REPAIR OPERATION means is that portion of the coating operation that is the incidental application of coating~~ COATING used to cover minor ~~coating~~ COATING imperfections ~~in the coating finish or to achieve complete coverage~~ after the main COATING operation is conducted.

~~(2926) TRANSFER EFFICIENCY means is~~ the ratio of the weight or volume of ~~coating~~ COATING solids adhering to an object to the total weight or volume, respectively, of ~~coating~~ COATING solids used in the application process, expressed as a percentage.

(27) WORKPIECE SUPPORT EQUIPMENT means racks, stands, or other equipment used to hold or support workpieces during CHROMATE spraying operations.

(d) Point Source Requirements

Proposed Amended Rule 1469.1 (PAR 1469.1 June 4, 2021)(Adopted March 4, 2005)

- (d) (1) An owner or operator of a facility with a chromate spraying operation shall:
- (A) Conduct chromate spraying operations in a spray booth that is vented to an air pollution control system with HEPA filters or filters individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles;
 - (B) Meet the alternate point source requirements of paragraphs (e)(1) and (e)(2) until the earlier date required in subparagraph (d)(2)(B) to meet subparagraph (d)(1)(A); or
 - (C) Meet the alternate point source requirements of paragraphs (e)(3), (e)(4), and (e)(5).
- (2) An owner or operator of a facility with a chromate spraying operation that meets the alternate point source requirements pursuant to subparagraph (d)(1)(B) or fails to meet the requirements of paragraph (e)(3) for facilities that meet the alternate point source requirements pursuant to subparagraph (d)(1)(C) shall:
- (A) On or before January 1, 2023, submit complete permit applications for a spray booth that meets the requirements of subparagraph (d)(1)(A); and
 - (B) No later than 18 months after a Permit to Construct has been issued or January 1, 2026, whichever date is earlier, meet the requirements of subparagraph (d)(1)(A).
- (3) When spraying chromate coatings, an owner or operator of a facility with a chromate spraying operation shall ensure that:
- (A) Visible emissions do not exit the spray booth;
 - (B) All spray booth filters are free of leaks, breaks, and tears, and are properly seated; and
 - (C) Inward air flow of the spray booth is maintained:
 - (i) Before January 1, 2026, by meeting the interim inward face air velocity requirement of paragraph (o)(1); and
 - (ii) Beginning January 1, 2026, by meeting the spray booth measurement or demonstration requirements in paragraph (g)(1).

- (e) Alternate Point Source Requirements for Chromate Spraying Operations With Compliance Plans or Health Risk Assessments Approved Before [Date of Rule Adoption]
- (1) Until the provisions in subparagraph (d)(1)(A) are met, an owner or operator of a facility with a chromate spraying operation with a compliance plan approved before [Date of Rule Adoption], or enforceable permit conditions resulting from a health risk assessment approved before [Date of Rule Adoption] that limit the cancer risk to 25 in a million if a facility is located more than 25 meters from a sensitive receptor or 10 in a million if a facility is located 25 meters or less from a sensitive receptor or located 100 meters or less from an existing school, shall continue to meet the conditions in the approved compliance plan.
- (2) Until the provisions in subparagraph (d)(1)(A) are met, an owner or operator of a facility with a chromate spraying operation with an approved compliance plan pursuant to paragraph (e)(1) shall:
- (A) Mount the compliance plan approval letter so as to be clearly visible in an accessible place within 8 meters (26 feet) of the spray booth identified in the approved compliance plan, or as otherwise approved in writing by the Executive Officer for equipment not subject to a facility permit under Regulation XX or Regulation XXX; or
- (B) Keep the compliance plan approval letter with the facility permit, or as otherwise approved in writing by the Executive Officer for equipment subject to a facility permit under Regulation XX or Regulation XXX.
- (3) On or before January 1, 2023, an owner or operator of a facility with a chromate spraying operation with a health risk assessment approved before [Date of Rule Adoption] using the 2015 OEHHA risk assessment guidance shall submit complete permit applications to modify the spray booth(s) conducting chromate spraying operations to:
- (A) Limit the annual chromate emissions at or below the amount evaluated in the approved health risk assessment; and
- (B) Require use of a filter that meets a minimum filter efficiency that is equal to or greater than the filter efficiency evaluated in the approved health risk assessment.

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- (e) (4) Upon receiving written notification from the Executive Officer that the annual chromate emissions exceed the permit limit pursuant to subparagraph (e)(3)(A), an owner or operator of a facility with a chromate spraying operation shall:
 - (A) Submit complete permit applications for a spray booth that meets the requirements of subparagraph (d)(1)(A) within six months after the date of written notification; and
 - (B) No later than 18 months after a Permit to Construct has been issued or 36 months after the date of written notification, whichever date is earlier, meet the requirements of subparagraph (d)(1)(A).
- (5) On or before January 1, 2023, an owner or operator of a facility with a chromate spraying operation with a health risk assessment approved before [Date of Rule Adoption] using the 2015 OEHHA risk assessment guidance shall:
 - (A) Clean the spray booth duct to remove all overspray and dried coatings that may contain chromium using an approved cleaning method;
 - (B) Inspect associated exterior surfaces of the spray booth duct and remove all overspray and dried coatings that may contain chromium using an approved cleaning method; and
 - (C) Notify the Executive Officer at least 72 hours prior to the cleaning by calling 1-800-CUT-SMOG.
- (f) Point Source Requirements for Dried Chromate Coating Removal Activities
 - (1) Beginning January 1, 2026 or the date specified in subparagraph (f)(2)(B), an owner or operator of a facility with a chromate spraying operation shall ensure any dried chromate coating removal activity is:
 - (A) Conducted in a spray booth that meets the requirements of paragraph (d)(1); or
 - (B) Vented to a control device permitted for dried chromate coating removal activity that is:
 - (i) Equipped with HEPA filters, or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles; and
 - (ii) Operated pursuant to a South Coast AQMD permit.

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- (f) (2) An owner or operator of a facility with a chromate spraying operation that is conducting any dried chromate coating removal activity without a control device or with a control device that does not meet the requirements of paragraph (f)(1) shall:
 - (A) On or before January 1, 2023, submit a complete permit application for a control device that meets the requirements of clause (f)(1)(B)(i); and
 - (B) No later than 18 months after a Permit to Construct has been issued or January 1, 2026, whichever date is earlier, vent the dried chromate coating removal activity to the permitted control device that meets the requirements of clause (f)(1)(B)(i).
- (3) An owner or operator of a facility with a chromate spraying operation conducting dried coating removal activity shall not operate a spray booth or other control device unless the filters are free of leaks, breaks, and tears, and are properly seated.
- (g) Spray Booth Requirements
 - (1) Beginning January 1, 2026 or the date specified in subparagraph (g)(2)(B), an owner or operator with a chromate spraying operation shall not conduct chromate spraying operations or dried chromate coating removal activity in a spray booth unless:
 - (A) The applicable average velocity and minimum velocity in Table 1 – Spray Booth Inward Face Air Velocity Requirements are met for the enclosed or open face spray booth using Appendix 1 – Inward Face Air Velocity Measurement Procedures; or
 - (B) The enclosed spray booth meets the design requirements of a permanent total enclosure set forth in U.S. EPA Method 204 or other design approved by the Executive Officer.

Table 1 – Spray Booth Inward Face Air Velocity Requirements

<u>Spray Booth Type</u>	<u>Measurement Location</u>	<u>Average Velocity of Measurement Points</u>	<u>Minimum Velocity at Each Measurement Point</u>
<u>Enclosed Non-Bench</u>	<u>At the filter face</u>	<u>100 feet per minute</u>	<u>75 feet per minute</u>
<u>Open Face Non-Bench</u>	<u>At the opening of the booth</u>		
<u>Enclosed Bench</u>	<u>At the filter face</u>	<u>150 feet per minute</u>	<u>125 feet per minute</u>
<u>Open Face Bench</u>	<u>At the opening of the booth</u>		

- (g) (2) An owner or operator of a facility with chromate spraying operations that does not meet the requirements of paragraph (g)(1) shall:
 - (A) On or before January 1, 2023, submit complete permit applications to modify the spray booth to meet the requirements of paragraph (g)(1); and
 - (B) Modify the spray booth no later than 18 months after a Permit to Construct has been issued or January 1, 2026, whichever date is earlier.
- (3) After demonstrating that a spray booth meets the requirements of paragraph (g)(1), an owner or operator of a facility with a chromate spraying operation shall demonstrate that the spray booth continues to meet the requirements of paragraph (g)(1) according to the frequency in Table 2 – Measurement or Demonstration Frequency.

Table 2 – Measurement or Demonstration Frequency

<u>Spray Booth Type</u>	<u>Frequency</u>
<u>Enclosed Non-Bench or Bench</u>	<u>At least once every 12 calendar months from the previous air velocity measurement pursuant to subparagraph (g)(1)(A) or permanent total enclosure demonstration pursuant to subparagraph (g)(1)(B)</u>
<u>Open Face Non-Bench or Bench</u>	<u>At least once every six calendar months from the previous air velocity measurement pursuant to subparagraph (g)(1)(A)</u>

- (g) (4) Beginning January 1, 2026, an owner or operator of a facility with a chromate spraying operation that fails to meet the requirements of paragraph (g)(1) shall:
- (A) Not operate the spray booth for chromate spraying operations or dried chromate coating removal activities;
 - (B) Perform necessary actions or repairs to meet the requirements of paragraph (g)(1) before operating the spray booth; and
 - (C) Notify the Executive Officer by calling 1-800-CUT-SMOG within 24 hours of knowing that the necessary actions or repairs pursuant to subparagraph (g)(4)(B) cannot be completed within 30 days of the failure to meet the requirements of paragraph (g)(1).
- (5) Prior to conducting chromate spraying or any dried chromate coating removal activity, an owner or operator of a facility with a chromate spraying operation that is required to notify the Executive Officer pursuant to subparagraph (g)(4)(C) and has met the requirements in paragraph (g)(1) shall:
- (A) Notify the Executive Officer within 24 hours of meeting the requirements of paragraph (g)(1) by calling 1-800-CUT-SMOG; and
 - (B) Demonstrate that the spray booth meets the requirements in paragraph (g)(1) and every 30 days thereafter.
- (6) After three consecutive demonstrations pursuant to subparagraph (g)(5)(B), an owner or operator of a facility with a chromate spraying operation shall demonstrate that the spray booth continues to meet the requirements of

paragraph (g)(1) according to the frequency specified in Table 2 – Measurement or Demonstration Frequency.

(h) Requirements for Building Enclosures

(1) An owner or operator of a facility with a chromate spraying operation shall conduct the following within a building enclosure:

(A) Spraying operations;

(B) Dried chromate coating removal activities; and

(C) Demasking activities.

(2) An owner or operator of a facility with a chromate spraying operation shall store workpiece support equipment within a building enclosure.

(3) An owner or operator of a facility with a chromate spraying operation shall store cleaning equipment used to conduct housekeeping activities pursuant to subdivision (i) within a building enclosure.

(4) Beginning January 1, 2022, except for the movement of vehicles, equipment, or people, an owner or operator of a facility with a chromate spraying operation shall:

(A) Close any building openings within 20 feet of:

(i) The opening of an open face spray booth;

(ii) Areas where dried chromate coating removal activities occur; and

(iii) Areas where demasking activities occur; and

(B) Use one ~~or~~ more of the following methods to close building openings:

(i) Door that automatically closes;

(ii) Overlapping plastic strip curtains;

(iii) Vestibule;

(iv) Airlock system; or

(v) Alternative method to minimize the release of fugitive emissions from the building that has been approved by the Executive Officer as an equivalent or more effective method to minimize the movement of air from within the building to the outside.

(i) Housekeeping Requirements

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- (i) (1) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall use an approved cleaning method to clean, at the frequencies specified in Table 3 – Cleaning Frequencies, all open floor areas within 20 feet of:
 - (A) The opening of an open face spray booth;
 - (B) Ingresses and egresses of an enclosed spray booth located within a building enclosure;
 - (C) Areas where dried chromate coating removal or demasking activities are conducted;
 - (D) Areas where chromate coatings are mixed;
 - (E) Storage areas for equipment and materials that may contain chromates, excluding storage areas used exclusively for unopened coating containers; and
 - (F) Waste storage areas for materials that may contain chromates.
- (2) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall use an approved cleaning method to clean, at the frequencies specified in Table 3 – Cleaning Frequencies, all floor areas within:
 - (A) Workpiece support equipment transit paths and work areas identified in paragraph (j)(6); and
 - (B) Workpiece support equipment storage areas identified in paragraph (j)(7).

Table 3 – Cleaning Frequencies

<u>Applicable Provisions</u>	<u>For Areas Located Within a Permanent Total Enclosure Vented to an Air Pollution Control System with Filters that Meet the Filter Requirements of Subparagraph (d)(1)(A)</u>	<u>For All Other Areas</u>
<u>(i)(1)(A) and (i)(1)(B)</u>	<u>Once per calendar month, for any month when chromate spraying operations are conducted on one or more days</u>	<u>Once per calendar week, for any week when chromate spraying operations are conducted on one or more days</u>
<u>(i)(1)(C), (i)(1)(D), (i)(1)(E), and (i)(1)(F)</u>	<u>Once per calendar month, for any month when activities are conducted on one or more days</u>	<u>Once per calendar week, for any week when activities are conducted on one or more days</u>
<u>(i)(2)(A) and (i)(2)(B)</u>	<u>Once per calendar month, for any month when workpiece support equipment is moved on one or more days</u>	<u>Once per calendar week, for any week when workpiece support equipment is moved on one or more days</u>

- (i) (3) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall use an approved cleaning method to clean all ground areas within 20 feet of ingresses and egresses of an enclosed spray booth located outside a building enclosure once per day on days when chromate spraying operations are conducted within the spray booth.
- (4) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall use an approved cleaning method to clean spills of liquid or solid material that may contain chromates immediately but no later than one hour after being spilled.
- (5) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall use an approved cleaning method to clean all floors within a spray booth without protective coverings at least

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once per calendar week, during any week when activities subject to this rule are conducted on one or more days within the spray booth.

- (i) (6) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall remove and replace all spray booth protective floor or wall coverings at least every six months.
- (7) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation that elects to use sticky mats in lieu of conducting the housekeeping requirements specified in subparagraphs (i)(1)(A) and (i)(1)(B) and paragraphs (i)(5) and (i)(6) shall ensure the sticky mats are:
 - (A) At least two feet in depth and as wide as the opening at all spray booth ingresses and egresses;
 - (B) Placed in locations such that all foot and equipment traffic into and out of the spray booth travels over the sticky mats; and
 - (C) Replaced at least once per day on days when chromate spraying operations are conducted in the spray booth. Used sticky mats shall be disposed of in a container before removal from a building. The container shall remain closed except when being filled or emptied.
- (8) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall place waste materials that may contain chromates immediately in a container. The container shall remain closed except when being filled or emptied. If waste material will be transferred to other on-site containers, the container shall be lined with removable bags.
- (9) Beginning January 1, 2022, an owner or operator of a facility with a chromate spraying operation shall ensure that when a HEPA vacuum is used:
 - (A) The HEPA filter is free of leaks, breaks, tears, or other types of damage, and securely latched and properly situated in the vacuum to prevent air leakage from the filtration system; and
 - (B) The HEPA vacuum is emptied into a container within a spray booth that meets the provisions of paragraph (d)(1). The container shall remain closed except when being filled or emptied.
 - (C) The HEPA filter shall be replaced within a spray booth that meets the provisions of paragraph (d)(1), and the used filter shall be placed in a closed container before removal from the spray booth.

(j) Best Management Practices

(1) Chromate Spraying Operations

An owner or operator of a facility with a chromate spraying operation shall:

(A) Keep ingresses and egresses of an enclosed spray booth closed while conducting spraying operations; and

(B) Beginning July 1, 2022 or the date specified in subparagraph (d)(2)(B) for facilities meeting the requirements in subparagraph (d)(1)(B), whichever date is later, not operate a spray booth unless a system is used to ensure that the air pollution control system for the spray booth is operating while the chromate spraying equipment is being used.

(2) Spray Booth Operations

An owner or operator of a facility with a chromate spraying operation shall:

(A) When removing protective floor, wall, or exhaust coverings within the spray booth:

(i) Operate the air pollution control system;

(ii) Ensure that the ingresses and egresses of an enclosed spray booth are closed; and

(iii) Place all material that may contain chromates that are intended to be disposed of in a container before removal from the spray booth. The container shall remain closed except when being filled or emptied.

(B) Operate the air pollution control system for a minimum of three air exchanges within the spray booth or five minutes, whichever is longer:

(i) After spraying operations have ceased;

(ii) After conducting dried chromate coating removal activities within the spray booth; and

(iii) After removing protective floor, wall, or exhaust coverings within the spray booth;

(C) Beginning ~~July~~~~August~~ 1, 2021, post on the spray booth, in a location that is clearly visible and accessible to the spray booth operator, the minimum ventilation time needed to meet the requirements of subparagraph (j)(2)(B); and

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- (j) (2) (D) Not operate the air pollution control system when the final stage filters are being removed, replaced or are missing, damaged, or improperly installed.
- (3) Transfer Efficiency
An owner or operator of a facility with a chromate spraying operation shall not spray chromate coatings unless the chromate coatings are applied according to operating procedures specified by the equipment manufacturer, or applicable permit conditions, and by use of one of the following methods:
- (A) High-Volume, Low-Pressure Spray;
- (B) Electrostatic application; or
- (C) Such other alternative application methods as are demonstrated to the Executive Officer in accordance with the South Coast AQMD method (Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989), or subsequent revisions to be capable of achieving at least equivalent transfer efficiency to the method in subparagraph (j)(3)(A) and for which written approval of the Executive Officer has been obtained.
- (4) Dried Chromate Coating Removal Activities
An owner or operator of a facility with a chromate spraying operation that conducts any dried chromate coating removal activity in a spray booth shall keep ingresses and egresses of an enclosed spray booth closed and operate the air pollution control system for the spray booth pursuant to the spray booth requirements in paragraph (d)(3) and subdivision (g), and the pressure drop requirements in subdivision (k), while conducting dried chromate coating removal activities.
- (5) Demasking Activities
Beginning ~~July~~**August** 1, 2021, an owner or operator of a facility with a chromate spraying operation conducting any demasking activity outside of an enclosed spray booth or a permanent total enclosure vented to an air pollution control system with HEPA filters or filters individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles shall not use compressed air to clean workpieces on tables or other surface areas where demasking activity occurs.

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(j) (6) Workpiece Support Equipment Used During Chromate Spraying Operations

Beginning ~~July~~**August** 1, 2021, an owner or operator of a facility with a chromate spraying operation that moves workpiece support equipment outside of a spray booth or permanent total enclosure vented to an air pollution control system with HEPA filters or filters individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles shall:

(A) Establish and clearly mark transit paths and work areas outside of the spray booth or permanent total enclosure; and

(B) Transport equipment within established transit paths and work areas.

(7) Storage of Workpiece Support Equipment Used During Chromate Spraying Operations

Beginning ~~July~~**August** 1, 2021, an owner or operator of a facility with a chromate spraying operation that stores workpiece support equipment outside of a spray booth or permanent total enclosure vented to an air pollution control system with HEPA filters or filters individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles shall:

(A) Establish and clearly mark storage areas used to store workpiece support equipment; and

(B) Store workpiece support equipment within established storage areas.

(8) Visual Inspections

An owner or operator of a facility with a chromate spraying operation shall perform a weekly visual inspection of the filter media subject to this rule for leaks, breaks, tears, and improper seating.

(9) Personal Protective Equipment

An owner or operator of a chromate spraying operation shall remove personal protective equipment in a manner that minimizes fugitive emissions.

(k) Pressure Drop Across Filter Media

(1) Beginning January 1, 2023 or the date specified in subparagraph (d)(2)(B) for facilities meeting the requirements in subparagraph (d)(1)(B), whichever is later, an owner or operator of a facility with a chromate spraying operation shall:

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- (k) (1) (A) Install a pressure gauge to continuously monitor the pressure drop across the spray booth final stage filter media; and
- (B) Maintain the pressure drop across the spray booth final stage filter media at or below the maximum pressure drop specified in a South Coast AQMD permit or the filter manufacturer’s recommended maximum pressure drop, whichever is lower.
- (2) An owner or operator of a facility with a chromate spraying operation shall maintain the pressure drop across the spray booth final stage filter media at or above the minimum pressure drop pursuant to Table 4 – Minimum Pressure Drop Across Final Stage Filters.

Table 4 – Minimum Pressure Drop Across Final Stage Filters

<u>Availability of Minimum Pressure Drop Information</u>	<u>Minimum Pressure Drop Requirement</u>	<u>Effective Date</u>
<u>Specified in a South Coast AQMD permit</u>	<u>Specified in a South Coast AQMD permit</u>	<u>[Date of Rule Adoption]</u>
<u>Not specified in South Coast AQMD permit</u>	<u>Measure pressure drop to the nearest tenth of an inch of water column while the air pollution control system is in operation to establish the minimum pressure drop across existing final stage filter media in place before January 1, 2023</u>	<u>January 1, 2023 until new final stage filter media replacement</u>
	<u>Measure pressure drop to the nearest tenth of an inch of water column while the air pollution control system is in operation to establish the minimum pressure drop across new final stage filter media replaced after January 1, 2023</u>	<u>At time of new final stage filter media installation</u>

- (3) An owner or operator of a facility with a chromate spraying operation shall not operate a spray booth:

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- (A) Before January 1, 2023 if the pressure drop across the filter media is above the maximum limits specified in paragraph (o)(3); and
 - (B) Beginning January 1, 2023, if the pressure drop across the final stage filter media is above the maximum limits specified in subparagraph (k)(1)(B) or below the minimum limits specified in Table 4 – Minimum Pressure Drop Requirements.
 - (3) An owner or operator of a Facility with a Chromate spraying operation shall maintain onsite, and make available to the Executive Officer upon request:
 - (A) The filter technical specification sheets for all spray booth final stage filter media installed in a spray booth subject to this rule; and
 - (B) Any minimum pressure drop established in accordance with Table 4 – Minimum Pressure Drop Requirements.
 - (4) An owner or operator of a facility with a chromate spraying operation shall record the pressure drop as measured by the gauge required in subparagraph (k)(1)(A) or paragraph (o)(3) at least once on days when a chromate spraying operation or dried chromate coating removal activity is conducted within the spray booth.
 - (6) An owner or operator of a facility with a chromate spraying operation that elects to use a continuous data acquisition system (DAS) in lieu of recording the final filter pressure drop required by paragraph (k)(5) shall ensure the DAS is installed, operated, and maintained in accordance with manufacturer’s specifications. The DAS shall:
 - (A) Record the data output from the gauge required in paragraph (k)(1)(A) at least once, and at a frequency of not less than once every sixty (60) minutes, when conducting a chromate spraying operation or dried chromate coating removal activity within the spray booth and;
 - (B) Generate a data file that contains a table of chronological date and time and the corresponding data output value from the gauge required in paragraph (k)(1)(A) in inches of water column on days when a chromate spraying operation or dried chromate coating removal activity is conducted within the spray booth. The file shall be saved in an electronic spreadsheet format or other format approved by the Executive Officer; and

(k) (6) (C) Have an audible alarm that alerts when the pressure drop is above the maximum limit specified in subparagraph (k)(1)(B) or below the minimum limit specified in paragraph (k)(2).

(l) Spray Booth Exhaust Duct Cleaning Requirements

(1) When replacing the final stage filter media, an owner or operator of a facility with a chromate spraying operation shall conduct a visual inspection of the spray booth duct immediately downstream of the final stage filter media for the presence of overspray or dried coatings that may contain chromium.

(2) An owner or operator of a facility with a chromate spraying operation that observes overspray or dried coating that may contain chromium during a visual inspection conducted pursuant to paragraph (l)(1) shall:

(A) Clean the spray booth duct, and inspect associated exterior surfaces of the spray booth duct and remove all such overspray and dried coatings using an approved cleaning method:

(i) No later than seven days after observation; or

(ii) Before any chromate spraying operations are conducted in the spray booth; or

(B) Analyze the overspray or dried coating for the presence of hexavalent chromium and if found, clean the spray booth duct, and inspect associated exterior surfaces of the spray booth duct and remove all such overspray and dried coatings using an approved cleaning method:

(i) No later than 14 days after observation; or

(ii) Before any chromate spraying operations are conducted in the spray booth.

(3) If an owner or operator of a facility with a chromate spraying operation receives written notification from the Executive Officer confirming the presence of hexavalent chromium in the spray booth duct and/or associated exterior surfaces, the owner or operator shall:

(A) Not operate the spray booth until the spray booth duct and/or associated exterior surfaces are cleaned; and

(B) Clean the spray booth duct and/or associated exterior surfaces to remove all overspray and dried coating that may contain chromium using an approved cleaning method.

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(1) (4) An owner or operator of a facility with a chromate spraying operation required to clean a spray booth duct and/or associated exterior surfaces pursuant to paragraphs (1)(2) and (1)(3) shall notify the Executive Officer at least 72 hours prior to the cleaning by calling 1-800-CUT-SMOG.

(m) Recordkeeping Requirements

(1) Coatings Usage Records

An owner or operator of a facility with a chromate spraying operation shall maintain:

(A) Purchase records of chromate coatings used for spray coating operations;

(B) Safety data sheets provided for the materials subject to the requirements of subparagraph (m)(1)(A) that indicate the weight percent of chromate(s) in the coating, and the density of the coating;

(C) Daily usage records for each coating subject to subparagraph (m)(1)(A), applied or used daily; and

(D) Application method for each coating used.

(2) Housekeeping and Best Management Practice Records

An owner or operator of a facility with a chromate spraying operation shall:

(A) Maintain records demonstrating compliance with housekeeping requirements specified in subdivision (i) and paragraph (o)(2) and the best management practices specified in paragraphs (j)(1) through (j)(7); and

(B) Maintain records of the visual inspections required by paragraph (j)(8), including:

(i) Name of the person(s) performing the visual inspection for each spray booth or other control device;

(ii) Identification of each spray booth, including the permit number or the device identification number listed on a South Coast AQMD permit;

(iii) Date and time of the visual inspection;

(iv) Documentation of filter media found to have any leaks, breaks, or tears, or found to be improperly installed; and

(v) Description of any maintenance and repair activities conducted for any spray booth or other control device.

(3) Monitoring Records

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An owner or operator of a facility with a chromate spraying operation shall:

- (m) (3) (A) Maintain records of measurements or demonstrations of spray booth requirements in paragraph (g)(1) including:
 - (i) Name of the person(s) conducting the measurement or demonstration;
 - (ii) Identification of each spray booth, including the permit number or device identification number;
 - (iii) Date and time the demonstrations were conducted;
 - (iv) Description of the equipment used to conduct the measurement or demonstration;
 - (v) Calibration records for the equipment used to conduct the measurement or demonstration;
 - (vi) Results of the measurement or demonstration conducted for each spray booth; and
 - (vii) Description of any maintenance and repair activities conducted for each spray booth.
- (B) Maintain records of spray booth pressure drop readings as required in paragraphs (k)(5) and (o)(3), or DAS data files as required in paragraph (k)(6);
- (C) Maintain records of spray booth final stage filter media replacement, and established minimum pressure drop as required in paragraph (k)(2); and
- (D) Maintain records of the exhaust duct visual inspections required by paragraphs (l)(1) and (l)(2) including:
 - (i) Name of the person(s) conducting the visual inspection;
 - (ii) Identification of each spray booth, including the permit number or device identification number;
 - (iii) Date and time the visual inspection was conducted;
 - (iv) A photograph of the spray booth duct taken when the visual inspection was conducted; and
 - (v) Results of analysis of overspray or dried coating for the presence of hexavalent chromium.
- (4) Records Retention
 - (A) Before July 1, 2023, an owner or operator of a facility with a chromate spraying operation shall maintain all records for three years, with at least the two most recent years kept onsite, and made

available to the Executive Officer upon request. Records kept offsite shall be made available within one week of the request from the Executive Officer; and

- (m) (4) (B) Beginning July 1, 2023, an owner or operator of a facility with a chromate spraying operation shall maintain all records for five years, with at least the two most recent years kept onsite, and made available to the Executive Officer upon request. Records kept offsite shall be made available within one week of the request from the Executive Officer.

(n) Prohibitions

- (1) Beginning [Date of Rule Adoption], an owner or operator of a facility with a chromate spraying operation shall not install or construct a new open face spray booth for chromate spraying operations unless the open face spray booth is located within a permanent total enclosure that is vented to an air pollution control system with HEPA filters or filters individually tested and certified by the manufacturer to have a control efficiency of at least 99.97 percent on 0.3 micron or smaller particles.
- (2) Beginning [Date of Rule Adoption], an owner or operator of a facility with a chromate spraying operation shall not install or construct a new spray booth for chromate spraying operations unless the spray booth is located within a building enclosure. This prohibition does not apply to spray booths installed or constructed after [Date of Rule Adoption] greater than 10,000 square feet.

(o) Interim Requirements

- (1) Before January 1, 2026, an owner or operator with a chromate spraying operation that conducts spraying operations in an open face spray booth shall ensure that the average inward face air velocity in the open face spray booth is maintained at a minimum of 100 feet per minute or other minimum velocity approved by the Executive Officer.
- (2) Before January 1, 2022, an owner or operator with a chromate spraying operation shall conduct spraying and cleanup operations in a manner that minimizes fugitive emissions of atomized paint particles.
- (3) Before January 1, 2023, an owner or operator of a facility with a chromate spraying operation shall install a gauge to continuously monitor the

pressure drop across the spray booth filter media in a location that is easily visible and in clear sight of the operation or maintenance personnel. The pressure drop shall be maintained at or below the pressure drop prescribed by a permit condition, or by the manufacturer's recommended operating range if no permit condition limits pressure drop.

(p) Exemptions

- (1) The requirements of this rule shall not apply to thermal spraying operations.
- (2) The spray booth requirements of subparagraph (d)(1)(A) and paragraph (d)(3) shall not apply to operations where chromate coatings are applied only by flow coater, roll coater, dip coater, or hand application methods.
- (3) The spray booth requirements of subparagraph (d)(1)(A) and paragraphs (d)(3) and the transfer efficiency requirements in (j)(3) shall not apply to any touch up and repair operation spraying chromate coatings that is conducted outside of a spray booth, provided the touch up and repair operation is performed inside a building enclosure, and emissions and cancer risk from the touch up and repair operation have been calculated and included in an approved facility-wide health risk assessment that does not exceed a facility-wide cancer risk of 10 in a million.

(d) Requirements

~~Any person applying a coating containing chromium shall comply with all of the following requirements:~~

~~(1) Control System Capture Efficiency and Enclosure Standards~~

~~On and after July 1, 2007, a person shall not spray primers or coatings containing chromium unless such operations are conducted in a manner in which all overspray containing chromium is captured and directed to air pollution control equipment which is operating during spraying operations. Spray enclosures shall meet the following criteria:~~

~~(A) Exhaust from all spray enclosures shall be ventilated such that a continuous inward flow of air is maintained at all air openings during spraying operations; and~~

~~(B) The average inward face velocity of air through an open face enclosure a spray booth shall be a minimum of 100 feet per minute or other minimum velocity approved by the Executive Officer; and~~

- ~~(C) After spraying operations have ceased, the exhaust system shall be kept in operation to remove contaminated air within the spray enclosure for a minimum of:~~

 - ~~(i) three air exchanges within the spray enclosure; or~~
 - ~~(ii) five minutes.~~

)
- (2) **Transfer Efficiency**

~~On and after January 1, 2006, a person shall not apply primers or coatings containing chromium at a facility at which such coatings are sprayed unless they are applied according to operating procedures specified by the equipment manufacturer, or applicable permit conditions, and by use of one of the following methods:~~

 - ~~(A) Flow Coater, Roll Coater, or Dip Coater; or~~
 - ~~(B) Hand Application Methods; or~~
 - ~~(C) High-Volume, Low-Pressure (HVLP); or~~
 - ~~(D) Electrostatic Application; or~~
 - ~~(E) Such other alternative application methods as are demonstrated to the Executive Officer, using District approved procedures, to be capable of achieving at least equivalent transfer efficiency to the method in subparagraph (d)(2)(C) and for which written approval of the Executive Officer has been obtained.~~
- (3) **Requirements for Facilities Spraying Primers or Coatings Containing Chromium**

~~Before July 1, 2007, the owner or operator of a facility with a one or more new or existing sources subject to this rule shall comply with one of the following:~~

 - ~~(A) Provided a facility does not emit hexavalent chromium except through sources subject to this rule, the owner or operator of a facility shall demonstrate in a Compliance Plan submitted pursuant to paragraph (d)(4) that emissions of hexavalent chromium from all spraying operations do not exceed the emission limits in clause (d)(3)(A)(i) or (d)(3)(A)(ii), as appropriate, as calculated after air pollution controls, where applicable, in accordance with the procedures in Appendices 1 and 2.:~~
 - ~~(i) 0.018 lbs per year, calculated from July 1 through June 30 of each year, or applicable emission limit adjusted for receptor~~

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- ~~distance and operating schedule in Table 2-2, if a facility is located more than 25 meters (82 ft) from a residential or sensitive receptor; or~~
- ~~(ii) 0.007 lbs per year, calculated from July 1 through June 30 of each year, if a facility is located 25 meters (82 ft) or less from a residential or sensitive receptor, or located 100 meters (328 ft) or less from an existing school; or~~
 - ~~(B) Ventilate each source at a facility to air pollution control equipment with a rated particulate filtration efficiency of 99.97% or higher, for particulate matter 0.3 microns and larger; or~~
 - ~~(C) Demonstrate that facility wide emissions of all toxic air contaminants result in a cancer risk at all receptor locations through submittal of an approved health risk assessment that reflects representative operating conditions, or submittal of a Risk Reduction Plan developed pursuant to Rule 1402 that is fully implemented prior to July 1, 2007, or submittal of evidence of enforceable permit conditions that limit cancer risk to:
 - ~~(i) 25 in a million if a facility is located more than 25 meters (82 ft) from a residential or sensitive receptor; or~~
 - ~~(ii) 10 in a million if a facility is located 25 meters (82 ft) or less from a residential or sensitive receptor, or located 100 meters (328 ft) or less from an existing school.~~~~
- (4) **Compliance Plan**
- ~~(A) On or before January 1, 2006, the owner or operator of a source complying with the requirements of subparagraph (d)(3)(A), or an existing source complying with the requirements of subparagraph (d)(3)(C) that does not have an approved health risk assessment as of January 1, 2006 shall submit a Compliance Plan to the Executive Officer subject to plan fees specified in Rule 306. The compliance plan shall include the following information:
 - ~~(i) Facility name, address and contact person; and,~~
 - ~~(ii) SCAQMD permit numbers or application numbers for all equipment subject to this rule; and,~~
 - ~~(iii) Calculations for annual emissions of hexavalent chromium, for any twelve consecutive months of data during calendar years 2004 and 2005, except as approved by the Executive~~~~

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- ~~Officer. Emissions shall be calculated in accordance with the procedure in Appendix 1; and,~~
- ~~(iv) Material Safety Data Sheets (MSDS) for all products which list chromium, hexavalent chromium or a chromate, used in a source subject to this rule; and,~~
 - ~~(v) Information on nearby receptors, including the distances to the nearest residence, commercial or industrial receptor, sensitive receptor and school, measured in accordance with the procedure in Appendix 2; and,~~
 - ~~(vi) Information on spraying operations, including the number of gallons sprayed per year for each product containing chromium or chromate, except as approved by the Executive Officer, and type of spray method; and,~~
 - ~~(vii) Information on emission release parameters, including height of stack for emissions released from a stack, or the dimensions and height of the building in which the spraying operation occurs, for emissions released inside of a building; and,~~
 - ~~(viii) Average inward face velocity of the spray enclosure, as required by subparagraph (d)(1)(B), and the method and instrument used to measure the average inward face velocity; and,~~
 - ~~(ix) Calculation of the length of time necessary to exhaust the volume of air required by clause (d)(1)(C)(i), if applicable; and,~~
 - ~~(x) Source test results submitted pursuant to subdivision (g), if applicable; and,~~
 - ~~(xi) Calculation of hexavalent chromium emissions from touch-up and repair operations under subdivision (h), if applicable.~~
- ~~(B) After review of the data submitted under subparagraph (d)(4)(A), the Executive Officer will notify facilities in writing whether the Compliance Plan is approved or disapproved. If a Compliance Plan is disapproved, the owner or operator shall resubmit the Compliance Plan, subject to plan fees specified in Rule 306, within 60 days after notification of disapproval of the Compliance Plan. The resubmitted Compliance Plan shall include the information required under~~

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- ~~subparagraph (d)(4)(A), and the owner or operator shall correct any deficiencies as identified in the Compliance Plan disapproval letter.~~
- (C) ~~After review of the data in a Compliance Plan submitted pursuant to subparagraph (d)(4)(B), the Executive Officer will notify facilities in writing whether the Compliance Plan is approved or disapproved.~~
- (D) ~~If a Compliance Plan submitted pursuant to subparagraph (d)(4)(C) is disapproved, the owner or operator shall comply with the requirements of subparagraph (d)(3)(B) within twelve months after notification that the Compliance Plan is disapproved.~~
- (E) ~~Posting of Compliance Plan Approval Letter~~
- (i) ~~The Compliance Plan approval letter for equipment not subject to a facility permit under Regulation XXX or Regulation XX shall be mounted so as to be clearly visible in an accessible place within 8 meters (26 feet) of the spray booth enclosure identified in the Compliance Plan submitted under paragraph (d)(4), or as otherwise approved in writing by the Executive Officer.~~
- (ii) ~~The Compliance Plan approval letter for equipment subject to a facility permit under Regulation XXX or Regulation XX shall be kept with the facility permit, or as otherwise approved in writing by the Executive Officer.~~
- (F) ~~The owner or operator of a facility shall comply with all conditions in an approved Compliance Plan.~~
- (5) ~~Application Submittal for New Control Equipment or Permit Modification~~
~~Not later than July 1, 2006, an owner or operator of a facility shall submit to the Executive Officer complete application(s) for new control equipment or modification of existing control equipment, as specified in the Compliance Plan to meet the requirements specified in paragraph (d)(3).~~
- (6) ~~Notification of Compliance~~
~~On or before July 1, 2007, the owner or operator of a source not required to submit a compliance plan pursuant to paragraph (d)(4) shall submit a Notification of Compliance to the Executive Officer. The Notification of Compliance shall include the following information:~~
- (A) ~~The facility name, address and contact person; and~~

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- ~~(B) A statement, signed by a responsible official that the facility is in compliance with the requirements of subparagraph (d)(3)(B) or (d)(3)(C), as appropriate; and,~~
- ~~(C) Evidence of compliance with subparagraph (d)(3)(B) or (d)(3)(C), including but not limited to:
 - ~~(i) Application or permit number of each source required under paragraph (d)(5); and,~~
 - ~~(ii) A copy of the approval to use source test results submitted pursuant to clause (d)(4)(A)(x), if applicable; and,~~
 - ~~(iii) The approval date and approved cancer risk of a health risk assessment demonstrating compliance with subparagraph (d)(3)(C), if applicable; and,~~
 - ~~(iv) Emissions or risk calculations from all sources subject to this rule emitting hexavalent chromium, if applicable.~~~~
- ~~(7) Housekeeping~~

Effective July 1, 2005, the owner or operator of a source subject to this rule shall conduct spraying and cleanup operations in a manner that minimizes fugitive emissions of atomized paint particles, including but not limited to the criteria in subparagraphs (d)(7)(A) and (d)(7)(B).

 - ~~(A) When removing protective floor, wall or exhaust coverings within the spray booth enclosure, the operator shall:
 - ~~(i) Operate the ventilation system; and,~~
 - ~~(ii) Ensure that the door of a fully enclosed spray booth is closed; and,~~
 - ~~(iii) Encapsulate those materials contaminated with primers or coatings containing chromium that are intended to be disposed of in a bag or container before removing from the spray booth.~~~~
 - ~~(B) The owner or operator of a source subject to this rule shall not operate the ventilation system when one or more filters, including HEPA filters are being removed or replaced.~~
- ~~(e) Emissions Inventory and Health Risk Assessment~~
 - ~~(1) The owner or operator of a facility complying with the requirements specified in subparagraph (d)(3)(C) that does not have an approved health~~

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risk assessment as of January 1, 2006, shall submit to Executive Officer not later than July 1, 2006, an emissions inventory and health risk assessment prepared pursuant to Rule 1402 for existing sources, and new sources where a permit application is submitted on or before January 1, 2006.

- (2) ~~The facility wide cancer risk of a health risk assessment submitted pursuant to paragraph (e)(1) shall be calculated in accordance with the Risk Assessment Procedures referenced in Rule 1402. Health risk from chromium spraying operations shall be presented:
 - (A) ~~With existing controls; and~~
 - (B) ~~After installation of proposed controls, if appropriate, using the default filter efficiency listed in Table 1-2, or an alternate filter efficiency approved by the Executive Officer, or source test results approved by the Executive Officer, if applicable.~~~~
- (3) ~~After review of all data required under paragraphs (d)(4), (e)(1) and (e)(2), the Executive Officer will notify facilities in writing if the health risk assessment submitted under paragraphs (e)(1) and (e)(2) is approved or disapproved, and the approved cancer risk of the health risk assessment. If the approved health risk assessment conducted pursuant to paragraph (e)(1) results in a cancer risk that exceeds the cancer risk levels specified in subparagraph (d)(3)(C) or the health risk assessment is disapproved the owner or operator of a facility shall:
 - (A) ~~submit an application for permit(s) to operate the control equipment required to meet subparagraph (d)(3)(B) within six months after the date of notification of the approved or disapproved health risk assessment; and~~
 - (B) ~~comply with the applicable requirements of subparagraph (d)(3)(B) no later than 12 months after notification of the approved or disapproved health risk assessment.~~~~
- (4) ~~The owner or operator of a facility complying with the requirements of subparagraph (d)(3)(C), shall comply with enforceable conditions to ensure that the facility complies with the risk requirements specified in clauses (d)(3)(C)(i) or (d)(3)(C)(ii).~~
- (f) **Addition of New Sources and Modification to Existing Sources**
 - (1) ~~For permit applications submitted for new or modified existing sources after January 1, 2006 and on or before July 1, 2007, the owner or operator~~

~~of facility shall demonstrate compliance with subparagraphs (d)(3)(A), (d)(3)(B), or (d)(3)(C) on or before July 1, 2007.~~

- (2) ~~After July 1, 2007, the owner or operator of a facility that submits a permit application for a new or modified existing source subject to this rule shall demonstrate compliance with paragraph (d)(3) upon submittal of the permit application. Demonstration of compliance with paragraphs (d)(3) shall require submittal of a:~~
- (A) ~~new compliance plan pursuant to paragraph (d)(3) if complying with the requirements of subparagraph (d)(3)(A); or~~
 - (B) ~~revised emissions inventory and health risk assessment prepared pursuant to Rule 1402, if complying with the requirements of subparagraph (d)(3)(C).~~
- (3) ~~The owner or operator of a facility submitting a permit application for a new or modified existing source subject to this rule in which there is not an increase in emissions and in which there is not an increase in health risk at any receptor location shall not be required to comply with the requirements of paragraph (f)(2).~~

(g) **Source Test Results**

~~Results from a source test conducted for the purpose of demonstrating mass emissions from a new or existing source subject to this rule may be used as the basis for calculating facility emissions in order to demonstrate compliance with the emission limit in subparagraph (d)(3)(A) or to calculate emissions from spraying operations under clause (d)(4)(A)(iii). Unless otherwise approved in writing by the Executive Officer, the following criteria shall be met:~~

- (1) ~~The source test protocol and source test report are approved by the Executive Officer prior to January 1, 2006; and,~~
- (2) ~~Both total chromium and hexavalent chromium were measured during the source test; and,~~
- (3) ~~The air pollution control equipment configuration is identical to the configuration when the equipment was tested; and,~~
- (4) ~~The operating parameters of all affected air pollution control equipment are identical or substantially similar to the source tested equipment; and,~~
- (5) ~~The chromate-containing primer or coating sprayed during the source test has the highest percentage by weight of chromium of any primer or coating currently sprayed at the facility.~~

(h) Exemptions

- (1) ~~The requirements of paragraph (d)(1) shall not apply to any touch-up and repair operation spraying coatings containing chromium that is conducted outside of a spray enclosure, provided the touch-up and repair operation is not performed outside of a building, and emissions and cancer risk from the touch-up and repair operation are calculated and included in an approved Health Risk Assessment which meets the risk levels specified in subparagraph (d)(3)(C).~~
- (2) ~~The requirements of paragraph (d)(1) and (d)(2) shall not apply to any touch-up and repair operation spraying coatings containing chromium that is conducted outside of a spray enclosure, provided the touch-up and repair operation is not performed outside of a building; and~~
 - (A) ~~Emissions from the touch-up and repair operation are calculated in an approved Compliance Plan; and~~
 - (B) ~~Total facility-wide emissions of hexavalent chromium from all spraying operations are demonstrated to be less than the level in subparagraph (d)(3)(A).~~

(i) Compliance Test Methods

- (1) ~~Capture efficiency of the emissions collection system shall be determined by EPA Test Method 204—Criteria for and Verification of a Permanent or Temporary Total Enclosure, or any other method approved by the Executive Officer.~~
- (2) ~~Transfer efficiency of alternative coating application methods under subparagraph (d)(2)(E) shall be determined in accordance with the SCAQMD method "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989", or subsequent revisions.~~

(j) Recordkeeping Requirements

- (1) ~~Effective July 1, 2005, the owner or operator of a facility subject to this rule shall maintain records to demonstrate compliance with the applicable requirements in subdivisions (d) and (h). At a minimum, records shall include all of the following information:~~
 - (A) ~~Purchase records of primers or coatings containing chromium used for spray coating operations; and~~

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- ~~(B) Material Safety Data Sheets or Technical Data Sheets provided with the materials subject to the requirements of subparagraph (j)(1)(A) that indicate the weight percent of chromate(s) in the primer or coating, and the density of the primer or coating; and~~
- ~~(C) Daily usage records for each primer or coating subject to this requirement, applied or used daily; and~~
- ~~(D) Application method for each primer or coating used; and~~
- ~~(E) Calculations conducted according to the procedures outlined in Appendix 1 and Appendix 2 that demonstrate annual mass emissions from each source subject to this rule, in pounds per year.~~
- ~~(2) The owner or operator of a facility subject to this rule shall maintain records to demonstrate compliance with the monitoring requirements of subdivision (k). The following parameters shall be recorded:
 - ~~(A) The name of the person(s) performing the inspection and/or maintenance operations; and~~
 - ~~(B) The date, time and results of the inspection; and~~
 - ~~(C) The date, time and description of any maintenance activity or repairs resulting from the inspection; and~~
 - ~~(D) The pressure drop across the air pollution control system filter media. Pressure drop shall be recorded once per week, for any week in which spraying operations using coatings containing chromium are conducted on one or more days.~~~~
- ~~(3) Records shall be kept in a format acceptable to the District for a minimum of three years and shall be made available to District personnel upon request.~~
- ~~(k) Monitoring Requirements
 - ~~(1) Weekly Inspection of Air Pollution Control Equipment
The owner or operator of a facility subject to this rule shall perform a weekly visual inspection of the equipment and filter media subject to this rule for leaks, broken or torn filter media, and improperly installed filter media.~~
 - ~~(2) Pressure Drop Across Air Pollution Control Equipment Filter Media
The owner or operator of a facility shall install a gauge to continuously monitor the pressure drop across the air pollution control equipment filter media. A gauge shall be located so that it can be easily visible and in clear~~~~

~~sight of the operation or maintenance personnel. The pressure drop across the air pollution control equipment filter media shall be maintained at or below the pressure drop prescribed by a permit condition, or by the manufacturer's recommended operating range if no permit condition limits pressure drop.~~

(f) **Reporting Requirements**

~~Annual Chromium Coatings Usage Report~~

~~The owner or operator of a facility with a source subject to this rule complying with subparagraph (d)(3)(A) or subparagraph (d)(3)(C) shall submit a report to the Executive Officer by September 1 each year with the following information:~~

- ~~(1) Facility name, address and contact person; and,~~
- ~~(2) Annual usage of each coating or primer containing hexavalent chromium for the previous fiscal year (July 1 through June 30), in gallons per year; and,~~
- ~~(3) Chromate content of each coating or primer containing chromium used during the previous fiscal year (July 1 through June 30); and,~~
- ~~(4) Permit number or application number of each spray booth used to spray chromium; and,~~
- ~~(5) Usage of coatings or primers containing chromium in each spray booth used to spray chromium.~~

Appendix 1 – Inward Face Air Velocity Measurement Procedures

1. Applicability

This method applies to an owner or operator of a chromate spraying operation required to measure the inward face air velocity of a spray booth to demonstrate compliance with the requirements in subdivision (g).

2. Equipment – Anemometer

The anemometer shall be capable of measuring the inward face air velocity in feet per minute (fpm) within an appropriate velocity range with an accuracy within +/- 10% of full scale.

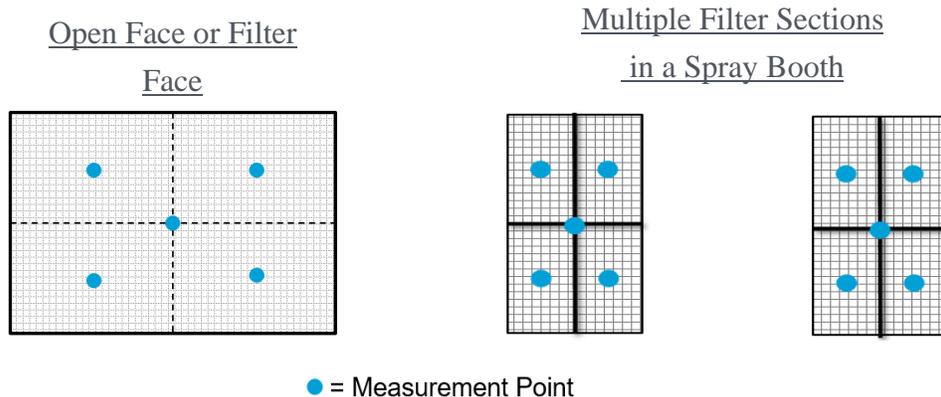
The anemometer shall be operated and calibrated per the manufacturer’s recommendations.

3. Test Conditions

The inward face air velocity measurement test shall be conducted while the spray booth is in normal operation and under typical conditions representative of the facility’s chromate spraying operation.

4. Procedure

The inward face air velocity measurement shall be conducted over a five-point grid pattern as shown in the below examples:



For an enclosed spray booth, the inward face air velocity measurements shall be taken between 6 and 12 inches from the exhaust filters.

For an open face spray booth, the inward face air velocity measurements shall be taken no more than one inch inside the plane of the open face.

5. Reporting

The following information shall be provided for each inward face air velocity measurement.

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Anemometer Model:

Anemometer Calibration Factor:

Anemometer Calibration Date:

Inward Face Air Velocity Measurements:

Upper Left: _____ fpm

Upper Right: _____ fpm

Center: _____ fpm

Lower Left: _____ fpm

Lower Right: _____ fpm

Measurements Performed by:

Measurement Date:

Appendix 1 – Emission Calculation Method

This Appendix establishes the emission calculation method that must be used in accordance with subparagraph (d)(3)(A) of Rule 1469.1, except for facility operators submitting source test results under subdivision (g), or an alternative procedure approved by the Executive Officer.

Emissions of hexavalent chromium from spraying operations must be calculated in accordance with the procedures specified.

Step 1: Identify all primers or coating that contain chromium or chromate. Examples of chromates commonly formulated in coatings include strontium chromate, zinc chromate, lead chromate, calcium chromate and barium chromate.

Step 2: Determine the percentage by weight of chromate in each primer or coating. This data can be obtained from the Material Safety Data Sheet (MSDS) for the product, or by contacting the manufacturer. Chromate percentage may be given as a single value (ex: SrCrO₄—15%/wt), or it may be given as a range (ex: Zinc Chromate—12%/wt—22%/wt). Use the highest value to calculate emissions if chromate content in a primer or coating is given as a range.

Step 3: Determine the fraction of hexavalent chromium in the chromate. This is the molecular weight of chromium in the chromate, divided by the molecular weight of the entire chromate. All chromium in the chromate is assumed to be hexavalent. The hexavalent fraction of common chromates used in primers and coatings is given in Table 1-1.

Table 1A-1 – Hexavalent Fraction of Common Chromate Primers

Chromate	Molecular Formula	Hexavalent Fraction
Barium Chromate	BaCrO ₄	0.205
Calcium Chromate	CaCrO ₄	0.333
Lead Chromate	PbCrO ₄	0.161
Strontium Chromate	SrCrO ₄	0.255
Zinc Chromate	ZnCrO ₄ ·7HOH	0.169

Step 4: Determine the density for each primer or coating used during the year. This data may be obtained from the Material Safety Data Sheet (MSDS) or the Technical Data Sheet (TDS) supplied with each primer or coating. Density data may be given in bulk density (ex: density = 9.2 lbs/gallon) or as specific gravity (ex: s.g. = 1.15). Multiply specific gravity by 8.34 to obtain bulk density.

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Step 5: Compile the annual usage for each primer or coating sprayed during the year that contains chromium or chromate. Usage is the number of gallons of each primer or coating.

Step 6: Determine the control efficiency of the filters in your air pollution control (APC) system. A source test approved by the Executive Officer may be used, if both inlet and outlet concentrations of particulate matter were measured during the source test. Use the default control efficiencies in Table 1-2 if no source test data are available. If more than one type of filter is used in series to control emissions (ex: blanket type filter followed by two stage NESHAP-compliant filters), only consider the highest rated control efficiency.

Table 1-2 – Default Control Efficiencies

Control Equipment	Control Efficiency
Conventional Spray Booth Filters	90%
Water wash Booth	
Two-stage Aerospace NESHAP-compliant Filters	
Pocket type Filters	
Accordion Filters	95%
Three-stage Aerospace NESHAP-compliant Filters	
Cartridge Filters	99%
Bag House	
High Efficiency Particulate Arrestor (HEPA) Filters (individually dioctyl phthalate (DOP) or equivalent tested)	99.97%

Note: If a filter manufacturer guarantees a control efficiency higher than the default values in Table 1-2 for the type of filter media in use (for particulate sizes greater than 0.3 microns), submit the manufacturer's test data with your Compliance Plan for consideration. The actual control efficiency used to evaluate your Compliance Plan is up to the discretion of The Executive Officer, based on the data presented.

Step 7: Calculate hexavalent chromium emissions, after existing control equipment, for each primer or coating containing chromium or chromate used during the year.

$$\text{Emissions (lbs/yr)} = \text{[Usage (gallons/yr)]}^* \text{[Coating Density (lbs/gal)]}^* \text{[Chromate Content (%/wt)]}^*$$

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$$\begin{aligned} & \{\text{Hexavalent Fraction of Chromate}\}^* \\ & \{1 - \text{Transfer Efficiency (\%)}\}^* \\ & \{1 - \text{Filter Efficiency (\%)}\} \end{aligned}$$

Use 65% transfer efficiency unless another transfer efficiency has been approved by the Executive Officer. Provide a separate calculation for each primer or coating that contains chromate used at your facility during the calendar year.

Step 8: Sum emissions from each primer or coating sprayed at your facility during the year that has chromium or chromate.

~~Appendix 2—Distance-Adjusted Annual Emission Levels For Facilities Located More Than 25 Meters (82 ft) from a Residence or Sensitive Receptor.~~

~~Facilities complying with the facility-wide emission limit in clause (d)(3)(A) may adjust the annual emission limit, according to actual receptor distance. Use the following tables to determine the appropriate annual emissions for compliance with the limits in subparagraph (e)(3)(A), according to the distance to the nearest receptor. The nearest receptor includes commercial, industrial, sensitive and residential receptors. Use Table 2-1 for the distance measurement criteria, and use Table 2-2 to look up the emission limit for the nearest commercial/industrial receptor, and for the nearest sensitive/residential receptor. The allowable emission limit for your facility is the lower of the two values.~~

Receptor distance is measured as follows:

**Table 2-1
Measuring Receptor Distance**

Source Type	Measure From:	Measure To:
Single Stack Venting Chrome-Spraying Process(es)	Stack	Property Line of Nearest Receptor
Multiple Stacks Venting Chrome-Spraying Process(es)	Centroid of Stacks	Property Line of Nearest Receptor
Emissions Released Inside of Building	Center of Building	Property Line of Nearest Receptor

**Table 2-2
Distance-Adjusted Hexavalent Chromium Emissions For Equipment
Subject to Subparagraph (d)(3)(A)**

Distance—to Nearest Receptor	Meters	≥25	30	35	40	45	50	55	60
	Feet	≥82	98	115	131	148	164	180	197
Spray Booth Operating Schedule	Nearest Receptor Type	Distance-adjusted Annual Emission Limit (lbs/yr)							
12 Hrs/Day or Less	Residential or Sensitive	0.018	0.019	0.02	0.022	0.024	0.027	0.029	0.032
More Than 12 Hrs/Day	Residential or Sensitive	0.032	0.032	0.032	0.032	0.032	0.032	0.034	0.036
12 Hrs/Day or Less	Commercial or Industrial	0.021	0.023	0.025	0.027	0.029	0.032	0.035	0.039
More Than 12 Hrs/Day	Commercial or Industrial	0.038	0.038	0.038	0.038	0.038	0.038	0.041	0.043

Distance—to Nearest Receptor	Meters	65	70	75	80	85	90	95	100
	Feet	213	230	246	262	279	295	312	328
Spray Booth Operating Schedule	Nearest Receptor Type	Distance-adjusted Annual Emission Limit (lbs/yr)							
12 Hrs/Day or Less	Residential or Sensitive	0.037	0.042	0.049	0.053	0.058	0.064	0.071	0.081
More Than 12 Hrs/Day	Residential or Sensitive	0.039	0.042	0.045	0.048	0.051	0.055	0.059	0.064
12 Hrs/Day or Less	Commercial or Industrial	0.044	0.05	0.059	0.064	0.07	0.077	0.086	0.097
More Than 12 Hrs/Day	Commercial or Industrial	0.047	0.05	0.055	0.058	0.062	0.066	0.071	0.077

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

**Final Staff Report
Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings
Containing Chromium**

June 2021

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WAYNE NASTRI

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CHAPTER 1 – BACKGROUND

INTRODUCTION

Rule 1469.1 is designed to reduce hexavalent chromium emissions from the spraying of coatings that contain hexavalent chromium, referred to as “chromate coatings.” Chromate coatings typically are applied onto metal substrates as an anti-corrosion agent in the aerospace, military, and commercial industries. Proposed Amended Rule 1469.1 (PAR 1469.1) is designed to further reduce hexavalent chromium emissions from the spraying of chromate coatings. PAR 1469.1 includes requirements for chromate spraying facilities and includes requirements for related operations at those facilities, adds provisions to minimize the release of fugitive emissions, and enhances parameter monitoring of air pollution controls. PAR 1469.1 also updates requirements consistent with current toxic metal rules and removes outdated definitions and provisions.

REGULATORY HISTORY OF RULE 1469.1

Rule 1469.1 was adopted on March 4, 2005, and includes requirements for point sources, transfer efficiency, spray booth operation, housekeeping, monitoring, reporting, and recordkeeping.

Point Source Compliance Options

Rule 1469.1 provides operators with three point source compliance options: Option A: Annual Emission Limit; Option B: Air Pollution Control Device; or Option C: Facility-wide Risk Limit. The rule established a July 1, 2007 compliance date for point source requirements. Option A (Annual Emission Limit) is applicable to facilities where the only source of hexavalent chromium is chromate spraying. Under this option, the facility must demonstrate that annual emissions are below a specific emission limit. The emission limit varies based on the distance to residential and/or sensitive receptors, including existing schools. The Option A emission limits are based on the maximum allowable emissions using a Tier 2 screening risk analysis that was based on a Maximum Individual Cancer Risk (MICR) of 25-in-a-million (or 10 in a million if less than 25 meters of a residential/sensitive receptor or less than 100 meters from an existing school). These emission limits were developed before the Office of Environmental Human Hazard Analysis (OEHHA) updated their health risk guidance in 2015.¹ Based on revised 2015 OEHHA health risk guidance, the current Rule 1469.1 emission limit in clause (d)(3)(A)(i) would be reduced from 0.018 to 0.0006 pounds per year for facilities located more than 25 meters from a residential or sensitive receptor. As discussed later in this report, PAR 1469.1 is proposing to remove Option A.

Option B (Air Pollution Control Device) requires a facility to ventilate each chromate spray coating operation to air pollution control equipment with a rated particulate filtration efficiency of 99.97% or higher, for particulate matter 0.3 microns in size (the filtration efficiency of High Efficiency Particulate Air (HEPA) filters). Based on recent data, there are 115 Rule 1469.1 facilities, and nearly all comply with Option B point source requirements.

Under Option C (Facility-Wide Risk Limit), a facility is required to demonstrate that facility-wide emissions of all toxic air contaminants would not exceed a maximum cancer risk level of either 10 in-a-million or 25 in-a-million, depending on the distance to the receptor and the type of receptor. Under existing rule provisions, compliance with Option C is demonstrated either through an approved health risk assessment (HRA), approved Risk Reduction Plan, or enforceable permit

¹ Office of Environmental Health and Hazard Assessment. *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* January 19, 2021 from <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>

conditions. There are two large aerospace facilities currently meeting the requirements of Rule 1469.1 under Option C. Each facility has an approved health risk assessment, one approved in 2000 and one approved in 2015 using the revised 2015 OEHHA health risk guidance.

Transfer Efficiency, Spray Booth Operations, and Other Requirements

Transfer efficiency is the fraction of coating that adheres to the part when spraying techniques are used. Rule 1469.1 requires a minimum coating application transfer efficiency of 65%, which is at least equivalent to the transfer efficiency when using a high-volume, low-pressure (HVLP) spraying technique.

Rule 1469.1 also includes general requirements for spray booths operations. Specifically, exhaust from spray booths must be vented such that there is a continuous inward airflow at all air opening during spraying operations, and the average inward face velocity through an open face spray booth shall be a minimum of 100 feet per minute or other approved minimum velocity. The existing rule does not include a requirement on how to demonstrate continuous inward airflow. After spraying operations have ceased, the Rule also requires the exhaust system's continued operation to remove contaminated air within the spray booth. The rule also prohibits a spray booth ventilation system's operation when one or more spray booth filters are being replaced.

Housekeeping

Rule 1469.1 requires that spraying and cleanup operations be conducted in a manner that minimizes fugitive emissions of atomized paint particles. The rule does not include requirements for areas to be cleaned, minimum cleaning frequencies, or approved cleaning methods. The rule specifies that when protective floor, wall, and exhaust coverings are removed, the ventilation system must be operating with the doors of an enclosed booth closed. Protective coverings intended for disposal must be encapsulated inside the booth, but there are no requirements for placing collected materials within closed containers.

Monitoring

Rule 1469.1 also requires weekly visual inspections of the spray booth and filters for leaks, broken or torn filter media, and improperly installed filter media. The rule requires the use of a gauge to measure the pressure drop across the spray booth filters continuously. The pressure drop is required to be maintained at or below the maximum pressure drop established by permit conditions or manufacturer recommendations. There are no requirements for Rule 1469.1 facilities to conduct source tests.

Recordkeeping and Reporting

Rule 1469.1 establishes recordkeeping requirements for chromate coatings usage and housekeeping. There are also recordkeeping requirements for the visual inspections and pressure drop readings. Rule 1469.1 includes annual reporting requirements of chromate coating use for facilities that comply with the Annual Emissions or the Facility-wide Risk Limit compliance options.

Exemptions

Rule 1469.1 includes limited exemptions for touch up and repair operations conducted outside of a spray booth, but within a building provided emissions and cancer risk from touch up and repair,

operation are calculated and included in an approved Health Risk Assessment or compliance plan which meets the applicable risk levels.

OTHER REGULATIONS

Aerospace NESHAP

Spraying of chromate coatings at some aerospace facilities is also currently regulated under the federal National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing and Rework Facilities (Aerospace NESHAP), 40 CFR Part 63, Subpart GG². The Aerospace NESHAP was promulgated in September 1995 and last amended in December 2015, and applies to facilities that are major sources of hazardous air pollutant emissions. The federal regulations establish filtration efficiency requirements for dry particulate filters for new and existing sources, based on the aerodynamic particle size range of paint overspray. Under the Aerospace NESHAP, new sources (construction commenced on or after October 1996) are required to pass the air stream through either a three-stage dry filter system or a HEPA filter system before exhausting it to the atmosphere. Existing sources are required to pass the air stream from chromate spraying through either a two-stage dry filtration system or a waterwash system before exhausting it to the atmosphere. When spraying coatings containing chromates, the Aerospace NESHAP requires that the filters meet a control efficiency of at least 95%.

6H NESHAP

The NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, 40 CFR Part 63, Subpart HHHHHH (6H NESHAP)³ regulates the spraying of chromate coatings on metal and plastic substrates at facilities that are not major source facilities. The 6H NESHAP was promulgated in January 2008 and, in part, applies to facilities that spray coatings containing chromium and other inorganic hazardous air pollutants. The regulation requires spraying operations to be conducted in spray booths or preparation stations equipped with filters that achieve at least a 98% control efficiency, or in waterwash booths that are maintained according to manufacturer's specifications and consistent with good air pollution control practices. The 6H NESHAP also requires painters to have completed training in techniques to minimize paint overspray and has notification and recordkeeping requirements.

California Air Resources Board

The California Air Resources Board (CARB) develops Air Toxic Control Measures (ATCMs) for several mobile and stationary source categories as part of the State's air toxics program. The ATCMs are codified in the California Code of Regulations (CCR), and local air districts are required to implement the ATCMs or adopt or enforce equally effective or more stringent regulations. CARB has developed an ATCM for emissions from thermal spraying operations. Thermal spraying is not addressed in Rule 1469.1, but the South Coast AQMD has proceeded as

² United States Environmental Protection Agency. *Subpart GG—Aerospace Manufacturing and Rework Facilities: National Emission Standards for Hazardous Air Pollutants*. (2015). Retrieved 18 March 2021, from <https://www.govinfo.gov/content/pkg/FR-2015-12-07/pdf/2015-30356.pdf>.

³ United States Environmental Protection Agency. *Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources*. (2008). Retrieved 23 March 2021, from <https://www.govinfo.gov/content/pkg/FR-2008-01-09/pdf/E7-24718.pdf>.

allowed by law to implement the thermal spraying ATCM through permit conditions on thermal spraying equipment. CARB has also developed an ATCM for Emissions of Hexavalent Chromium and Cadmium Motor Vehicle and Mobile Equipment Coatings. South Coast AQMD Rule 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations prohibits the use of automotive coating containing hexavalent chromium as part of CARB automotive coatings ATCM implementation. There are no ATCMs for chromate spray coating operations.

European Union

On June 1, 2007, the European Chemicals Agency (ECHA) adopted a REACH regulation (an acronym for Regulation, Evaluation, Authorization, and Restriction of Chemicals) to regulate all chemical substances used in industrial processes and day-to-day lives. Under REACH, companies must identify and manage the risk of substances they manufacture and market in the European Union. Eventually, the goal is to substitute the most hazardous substances with safer alternatives.

On April 17, 2013, ECHA added several of the most common forms of hexavalent chromium on its “Authorisation List,” citing them as carcinogenic and mutagenic and classifying them as “substances of high concern.” On July 22, 2017, a second group of compounds was added, including strontium chromate and potassium hydroxyoctaoxodizincatedichromate (commonly known as zinc potassium chromate or zinc chromate) which can be found in chromate coatings.

After the established sunset date, compounds placed on the Authorisation List are prohibited from use in, and importation into the EU, unless companies that produce or use them submit applications to exempt them for specific uses. If ECHA approves an application, the chemical will be permitted for use and the approval can apply to both upstream producers and downstream users. The first group of hexavalent chromium compounds' sunset date was September 21, 2017, and January 22, 2019, for the second group.

The EU's Committees for Risk Assessment and Socioeconomic Analysis has approved several authorisations or exemptions with specific conditions for the use of hexavalent chromium applied to the surface of products. These authorisations are made on behalf of several downstream users. They cover a broad range of industry sectors such as car manufacturing, aerospace, aeronautics, and the manufacture of metals and construction equipment.⁴ For more information on the EU's program and authorisations, please refer to their website at <https://echa.europa.eu/>.

HEALTH EFFECTS OF HEXAVALENT CHROMIUM

In 1986, the California Air Resources Board (CARB) identified hexavalent chromium as a human carcinogen and toxic air contaminant. A “toxic air contaminant” or TAC is defined as “an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health” (H&SC Section 39655(a)).

Hexavalent chromium⁵ is one of the most potent carcinogens. Hexavalent chromium is a multipathway toxic air contaminant, meaning there are multiple exposure pathways for a person to be exposed, such as inhalation and ingestion. Inhalation of hexavalent chromium can cause both

⁴ European Chemicals Agency. Retrieved February 11, 2021 from <https://echa.europa.eu/>

⁵ Office of Environmental Health and Hazard Assessment. *Health Effects of Hexavalent Chromium*. Retrieved January 14, 2021 from <https://oehha.ca.gov/air/health-effects-hexavalent-chromium>.

cancer and non-cancer health effects. Inhalation of hexavalent chromium over a long period of time increases the risk of lung cancer and nasal cancer. The non-cancer effects of being exposed to hexavalent chromium at high levels over time can cause or worsen health conditions such as irritation of the nose, throat and lungs; allergic symptoms (wheezing, shortness of breath); and nasal sores and perforation of the membrane separating the nostrils.

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) developed cancer potency factors to estimate cancer risk associated with hexavalent chromium exposure. Using OEHHA's methodology to determine health risk, continual exposure to 0.045 ng/m³ of hexavalent chromium for 30 years is estimated to increase cancer risk to 25 in a million. Exposure over shorter periods would be associated with lower cancer risks.

CHROMATE COATINGS

Chromate coatings are primers, topcoats, and other types of coatings that contain chromates. A chromate is any salt or ester of chromic acid and is a form of hexavalent chromium found in coatings. Typical forms of these chromates are strontium chromate, zinc chromate, and barium chromate. Chromate coatings are typically applied onto metal substrates in the aerospace, military, and commercial industries as an anti-corrosion agent. Due to their toxicity, there are ongoing attempts to find alternative coatings that are as effective but do not contain hexavalent chromium.

Alternatives to Coatings Containing Chromates

Hexavalent chromium has been widely used for corrosion protection with applications in electroplating, stainless steel production, welding, chromate painting, and wood preservation. In 1978 and 1980, numerous studies by the World Health Organization (WHO) reported the carcinogenic nature of hexavalent chromium. It is known exposure can induce nose, throat, eye and skin irritation, and significantly increase an individual's risk of lung cancer. Due to increasing health concerns, legislation, initiatives, and organizations are working on transitions to alternative solutions.

On April 8, 2009, the Department of Defense signed a memorandum to minimize hexavalent chromium use. To mitigate the health risks of hexavalent chromium, Military Departments were directed to invest in appropriate research and development for alternative solutions, explore ways to reduce hexavalent chromium by-products, authorize the use of suitable alternatives, and share knowledge and findings. This policy applies to all new program starts, new program increments, and procurement of infrastructure materials, goods, and services.

The Advanced Surface Engineering Technologies for a Sustainable Defense (ASETSDefense) is a Department of Defense initiative sponsored by the Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program (ESTCP). The goal is to facilitate new cost-effective, environmentally friendly technologies for surface engineering (coatings and surface treatment) while reducing or eliminating environmental safety and occupational health impacts from coatings and treatment processes that utilize hexavalent chromium, coatings that contain cadmium, and coatings that contain volatile organic compounds. SERDP and ESTCP have developed a database to provide access to background information and technical data from research, development, test, and

evaluation efforts on alternatives to products containing hexavalent chromium. ASETSDefense also conducts workshops and presentations to exchange information on alternative solutions.⁶

NEED FOR PROPOSED AMENDMENTS TO RULE 1469.1

Amendments to PAR 1469.1 are needed to update point source requirements, add control device parameter monitoring, enhance measures to reduce and contain fugitive emissions, and address emissions from dried coating removal activities.

Outdated Point Source Compliance Options

As previously discussed, nearly all facilities presently comply with the existing Rule 1469.1 control device option (Option B). No facilities are complying with Option A. Two facilities comply with Option C using approved health risk assessments that demonstrate that the facility-wide risk is below the rule's limit. Health risk assessments conducted before OEHHA's 2015 risk assessment guidance will not reflect current risk assessment methodologies that will have estimated risks that are approximately three times higher for residential or sensitive receptors even with no change in emissions. The approved health risk assessment also represents a one-time snapshot of facility operating conditions that may not reflect current conditions. Over time, chromate spray coating operating conditions may be within the established permit conditions but could be different than the actual emissions used to estimate health risk. Additionally, other TAC sources, outside of chromate spraying, could be added or modified at a facility, which may affect the overall facility-wide health risk. Moreover, the types and locations of sensitive receptors near a facility may change over time, changing a facilities' estimated health risk. There is also no requirement that the facility's operations be limited to the emissions used to estimate the health risks in the health risk assessment and no requirement to update the health risk assessment periodically as operations change or as health risk assessment procedures are updated. As discussed later in this report, PAR 1469.1 removes the Option A and Option C compliance options and preserves the control device requirement (Option B) for all new or modified facilities.

Lack of Spray Booth Parameter Monitoring

Spray booth collection or control efficiency tests are not typically conducted, and source tests are not required under 1469.1 or conducted as part of the permitting process. Source testing is a challenge at chromate spray coating operations because the tests are generally conducted over a four-hour period. Since spraying operations tend to be intermittent and not continuous, source testing spraying operations may not represent "normal" operations. Rule 1469.1 requires facilities to continuously monitor the pressure drop across the spray booth exhaust filters and ensure that the pressure drop is below the maximum value established under permit conditions. This existing requirement identifies when filters are becoming clogged and need replacement; however, other methods, such as monitoring minimum pressure drop values, can notify an operator of potential filtration system issues.

Rule 1469.1 also includes a requirement that the average inward face velocity of air through an open face enclosure be a minimum of 100 feet per minute (fpm). However, the rule does not specify a method to measure inward face velocity, and there are no requirements for facilities to

⁶ Advanced Surface Engineering Technologies for a Sustainable Defense. Retrieved February 11, 2021 from <https://www.serdp-estcp.org/asetdefense>.

measure inward face velocity routinely. Moreover, this provision is only applicable to open face spray enclosures, and there are no similar provisions for enclosed spray booths. Requiring facilities to routinely measure inward face velocities using a specific test method can be another technique to ensure the air pollution control device is properly operating.

Minimal Fugitive Emission Control Requirements

Rule 1469.1 currently includes housekeeping requirements to control fugitive emissions. Table 1 compares housekeeping requirements in current amended and adopted South Coast AQMD toxic metal particulate rules to existing Rule 1469.1 requirements. As shown in Table 1, recently amended or adopted toxic metal particulate rules require the use of approved cleaning methods, such as wet cleaning methods, to ensure that cleaning activities do not result in the generation of fugitive emissions. Recent toxic metal particulate rules also establish routine cleaning requirements in specific areas, cleanup of spills, and procedures for waste collection and storage to reduce the potential for fugitive emissions. As presented in Table 1, Rule 1469.1 presently does not include these requirements.

Table 1 - Comparison of Housekeeping Requirements in South Coast AQMD Toxic Metal Rules

Rule Provisions	Rule 1407 Metal Melting (Cadmium, Arsenic, and Nickel)	Rule 1420 Lead Standards (Lead)	Rule 1420.1 Lead-Acid Battery Recycling (Lead, Arsenic)	Rule 1420.2 Lead Metal Melting (Lead)	Rule 1430 Metal Grinding (Various Metals)	Rule 1469 Anodizing and Plating (Hexavalent Chromium)	Rule 1469.1 Coating Spraying (Hexavalent Chromium)
Approved Cleaning Methods	Yes	Yes	Yes	Yes	Yes	Yes	No
Routine Cleaning	Yes	Yes	Yes	Yes	Yes	Yes	No
Cleaning Spills	Yes	Yes	Yes	Yes	No	Yes	No
Waste Collection and Storage	Yes	Yes	Yes	Yes	Yes	Yes	No

Improved housekeeping reduces the potential for chromate-containing materials to accumulate on surfaces and then be disturbed and re-entrained. The use of approved housekeeping methods to collect particulate matter can reduce the potential for fugitive emissions. Improved housekeeping involves properly handling these collected wastes laden with chromate coatings using closed containers and storing cleaning materials within an enclosed building.

Uncontrolled Sources

Dried Coating Removal

Many Rule 1469.1 facilities conduct operations that involve sanding or scuffing of parts previously coated with chromate coatings. These activities, referred to as dried chromate coating removal, can result in the generation of fine particles that can become airborne. Facilities may conduct dried chromate coating removal in a controlled environment, such as within a spray booth or a clean room, where particles can be collected; however, those particles can exit the facility through the exhaust if they are not vented to appropriate air pollution controls. Facilities may also conduct these activities on downdraft tables, which use negative air to capture dust particles vented to a filtration system. However, a downdraft table may not adequately capture all emissions if the part is too large to rest entirely on the table. Rule 1469.1 does not include specific requirements to control emissions from these sources, and if control devices are used at a facility, the Rule does not include any performance standards.

Demasking

Facilities may also conduct demasking activities that involve removing tape or other materials used to prevent the adhesion of coatings to portions of workpieces subject to chromate spraying. As the masking material is removed from the part, dried chromate coating particles can flake away from the masking material. While these particles may not be as small as particles generated during dried coating removal activities, there is a potential for fugitive emissions from these activities. Rule 1469.1 does not include any specific provisions for demasking activities.

PUBLIC PROCESS

Development of PAR 1469.1 is being conducted through a public process. A PAR 1469.1 Working Group has been formed to provide the public and stakeholders an opportunity to discuss important details about the proposed rule and provide South Coast AQMD staff with input during the rule development process. The PAR 1469.1 Working Group includes representatives from businesses, environmental groups, public agencies, and consultants. South Coast AQMD has held one working group meeting at the South Coast AQMD Headquarters in Diamond Bar and five working group meetings via Zoom Video Communications (Zoom). The meeting at South Coast AQMD Headquarters was held on March 4, 2020. The meetings held via Zoom were on June 10, 2020, July 22, 2020, September 9, 2020, October 22, 2020, January 13, 2021, and March 10, 2021. A Public Workshop was held on February 18, 2021, via Zoom to present the proposed amended rule and receive public comment.

CHAPTER 2 – INDUSTRY CHARACTERIZATION

PROCESS AND EQUIPMENT DESCRIPTIONS

Chromate coatings are typically sprayed inside a spray booth vented to a combination of conventional spray booth filters, multi-stage filters, and High-Efficiency Particulate Air (HEPA) filters to control and capture overspray. The workpieces may be placed on racks, stands, and other workpiece support equipment during the spraying operation. Portions of the workpieces may be protected by masking tape or other masking material to prevent the adherence of coatings. After the spraying operation is concluded, workpieces may be cured within the booth. The workpiece support equipment may be used to transport the workpieces to a separate oven or placed in another area in the facility for curing. Once the curing process is completed, masking materials are removed, and any excess dried coating may be removed through physical or mechanical means, such as buffing, scuffing, sanding, or grinding.

Chromate Coatings

Chromate coatings are typically applied onto metal substrates as an anti-corrosion agent in the aerospace, military, and commercial industries. Chromate coatings include primers, topcoats, and other types of coatings that contain chromates. Common forms of chromates found in coatings include strontium chromate, zinc chromate, and barium chromate.

Spray Booths

A spray booth is a power-ventilated structure used to control and capture overspray, vapor, and residue. Activities are conducted within a spray enclosure vented to a filtration system to capture particles before the air exits through the spray booth exhaust ducting. The negative airflow through the spray booth's enclosure is controlled by an exhaust fan. There are various configurations of spray booths. A spray booth can be enclosed or have an open face. An enclosed spray booth is enclosed on all sides during operation, where the only openings are for makeup air. An open face spray booth has one side that is not enclosed, and air flows through the open face horizontally during operation. Spray booths may be non-bench booths or bench booths. A non-bench spray booth is a typical spray booth where both the operator and workpiece are within the spray enclosure area during operations. A bench spray booth is usually used for smaller workpieces and has a raised spray enclosure area where the operator cannot stand. Bench spray booths are typically open-faced; however, there are enclosed bench spray booths with integral work gloves that the operator must use to operate the booth (similar to an abrasive blasting cabinet). Figures 1 through 4 provide examples of various spray booth configurations.

Figure 1 – Example of an Open Face Non-Bench Spray Booth



Figure 2 – Examples of Enclosed Non-Bench Spray Booths



Figure 3 – Example of an Open Face Bench Spray Booth⁷



Figure 4 – Examples of Enclosed Bench Spray Booths



⁷ Spray Systems Inc. *Bench Spray Paint Booths*. Retrieved February 9, 2021, from <https://www.spraysystems.com/products/bench-spray-paint-booths>

Filter Media

To meet the pollution control requirements under Option B, a spray booth where chromate coatings are sprayed must be vented to HEPA filters or better. HEPA filters are individually tested and certified by the manufacturer to have a control efficiency of not less than 99.97% on particles that are 0.3 microns in size. The HEPA filters are typically the last stage of filter media before the exhaust; a spray booth will also typically have a prefilter and one or more layers of filter media that are less expensive with lower control efficiencies upstream of the HEPA filters to capture most of the coating particles to extend the life of the more expensive HEPA filter.

When filters are loaded with overspray material, they must be replaced with new filters to prevent rupture and to allow sufficient airflow through the booth. Rule 1469.1 requires the installation of a pressure gauge at the booth to monitor the pressure drop across the filter media. A Permit to Operate may also require a spray booth to have a pressure gauge dedicated to measuring the pressure drop across the HEPA filters.

Spray Equipment

Facilities that apply chromate coatings often spray the coatings onto workpieces. Rule 1469.1, as with other South Coast AQMD coating rules, reduces overspray by requiring facilities to use high-volume low-pressure (HVLP) or electrostatic spray equipment. Figure 5 is an example of an HVLP spray gun. Facilities may also use other application methods demonstrated to have at least a 65% transfer efficiency. Transfer efficiency is the ratio of the weight of coating solids adhering to an object to the total weight of coating solids used in the application process, expressed as a percentage. Operations, where coatings are hand applied or applied by flow coater, roll coater, dip coater, are not subject to these requirements since transfer efficiency should be much higher than that of using spray method and should not lead to overspray.

Figure 5 – Example of an HVLP Spray Gun



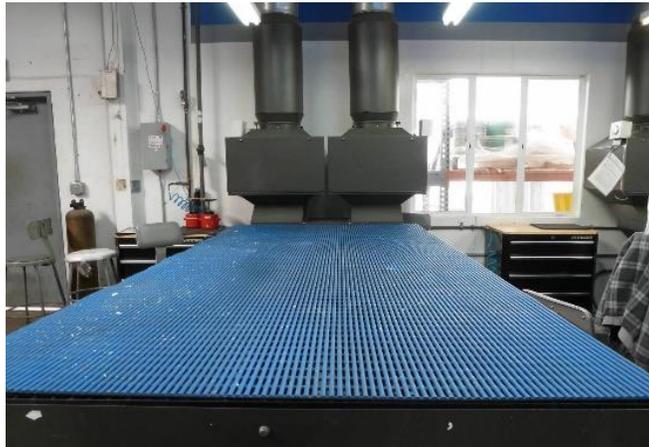
Workpiece Support Equipment

Racks, stands, and other equipment used to hold or support workpieces during spraying and drying operations are referred to as workpiece support equipment. This equipment is often also used to transport workpieces and hold finished parts throughout the facility as part of the overall work process.

Dried Chromate Coating Removal

For the purposes of PAR 1469.1, the physical or mechanical removal of dried coatings from workpieces (e.g., buffing, scuffing, sanding, grinding) is referred to as dried chromate coating removal. Some facilities currently conduct dried chromate coating removal activities within a spray booth or under a hood to control and reduce fugitive emissions of dried coating particles. Facilities may also conduct dried coating removal activities on downdraft tables to reduce fugitive emissions. Downdraft tables are workbenches with built-in ventilation to capture dust, smoke, and fumes and draw them away from the material being worked on (see Figure 6). They typically consist of a perforated surface whose underside is connected to a ventilation or dust collection system, including filters certified as HEPA or better. South Coast AQMD requires downdraft tables and other air pollution control devices to control fugitive emissions of dried chromate coatings to be issued Permits to Operate.

Figure 6 – Example of a Downdraft Table



Demasking

Prior to applying coatings, facilities may apply masking tape or other masking materials onto particular areas of workpieces to prevent the adherence of coatings. After the coating has been sprayed on and has cured, the masking materials are removed, potentially disturbing the dried coatings that adhered onto the masking material. Demasking activities may generate larger dried coating particles than dried chromate coating removal activities and may be conducted in areas without fugitive emission controls.

SPRAY BOOTH AIR POLLUTION CONTROL OPERATING PARAMETERS

There are two critical elements of spray booth operation: collection efficiency and control efficiency.

Collection Efficiency

Collection efficiency ensures that a pollution control device is collecting coating particles. In the case of a spray booth, it ensures that coating particles are directed towards the filters at an appropriate velocity. Low collection efficiency can lead to increased fugitive emissions. An indicator of collection efficiency in a spray booth is the inward face air velocity—the measured speed of a spray booth’s inlet air. The air velocity can be measured at the front of the filters or at the opening of an open face booth. Velocity measurements taken at the opening of an open face spray booth indicate that the velocity at the filter face should be at least the same or greater.

A spray booth can also demonstrate collection efficiency by meeting the criteria for a permanent total enclosure (PTE). The criteria are listed in U.S. EPA Method 204 - Criteria For and Verification of a Permanent or Temporary Total Enclosure (Method 204)⁸. The criteria are:

- Any natural draft opening (NDO) shall be at least four equivalent opening diameters from each emissions point;
- The total area of all NDOs shall not exceed 5% of the surface area of the enclosure’s four walls, floor, and ceiling;
- The average facial velocity of air through all NDOs shall be at least 200 feet per minute (fpm). The direction of airflow through all NDOs shall be into the enclosure; and
- All access doors and windows that are not considered NDOs must be closed during routine operations.

Open face spray booths would likely not meet the criteria for a PTE due to the large size of their openings.

Control Efficiency

Control efficiency establishes the percent control of the pollution control device; a spray booth’s control efficiency is dependent on the efficiency of the filtration system. Spray booths vented to HEPA filters have a 99.97% control efficiency on 0.3 micron particles. While source testing is the most direct way to measure a spray booth’s air pollution control efficiency, there are difficulties that prevent the use of source tests at facilities with chromate spray coating operations. For example, the outlet measurements for a source test generally require four hours of continuous operation time. Since chromate spraying operations are generally not continuous over a four-hour period, requiring a source to operate for four hours would not represent typical operating conditions at the facility.

One common method to monitor filter performance is the use of a pressure differential gauge at the spray booth to measure the pressure drop across the HEPA filter media. HEPA filters have a pressure drop operating range typically specified by the manufacturer. The spray booth’s South

⁸ United States Environmental Protection Agency. Method 204 - Permanent (PTE) or Temporary Total Enclosure (TTE) for Determining Capture Efficiency. (2019, January 14). https://www.epa.gov/sites/production/files/2019-06/documents/method_204_0.pdf.

Coast AQMD Permit to Operate may also specify the maximum and minimum pressure drop limits. If the pressure drop exceeds the maximum limit of the range, it indicates that the filters are clogged and must be replaced. If the pressure drop is below the minimum limit of the range, it indicates that there may be a tear, gap, or other issues with the integrity of the filter media, which would allow overspray to exit through the exhaust duct. While filter media pressure gauges are required for all spray booths where chromate coating spraying operations are conducted, a dedicated pressure gauge is needed to monitor the HEPA filters' status since they determine the highest control efficiency for the spray booth.

PATHWAYS FOR FUGITIVE EMISSIONS

There are multiple pathways that fugitive emissions can be created and discharged from facilities that conduct chromate spraying operations. If not well controlled, the accumulation of fugitive emissions in and around a facility can impact neighbors. Fugitive emissions can be generated during spraying operations and ancillary operations such as dried coating removal and demasking activities and movement of equipment and materials containing or laden with chromate coatings. Approaches to minimize fugitive emissions generally include minimizing the accumulation of chromate coatings through housekeeping procedures, containment of chromate coatings that can become fugitive, and minimizing the release of fugitive emissions through best management practices and building enclosures.

Fugitive Emissions from Overspray Exiting a Spray Booth

If a spray booth's ventilation control system is not operating properly during a chromate spraying operation, overspray may not be drawn towards the filter media and exit out the open face of an open face spray booth, as well as through any ingresses or egresses of an enclosed booth that are not closed during spraying. If the collection efficiency of the pollution controls is not adequate, there will also be a greater accumulation of overspray within the spray booth, which can be tracked out through foot traffic and movement of equipment out of the spray booth. An owner or operator conducting a spraying operation too close to a spray booth opening may also lead to overspray exiting the booth.

Dried Coatings Exiting a Spray Booth

Over time, if not cleaned regularly, the surfaces of a spray booth will accumulate dried coating particles from overspray. The removal and replacement of used filters and other activities conducted within the booth can also deposit dried coating particles onto the spray booth surfaces. The movement of people and equipment in and out of the booth can track the dried coating particles out of the booth. Facilities may also line their spray booths with protective coverings to collect overspray. If conducted improperly, the removal of these protective coverings could disturb the dried overspray, which can exit the booth.

Workpiece Support Equipment

Racks, stands, and other workpiece support equipment present in a spray booth while chromate coatings are being sprayed may become coated with overspray. Over time, a substantial accumulation of dried coating on workpieces can occur. Unlike the thin uniform layer of coating applied on workpieces, the dried coating material that builds up over time on workpiece support equipment can be uneven and rough and can protrude out from the equipment. Handling of the workpiece support equipment and the movement of the equipment around the facility can cause pieces of the dried coating material to fall off onto the ground, which can then be crushed into fine particles by foot traffic and equipment movement.

Dried Chromate Coating Removal Activities

Dried chromate coating removal activities such as grinding, buffing, and sanding directly create fine chromate coating particles that can easily become fugitive emissions if not vented to air pollution controls. Chromate particles from dried coating removal activities can also accumulate on surfaces and become a source of fugitive emissions if not cleaned.

Demasking Activities

Demasking can also be a source of fugitive emissions if not well contained. Demasking disturbs the dried coatings sprayed on the masking material, which can flake off and deposit onto the ground and other surfaces. Dried coatings associated with demasking activities are generally small chips and pieces of dried coatings. If accumulated on surfaces, they can be ground into fine particles by foot traffic and equipment movement and can become a source of fugitive emissions if not cleaned.

Improper Waste Storage

A facility's chromate spray coating operation generates various types of waste materials that may contain chromate coatings. Used filters, masking materials, spray booth protective coverings, and disposable personal protective equipment are laden with dried chromate coating particles, and if not properly disposed of in closed containers, can be potential sources of fugitive emissions.

OVERVIEW OF FACILITIES

Based on permitting data, there are approximately 115 facilities expected to be impacted by PAR 1469.1, with 231 spray booths. Of those spray booths, 100 are open face non-bench spray booths, 66 are enclosed non-bench spray booths, and 18 are bench spray booths, of which at least six are enclosed bench spray booths. Based on the available information, the configuration of the remaining booths was unclear; however, all are permitted to conduct chromate spray coating operations. With the exception of facilities that have complied with point source requirements under Option C, all spray booths permitted for chromate spray coating operations are equipped with HEPA or better filtration. Four spray booths at two facilities that comply with the Rule 1469.1 Option C facility-wide cancer risk limits are not required to be equipped with HEPA filters.

Site Visits and Facility Survey

As part of PAR 1469.1 development, staff conducted site visits at 16 facilities and observed 30 paint spray booths. Staff also distributed a survey on January 31, 2020, to the known universe of

spraying facilities to gather information about equipment, operations, and general industry practices and approaches to housekeeping and waste disposal. Thirty-one (31) facilities returned completed survey responses.

During the site visits and compliance inspections, housekeeping procedures and schedules were observed to be inconsistent across facilities. Some facilities conducted daily housekeeping procedures while others described housekeeping frequencies as weekly, or on an as-needed basis. Some facilities used vacuum equipment with HEPA filtration for housekeeping, while others used shop vacuums, which would not meet the definition of a PAR 1469.1 HEPA vacuum. Waste collection and storage procedures also varied between facilities, with some facilities immediately placing waste materials in closed containers while others allowed wastes to accumulate or placed wastes in open containers.

Staff also observed demasking activities that were conducted in different environments with varying fugitive dust-reducing measures. In some cases, demasking was conducted on a down draft table, and waste material was immediately placed into closed containers. In other instances, used masking tape containing dried chromate coatings was allowed to accumulate in the open.

Survey responses to a question regarding the frequency of housekeeping in spray booth areas corroborated that housekeeping frequency varied across the facilities. Fifteen (15) facilities conducted daily cleaning, but some cleaned less frequently: every other day, once a week, once a month, or had no set cleaning frequency. Survey responses also found that a majority of the thirty-one respondents, eighteen (18) facilities, did not conduct spray booth parameter monitoring outside of the required filter pressure drop, while the remaining facilities responded that they conducted tests for air velocity and capture efficiency. Survey responses also indicated that dried chromate coating removal activities were often conducted in spray booths, or in other controlled environments, such as clean rooms, or on downdraft tables. However, demasking activities were not conducted in controlled environments, and facilities did not indicate if they implemented any housekeeping or control measures to reduce fugitive emissions from these activities.

CHAPTER 3 – SUMMARY OF PROPOSED AMENDED RULE 1469.1

OVERALL APPROACH

The objective of PAR 1469.1 is to further reduce hexavalent chromium emissions from spraying operations and from related activities such as dried chromate coating removal activities at facilities that spray chromate coatings. PAR 1469.1 accomplishes this with updated point source requirements and control device parameter monitoring. Updated point source provisions include a requirement for a minimum of HEPA filtration for all new spray booths and a minimum of HEPA control devices for all dried coating removal activities. Amended parameter monitoring provisions include requirements to measure inward air velocity within spray booths and monitor pressure drop at the spray booth filtration system. PAR 1469.1 also includes updated housekeeping requirements and adds best management practices and building enclosure requirements. Housekeeping requirements and best management practices minimize the accumulation of materials that may contain chromates outside of spray booths that can become fugitive emissions. Building enclosure requirements prevent the migration of fugitive emissions from leaving a facility. PAR 1469.1 also includes amended provisions for visual inspections, new requirements for exhaust duct cleaning, amended recordkeeping requirements, prohibitions of new open faced spray booths, and amended exemptions.

The following is a description of PAR 1469.1 provisions.

PROPOSED AMENDED RULE 1469.1

Purpose – Subdivision (a)

The purpose of PAR 1469.1 is to reduce emissions of hexavalent chromium from spray coating, and a clarification has been added to also include operations related to spray coating.

Applicability – Subdivision (b)

The applicability of PAR 1469.1 remains unchanged in that the rule applies to facilities that spray chromate coatings. However, the language was amended to reflect the phrase “chromate coatings,” which refers to coatings containing chromates, the form in which hexavalent chromium is found in paint. The thermal spraying exemption is moved to Exemptions in subdivision (p).

Definitions – Subdivision (c)

PAR 1469.1 includes definitions for specific terms. Several definitions are based on other recent toxic metal particulate rules, while other definitions are unique to PAR 1469.1.

Table 2 provides a list of modified, new, and removed PAR 1469.1 definitions. Please refer to PAR 1469.1 for actual definitions. Key definitions are discussed in the associated rule requirement discussions.

Table 2 - Summary of Definitions

Modified Definitions	New Definitions	Removed Definitions
<ul style="list-style-type: none"> • Chromate • Coating • Compliance Plan Approval Letter • Electrostatic Application • Hand Application Method • High Efficiency Particulate Air Filter • High-Volume, Low-Pressure Spray • Open Face Spray Booth • Overspray • Sensitive Receptor • Thermal Spraying Operations • Touch Up and Repair Operation • Transfer Efficiency 	<ul style="list-style-type: none"> • Approved Cleaning Method • Bench Spray Booth • Building Enclosure • Enclosed Spray Booth • Demasking Activity • Dried Chromate Coating Removal Activity • HEPA Vacuum • Permanent Total Enclosure • Spray Booth • Sticky Mat • Workpiece Support Equipment 	<ul style="list-style-type: none"> • Capture Efficiency • Coating Application Equipment • Control Efficiency • Equipment • Existing Air Pollution Controls • Existing School • Existing Source or Source • New Source • Primer • Receptor • Residential Receptor • Responsible Official • Spraying Operation or Spraying Process

Reorganization of Rule 1469.1

Rule 1469.1 subdivision (d) includes general requirements for spray booth operation, transfer efficiency, compliance options for point source emissions, provisions for compliance plan submittal, compliance notifications, and housekeeping requirements. Subdivisions (e), (f), and (g) of the existing Rule 1469.1 establish provisions related to the compliance options described in Chapter 1. Existing Rule 1469.1 subdivisions (h), (i), (j), (k), and (l) include exemptions, compliance test methods, recordkeeping requirements, monitoring requirements, and reporting requirements, respectively. Many of the existing Rule 1469.1 requirements have been maintained or amended but have been reorganized into different subdivisions of PAR 1469.1 to be consistent with recent toxic metal particulate rules. Additionally, PAR 1469.1 includes interim requirements in subdivision (o), where the current rule provisions remain in place until new requirements become effective. Table 3 provides a summary of current rule provisions and the corresponding requirements in PAR 1469.1. A discussion of PAR 1469.1 requirements follows Table 3.

Table 3 – Prior Requirements

Rule 1469.1 Requirement	Rule 1469.1 Reference	PAR 1469.1 Requirement	PAR 1469.1 Reference
Inward Face Velocity	(d)(1)(B)	Interim Requirements for Facilities	(o)(1)
Post Spraying Ventilation	(d)(1)(C)	Best Management Practices	(j)(2)(B)
Transfer Efficiency	(d)(2)	Best Management Practices	(j)(3)
Control Device	(d)(3)(B)	Point Source Requirements	(d)(1)
Health Risk Compliance Options*	(d)(3)(A) and (d)(3)(C)	Alternate Point Source Requirements	(d)(1)(B)(d)(1)(C) and subdivision (e)
Compliance Plan Provisions*	(d)(4) to (d)(6)	Removed	-
Housekeeping	(d)(7)	Interim Requirements for Facilities	(o)(2)
Emission Inventory	(e)	Removed	-
New and Modified Sources	(f)	Removed	-
Source Test Results	(g)	Removed	-
Exemptions	(h)	Exemptions	(p)
Capture Efficiency Test Method	(i)(1)	Removed – Replaced with Velocity Test Method	Appendix 1
Alternative Transfer Efficiency Test Method	(i)(2)	Best Management Practices	(j)(3)(C)
Recordkeeping Requirements	(j)	Recordkeeping Requirements	(m)
Visual Monitoring	(k)(1)	Visual Inspections	(j)(8)
Pressure Drop Monitoring	(k)(2)	Interim Requirements for Facilities	(o)(3)
Reporting Requirements*	(l)	Removed	-

*Applicable to existing facilities with approved Health Risk Assessments.

Point Source Requirements – Subdivision (d)

Rule 1469.1 includes three point source compliance options: Option A: Annual Emission Limit; Option B: Air Pollution Control Device; or Option C: Facility-wide Risk Limit. PAR 1469.1 will remove Option A and requires all new facilities comply with current Rule 1469.1 air pollution control device requirements. PAR 1469.1 also includes provisions for the two facilities currently complying under Option C to continue to be subject to existing requirements until air pollution control device requirements can be met or the facility submits the necessary permit modifications to limit chromate emissions to what was analyzed in the approved HRA that was performed using the revised 2015 OEHHA health risk guidance. The following paragraphs describe subdivision (d) requirements.

Air Pollution Control Device Efficiency (d)(1)

Subparagraph (d)(1)(A) establishes the requirement that chromate spray coating operations be vented to an air pollution control system equipped with HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles. As mentioned, this is an existing requirement; however, the air pollution control device description has been modified. Specifically, existing Rule 1469.1 requires the ventilation of each spraying operation to air pollution equipment with a rated particulate filtration efficiency of 99.97 percent or higher, for particulate matter 0.3 microns or larger. However, this description was intended to describe HEPA filters, but it does not allow other control technologies that surpass HEPA, such as ULPA filters. Accordingly, the control device description in subparagraph (d)(1)(A) is proposed to be modified to allow the use of HEPA or better filtration. For reference, ULPA filters are a subset of HEPA filters that are certified to achieve a higher minimum filtration of 99.9995 percent for particles sized 0.12 microns or larger.

Subparagraph (d)(1)(B) includes provisions which allow an owner or operator of an existing facility with an approved Compliance Plan or an approved Health Risk Assessment to be subject to the subdivision (e), alternate point source requirements until subparagraph (d)(1)(A) provisions are met by the earlier of the dates specified in subparagraph (d)(2)(B). As mentioned, there are two facilities that have an approved Compliance Plan or approved Health Risk Assessment.

Subparagraph (d)(1)(C) provides another compliance option if an existing facility has an approved Health Risk Assessment based on the revised 2015 OEHHA health risk guidance. Requirements for a facility to comply with subparagraph (d)(1)(C) are described under the subdivision (e).

Applicability and Timeframe for Alternate Point Source Requirement (d)(2)

Paragraph (d)(2) requires facilities meeting the alternate point source requirements to submit permit applications and install the air pollution control devices needed to comply with paragraph (d)(1)(A). This applies to the two facilities with an approved Compliance Plan or approved Health Risk Assessment. Subparagraph (d)(2)(A) requires facilities to submit a complete permit application for an air pollution control device that represents HEPA or better filtration no later than January 1, 2023. Subparagraph (d)(2)(B) requires facilities that have submitted a completed application to meet the requirements of HEPA or better filtration within 18 months after a Permit to Construct has been issued by South Coast AQMD or January 1, 2026, whichever date is earlier. Beginning January 1, 2026, a spray booth that meets the requirements of paragraphs (e)(1) and (e)(2) cannot be operated for the spraying of chromate spray coating operations until the spray booth is vented to filters that meet the requirements of subparagraph (d)(1)(A).

Spray Booth Operation (d)(3)

Paragraph (d)(3) requires that the spray booth be operated in a manner that minimizes fugitive hexavalent chromium emissions and is adequately vented. Subparagraph (d)(3)(A) requires operators to ensure visible emissions do not exit the spray booth.

Subparagraph (d)(3)(B) requires that all spray booth filters be properly seated and are free of leaks, breaks, and tears when conducting chromate spraying.

Subparagraph (d)(3)(C) establishes requirements for spray booth air flow. Specifically, clause (d)(3)(C)(i) requires spray booths to be vented with an inward flow maintained at all air openings such that the paragraph (o)(1) interim requirements for open face spray booths are met before January 1, 2026. Beginning January 1, 2026, clause (d)(3)(C)(ii) requires the applicable spray

booth measurement or PTE demonstration requirements of subdivision (g) to be met. Provisions for air velocity monitoring requirements are discussed later in this chapter under subdivision (g).

Subparagraph (d)(3)(C) requires that all spray booth filters are properly seated and are free of leaks, breaks, and tears when conducting chromate spraying.

Alternate Point Source Requirements for Chromate Spraying Operations With Compliance Plans or Health Risk Assessments Approved Before [Date of Rule Adoption] – Subdivision (e)

PAR 1469.1 establishes requirements for facilities that do not have spray booths equipped with HEPA or better filters. These alternate point source requirements only apply to existing facilities at the time of the adoption of PAR 1469.1, which have previously submitted compliance plans or an approved health risk assessment and are currently in compliance with Rule 1469.1 using those options.

Paragraphs (e)(1) and (e)(2) specify requirements for facilities while they transition into installing an air pollution control system equipped with HEPA filters or better. Paragraph (e)(1) requires facilities to continue to meet conditions in an approved Compliance Plan or any enforceable conditions until the air pollution control device requirements of subparagraph (d)(1)(A) are met. Paragraph (e)(2) requires the continued posting of Compliance Plan approval letters (clearly visible and accessible within 8 meters [26 feet] of the spray booth identified in the Compliance Plan) or with the facility permit to maintain this existing requirement until the requirements of subparagraph (d)(1)(A) are met.

Paragraphs (e)(3), (e)(4), and (e)(5) provide another compliance path if the approved health risk assessment was prepared using the revised 2015 OEHHA health risk guidance. Under paragraph (e)(3), the facility is required to submit a complete permit application by January 1, 2023, to modify permits for spray booths used to conduct chromate spraying operations. Paragraph (d)(3) requires the permit to operate be amended to include: 1) a limit on the annual chromate emissions at or below the amount evaluated in the approved health risk assessment and 2) require the use of a filter that is equal to or greater than the filter efficiency evaluated in the approved health risk assessment.

Paragraph (e)(4) specifies the requirements if a facility receives a written notification that the chromate emissions limit established under subparagraph (e)(3)(A) has been exceeded. Under subparagraph (e)(4)(A), a complete permit application to upgrade the spray booth to HEPA or better filtration is required to be submitted within six months of receipt of the written notification pursuant to paragraph (e)(4). Subparagraph (e)(4)(B) further requires the spray booth modification to HEPA or better filtration be completed within 18 months after a Permit to Construct has been issued or 36 months after the date of the written notification, whichever date is earlier.

Paragraph (e)(5) establishes requirements for duct cleaning before January 1, 2023, for a facility accepting permit conditions under paragraph (e)(3). Subparagraph (e)(5)(A) requires the spray booth exhaust duct to be cleaned to remove overspray and dried coatings using an approved cleaning method. Subparagraph (e)(5)(B) requires the inspection of associated exterior surfaces of the spray booth exhaust duct, and if any overspray or dried coating materials are found, all such overspray or dried coating materials must be removed using approved cleaning methods. Subparagraph (e)(5)(C) requires a notification to the Executive Officer at least 72 hours prior to conducting cleaning under subparagraphs (e)(5)(A) and (e)(5)(B).

Point Source Requirements for Dried Chromate Coating Removal Activities – Subdivision (f)

PAR 1469.1 adds requirements to control emissions from dried chromate coating removal activities that can be a source of fugitive emissions. Paragraph (c)(9) defines dried chromate coating removal activity as an activity whereby chromate coatings on workpieces are removed thorough physical or mechanical means, such as buffing, scuffing, sanding, or grinding. For the purposes of PAR 1469.1, the definition of dried chromate coating removal activity does not include demasking.

Control Device Requirement (f)(1)

Paragraph (f)(1) requirements are effective beginning January 1, 2026, or the date specified in subparagraph (f)(2)(B). Specifically, subparagraph (f)(1)(A) requires dried chromate coating removal activities to be vented to a spray booth that meets the requirements of paragraph (d)(1). This includes spray booths equipped with HEPA or better filters and spray booths that meet the alternate point source requirements in subdivision (e). Subparagraph (f)(1)(B) provides an option that dried chromate coating removal activities can be vented to a control device that is equipped with HEPA or better filters, provided the control devices are permitted for dried chromate coating removal, and are operated under a South Coast AQMD permit. Control device examples include a downdraft table or a sanding booth.

Control Device Permit Application (f)(2)

Paragraph (f)(2) provides a compliance pathway for facilities that conduct dried chromate coating removal activities without a control device or with a control device that does not meet the requirements of (f)(1). Specifically, subparagraph (f)(2)(A) requires these facilities to submit a complete permit application for a control device that meets the requirements of clause (f)(1)(B)(i) no later than January 1, 2023. Under subparagraph (f)(2)(B), these facilities are required to vent dried coating removal activities to the permitted control device that meets the requirements of clause (f)(1)(B)(i) within 18 months after the Permit to Construct has been issued by South Coast AQMD or by January 1, 2026, whichever date is earlier.

Control Device Performance Standard (f)(3)

Paragraph (f)(3) requires control devices for dried chromate coating removal activities to be equipped with properly seated filters and are free of leaks, breaks, and tears.

Spray Booth Requirements – Subdivision (g)***Interim Requirements Before January 1, 2026***

Rule 1469.1 includes a requirement that the average inward face velocity of air through an open face spray booth be a minimum of 100 feet per minute or other minimum velocity approved by the Executive Officer. This existing requirement is maintained in PAR 1469.1 paragraph (o)(1) until January 1, 2026, or the date specified in subparagraph (g)(2)(B).

Air Velocity or PTE Demonstration Requirements (g)(1)

PAR 1469.1 defines a spray booth as an enclosure with walls and an impermeable ceiling used to contain and collect overspray from the application of chromate coatings. The amendments establish new air velocity or PTE demonstration requirements for four types of spray booths: bench booths (open face and enclosed) and non-bench booths (open and enclosed). Bench booths are

defined in PAR 1469.1 as a spray booth with a raised spray enclosure area typically used for smaller workpieces where the operator cannot stand within the enclosure, and non-bench booths refer to structures where the operator stands within the booth. Open face booths are defined in PAR 1469.1 as spray booths with one side of the booth is not enclosed, and air flows through the open face horizontally. Enclosed booths are defined as a spray booth with four sides that are enclosed during spraying operations.

Paragraph (g)(1) requires the owner or operator to demonstrate that a spray booth meets PAR 1469.1 air velocity or PTE demonstration requirements no later than January 1, 2026, or the date specified in subparagraph (g)(2)(B). As described below, paragraph (g)(2) provides a compliance pathway that allows an owner or operator that cannot meet the PAR 1469.1 air velocity or PTE demonstration requirements to submit a permit application to modify the spray booth equipment.

Subparagraph (g)(1)(A) requires an owner or operator to demonstrate that the PAR 1469.1 Table 1 (shown below as Table 4) average and minimum velocity requirements are met using the measurement procedures specified in PAR 1469.1 Appendix 1 – Inward Face Air Velocity Measurement Procedures. Subparagraph (g)(1)(B) provides an alternative to subparagraph (d)(1)(A) that allows an owner or operator to demonstrate that the spray booth meets the criteria of a permanent total enclosure (PTE) based on U.S. EPA Method 204.

Table 4 – Spray Booth Inward Face Velocity Requirements

Spray Booth Type	Measurement Location	Average Velocity of Measurement Points	Minimum Velocity at Each Measurement Point
Enclosed Non-Bench	At the filter face	100 feet per minute	75 feet per minute
Open Face Non-Bench	At the opening of the booth		
Enclosed Bench	At the filter face	150 feet per minute	125 feet per minute
Open Face Bench	At the opening of the booth		

PAR 1469.1 Appendix 1 requires that the air velocity measurements be conducted using an anemometer with an accuracy within +/- 10 percent of full scale and operated and calibrated according to the manufacturer's specifications. Five measurements must be taken in a pattern shown in the Appendix 1 examples. For enclosed booths, the measurements must be taken within six (6) to twelve (12) inches from the exhaust filter face; enclosed booths that have more than one filter face should take five (5) measurements in front of each filter face. For open face booths, the measurements are to be taken no more than one (1) inch inside the plane of the open face. To meet the PAR 1469.1 inward face air velocity requirements, the average of all five measurements at each face must be above the PAR 1469.1 Table 1 average velocity of measurement point values with no measurement point value below the PAR 1469.1 Table 1 minimum velocities.

As mentioned, subparagraph (g)(1)(B) provides another pathway for facilities to demonstrate that a spray booth meets the spray booth requirements through demonstrating that the spray booth meets the design requirements of a PTE, per U.S. EPA Method 204 or other design as approved

by the Executive Officer. To be designated as a PTE, the total area of natural draft openings in the structure cannot exceed 5 percent of the surface area of the structure’s walls, floor, and ceiling. As a result, subparagraph (g)(1)(B) applies to enclosed spray booths, as the large size of the openings of open face booths will likely disqualify open face spray booths from consideration. A summary of the EPA Method 204 criteria for meeting the definition of a PTE is included in Chapter 2.

Spray Booth Modifications to Meet Air Velocity or PTE Demonstration Requirements (g)(2)

PAR 1469.1 requires facilities to demonstrate compliance with the spray booth air velocity or PTE demonstration requirements in paragraph (g)(1) no later than January 1, 2026. If a facility determines that a spray booth will not be able to meet the PAR 1469.1 spray booth requirements, paragraph (g)(2) provides a compliance pathway for facilities to continue to operate the spray booth provided a permit application is submitted to modify the spray booth to meet the PAR 1469.1 air velocity or PTE demonstration requirements. Specifically, under subparagraph (g)(2)(A), a facility operator is required to submit a complete permit application to modify the spray booth by January 1, 2023. Subparagraph (g)(2)(B) requires facilities submitting a complete permit application to modify the spray booth within 18 months after the Permit to Construct has been issued by South Coast AQMD or by January 1, 2026, whichever date is earlier. The period from the date of rule adoption until January 1, 2023 is intended to allow facilities to conduct spray booth evaluations to determine if the spray booth can meet the PAR 1469.1 air velocity or PTE demonstration requirements.

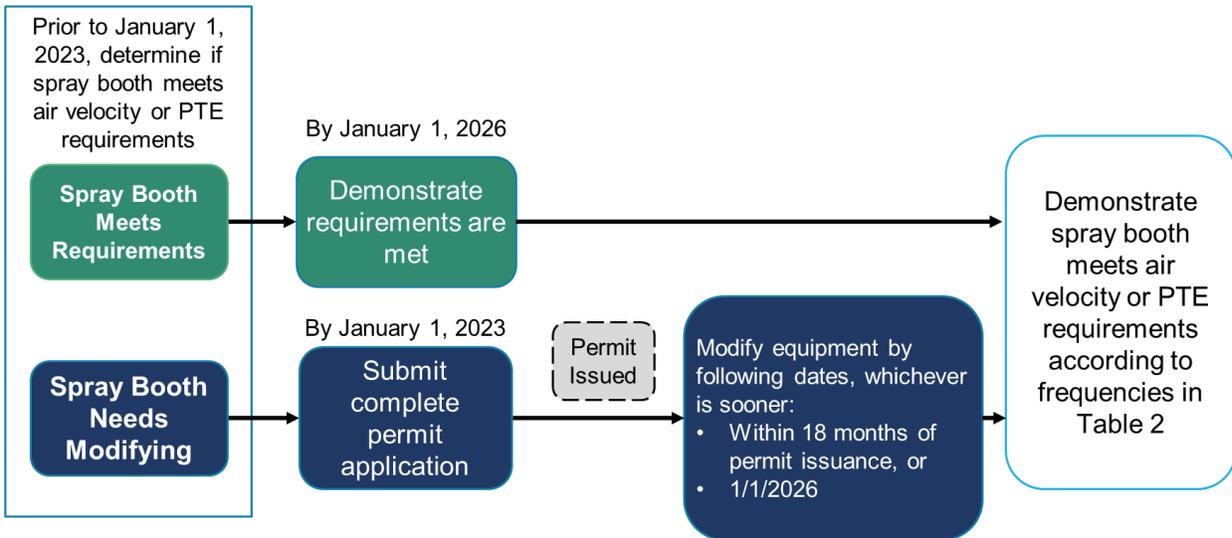
Air Velocity or PTE Demonstration Compliance after January 1, 2026 (g)(3)

Paragraph (g)(3) requires all facilities to either conduct air velocity measurements or demonstrate that the spray booth meets the requirements of a PTE in accordance with the measurement or demonstration frequency specified in PAR 1469.1 Table 2 (shown below as Table 5).

Table 5 – Measurement or Demonstration Frequency

Spray Booth Type	Frequency
Enclosed Non-Bench or Bench	At least once every 12 calendar months from the previous air velocity measurement pursuant to subparagraph (g)(1)(A) or Permanent Total Enclosure demonstration pursuant to subparagraph (g)(1)(B)
Open Face Non-Bench or Bench	At least once every six calendar months from the previous air velocity measurement pursuant to subparagraph (g)(1)(A)

Facilities with enclosed booths are required to document that the air velocity or PTE demonstration requirements are met at least once every 12 calendar months. The frequency for open face booths is a minimum of at least once every six calendar months. For the purposes of PAR 1469.1, air velocity measurements or PTE demonstrations can occur any day within the applicable calendar month. Figure 7 provides an overview of the air velocity measurement or PTE demonstration schedule.

Figure 7 – Schedule For Air Velocity Measurement or PTE Demonstration***Failure to Meet Air Velocity or PTE Demonstration Requirements (g)(4)***

Paragraph (g)(4) establishes procedures for facilities with spray booths that do not meet the air velocity or PTE demonstration requirements after January 1, 2026. Under subparagraphs (g)(4)(A) and (g)(4)(B), a spray booth that fails to meet the requirements cannot be operated for chromate spray coating operations or for dried chromate coating removal activities until necessary actions or repairs are conducted and the air velocity or PTE demonstration requirements are met. Subparagraph (g)(4)(C) specifies that if the facility cannot complete the necessary actions or repairs within 30 days, the facility is required to notify South Coast AQMD within 24 hours of knowing that the actions or repairs will take more than 30 days.

Air Velocity Measurement or PTE Demonstration Schedule After a Failure (g)(5) and (g)(6)

Paragraph (g)(5) includes requirements for spray booths that have met the air velocity or PTE demonstration requirements after the 30 day period in subparagraph (g)(4)(C). Subparagraph (g)(5)(A) requires a facility to notify South Coast AQMD within 24 hours of meeting the requirements only if the repairs need more than 30 days and a previous notification was required pursuant to subparagraph (g)(4)(C). A notification is not required if the repairs can be completed in 30 days or less. Subparagraph (g)(5)(B) and paragraph (g)(6) requires that three consecutive passing air velocity measurements or PTE demonstrations (either method is acceptable) be conducted once every 30 days on the spray booth before a facility is subject to the frequency schedule in PAR 1469.1 Table 2.

An owner or operator of a spray booth that fails to meet the air velocity or PTE demonstration requirements at any time after January 1, 2026, including any of the three consecutive tests conducted pursuant to subparagraph (g)(5)(B) and paragraph (g)(6), must follow the procedures in paragraph (g)(4), as well as the procedures in paragraphs (g)(5) and (g)(6), if applicable. Figure 8

The above methods for closing building openings are consistent with provisions included in other recently amended or adopted South Coast AQMD toxic metal particulate rules. The January 1, 2022, effective date is intended to provide facilities time to meet the enclosure requirements.

Housekeeping Requirements – Subdivision (i)

Interim Housekeeping Requirements Before January 1, 2022

Rule 1469.1 currently requires spraying and cleanup operations at a chromate spraying operation to be conducted in a manner that minimizes fugitive emissions of atomized paint particles. This existing requirement is maintained in PAR 1469.1 paragraph (o)(2) until January 1, 2022.

Housekeeping Requirements Beginning January 1, 2022

Paragraphs (i)(1) through (i)(9) establish housekeeping requirements that are effective beginning January 1, 2022.

Cleaning Locations and Frequencies (i)(1) and (i)(2)

Beginning January 1, 2022, PAR 1469.1 establishes enhanced housekeeping requirements and requires the use of approved cleaning methods to minimize the generation of fugitive emissions during cleaning activities. Approved cleaning methods defined in PAR 1469.1 include wet mop, damp cloth, wet wash, low pressure spray nozzle, HEPA vacuum, protective coverings, or other method as approved by the Executive Officer. A HEPA vacuum is defined in PAR 1469.1 as a vacuum that is both designed to be fitted and used with a filter that is individually tested and certified by the manufacturer to have a control efficiency of not less than 99.97 percent on 0.3 micron particles.

Paragraph (i)(1) requires routine cleaning within 20 feet of spray booth ingresses and egresses and areas used for dried chromate coating removal, demasking, paint mixing, equipment storage, and waste storage. Paragraph (i)(2) requires routine cleaning within workpiece support equipment transit paths/work areas and workpiece support equipment storage areas. Cleaning frequencies for the locations identified by paragraph (i)(1) and (i)(2) requirements are listed in PAR 1469.1 Table 3 (shown below as Table 6). The cleaning frequencies are dependent on activities within the specific areas. For example, for workpiece storage areas, PAR 1469.1 Table 3 requires cleaning once per calendar week for any week when stored workpiece support equipment is moved on one or more days. PAR 1469.1 Table 3 also establishes different cleaning frequencies for areas located within or outside of a PTE that is vented to HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles. Specifically, Table 3 of PAR 1469.1 requires weekly cleaning for areas outside a PTE and monthly cleanings for identified areas within a PTE. The PAR 1469.1 PTE definition is consistent with Rule 1469 – Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations PTE definition.

Table 6 - Cleaning Frequencies

Applicable Provisions	For Areas Located Within a Permanent Total Enclosure Vented to an Air Pollution Control System with Filters that Meet the Filter Requirements of Subparagraph (d)(1)(A)	For All Other Areas
(i)(1)(A) and (i)(1)(B)	Once per calendar month, for any month when chromate spraying operations are conducted on one or more days	Once per calendar week, for any week when chromate spraying operations are conducted on one or more days
(i)(1)(C), (i)(1)(D), (i)(1)(E), and (i)(1)(F)	Once per calendar month, for any month when activities are conducted on one or more days	Once per calendar week, for any week when activities are conducted on one or more days
(i)(2)(A) and (i)(2)(B)	Once per calendar month, for any month when workpiece support equipment is moved on one or more days	Once per calendar week, for any week when workpiece support equipment is moved on one or more days

Outdoor Spray Booths and Spill Cleanup (i)(3) and (i)(4)

For enclosed spray booths not located within a building enclosure, paragraph (i)(3) requires daily cleaning within 20 feet of ingress and egress on days when chromate spraying operations are conducted within the booth. This requirement is only for chromate spray coating operations conducted in spray booths that are not within a building enclosure (i.e., spray booths located outside a building).

Paragraph (i)(4) requires cleanup of spills of liquid or solid material that may contain chromates within one hour after being spilled to minimize the potential to generate fugitive emissions.

Spray Booths Interior Cleaning (i)(5) and (i)(6)

Paragraph (i)(5) requires cleaning of spray booth floors that do not have protective coverings at least once per calendar week. This requirement is also based on the use of the booth for chromate coating spraying operations, and cleaning is not required on weeks where activities subject to PAR 1469.1 are not conducted.

Paragraph (i)(6) requires removing and replacing spray booth protective floor or wall coverings at least every six months.

Sticky Mat Alternative (i)(7)

During rule development, some stakeholders commented that spray booth entrance cleaning using approved cleaning methods might conflict with the current industry practice of using sticky mats or tacky mats that are intended to remove the dried coating particles from the bottoms of shoes and equipment wheels when those items pass over the sticky mats. Additionally, the use of sticky mats

in the spray booth is an effective way of ensuring that chromate paint particles stay within the spray booth. Paragraph (i)(7) has been added to address these comments by allowing facilities to use sticky mats as an alternative to weekly spray booth entrance cleaning and protective covering removal and replacement requirements. Under subparagraph (i)(7)(A), sticky mats are required at spray booth ingress and egress points and be at least two feet in depth and as wide as the opening. Under subparagraph (i)(7)(B), an owner or operator must ensure that all foot and equipment traffic pass over the mats. Subparagraph (i)(7)(C) requires the mats to be replaced each day when the booth is used for chromate spraying operations and disposed of in a closed container before removal from a building. A sticky mat is defined in PAR 1469.1 as a non-reusable floor mat or floor covering with an adhesive or tacky surface that removes particles from shoes, wheels, or other objects that travel over the mat or covering.

Waste Materials in Closed Containers (i)(8)

Paragraph (i)(8) requires the immediate placement of waste materials that may contain chromates into a closed container that is closed except when being filled or emptied. Waste materials include items including, but not limited to, used single use PPE masks, cleaning cloths, used masking material, and used filters. Paragraph (i)(8) also requires the container to be lined with a removable bag if the waste material will be transferred to another on-site container.

HEPA Vacuums (i)(9)

Subparagraph (i)(9)(A) requires that if a HEPA vacuum is used to comply with housekeeping provisions of subdivision (i), the HEPA filter must be free of leaks, breaks, tears, or other types of damage and securely latched and properly situated in the vacuum to prevent air leakage from the filtration system. An owner or operator should have a HEPA vacuum maintained and serviced per the manufacturer's recommendations to ensure the integrity of the filtration as any breakthrough passing the HEPA filter will result in metal TACs entrained into the air. Workers should follow the manufacturer's recommended precautions regarding Personal Protective Equipment when servicing the HEPA vacuum. All wastes collected and removed during filter changes or cleaning of the HEPA vacuum must be handled, stored, and disposed of as hazardous waste.

PAR 1469.1 includes a definition for a HEPA vacuum to differentiate an acceptable device versus a home or commercial "HEPA-like" vacuums, which are not tested nor intended to clean-up toxic metal TAC spills. A certification or statement from the manufacturer can demonstrate that the vacuum satisfies the PAR 1469.1 definition that the fitted HEPA filter is individually tested and certified. "HEPA-like" vacuums with filters that are lot (batch) tested do not satisfy the PAR 1469.1 definition of HEPA Vacuum. In addition, HEPA vacuums are designed to be operated for either "dry" or both "wet and dry" cleanup of materials. A HEPA vacuum operated contrary to the manufacturer's design, or recommendations may have its filters damage or compromised. Prior to obtaining a HEPA vacuum, an owner or operator should consult with their vendor to ensure that the proper HEPA vacuum is selected for the housekeeping requirements needed when dealing with solid and liquid metal TACs.

Subparagraph (i)(9)(B) requires the contents of HEPA vacuum intended for disposal to be emptied into a container while the equipment is inside a spray booth that meets the requirements of paragraph (d)(1) and that the container remains closed except when being filled or emptied.

Subparagraph (i)(9)(C) requires the HEPA filter for a HEPA vacuum to be replaced within a spray booth that meets the requirements of paragraph (d)(1) and that the used filter is placed in a closed container before removal from the spray booth.

Best Management Practices – Subdivision (j)

PAR 1469.1 includes a new subdivision, (j), for the use of Best Management Practices or BMPs. Best Management Practices prescribe how an owner or operator shall conduct chromate spray coating operations and other ancillary operations to prevent the release or generation of fugitive emissions. BMPs that may require a physical modification at a facility have future compliance dates, while other BMPs are effective on the date of rule adoption.

Operation of Enclosed Spray Booths (j)(1)(A)

Subparagraph (j)(1)(A) requires ingresses and egresses of an enclosed spray booth to be closed during chromate spray coating operations.

Spray Booth Ventilation (j)(1)(B)

Beginning July 1, 2022, or the date specified in subparagraph (d)(2)(B) for facilities complying with alternate point source requirements of subdivision (e), subparagraph (j)(1)(B) requires facilities to have an automatic system in place to ensure that the spray booth ventilation system is operating prior to conducting chromate spray coating operations. Based on stakeholder comments concerning the complexity of an interlock system, the subparagraph (j)(1)(B) requirement includes automatic systems that ensures the spray booth ventilation system is operational before chromate spraying activities begin. Examples of automatic systems include, but are not limited to, a spray booth light switch or spray gun cradle that activate a ventilation system when spray booth lights are turned on or when a spray gun is removed from the cradle. Another automated system is an interlock that prevents compressed air to the spray gun unless the ventilation system is operating which is required for new spray booths by some fire departments.

Removing Protective Covers (j)(2)(A)

Subparagraph (j)(2)(A) is a modification to existing Rule 1469.1 subparagraph (d)(7)(A) procedures for removing protective floor, wall, and exhaust covers inside a spray booth. Subparagraph (j)(2)(A) requires the ventilation system to be operated with doors closed (enclosed booths) and placement of materials intended for disposal into a container before removal from the spray booth. As with other provisions, containers are to remain closed except when being filled or emptied.

Post Spraying Ventilation (j)(2)(B), (C), and (D)

Subparagraph (j)(2)(B) is a modification to existing Rule 1469.1 subparagraph (d)(1)(C) requirements to operate a spray booth ventilation system after chromate spray coating operations have ceased. Under subparagraph (j)(2)(B), the spray booth ventilation system must be operated for a minimum of three air exchanges within the spray booth or five minutes, whichever is longer after spraying operations or dried chromate coating removal activities have ceased and after protective floor, wall or exhaust covers are removed.

Subparagraph (j)(2)(C) is a new provision that requires an owner or operator of a chromate spraying operation to post the minimum post spraying ventilation time on the spray booth no later than ~~August~~ July 1, 2021, in a location that is clearly visible and accessible to the spray booth operator.

Subparagraph (j)(2)(D) is a modification to existing Rule 1469.1 subparagraph (d)(7)(B) requirement that prohibits the operation of a spray booth ventilation system when filters are being

removed, replaced, missing, damaged, or improperly seated; however, subparagraph (j)(2)(D) is only applicable to the final stage filters.

Transfer Efficiency (j)(3)

Paragraph (j)(3) is a modification to existing Rule 1469.1 paragraph (d)(2) transfer efficiency requirements. Paragraph (j)(3) maintains requirements to use one of the following methods to apply chromate coatings: high-volume, low pressure (HVLP), electrostatic application, or an alternate application method capable of achieving at least equivalent transfer efficiency as a HVLP spray gun. Paragraph (j)(3) maintains requirements to apply the coatings per equipment manufacturer recommendations, coating manufacturer specifications, or permit conditions. PAR 1469.1 removes references to the following application methods, which are not subject to the Rule: flow coater, roll coater, dip coater, or hand application methods.

Dried Chromate Coating Removal Activities (j)(4)

Paragraph (j)(4) is a new provision that requires ingresses and egresses of enclosed spray booths to be closed and the spray booth to be operated pursuant to the spray booth requirements in paragraph (d)(3) and subdivision (g) and the pressure drop requirements of subdivision (k) when dried chromate coating removal activities are conducted in the booth.

Demasking Activities (j)(5)

Paragraph (j)(5) is a new provision that applies to demasking activities conducted outside of an enclosed spray booth or a PTE that is vented to HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles. Specifically, paragraph (j)(5) prohibits the use of compressed air to clean workpieces on tables or other surface areas where demasking occurs.

Workpiece Support Equipment (j)(6) and (j)(7)

Beginning ~~August~~^{July} 1, 2021, paragraphs (j)(6) and (j)(7) apply to workpiece support equipment used during chromate spraying operations that are taken out of a spray booth or a PTE that is vented to HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles. Paragraph (j)(6) requires facilities to establish and clearly mark transit paths and work areas for this equipment and only transport equipment within identified transit paths and work areas. Paragraph (j)(7) requirements are similar but are specific to storage areas used for workpiece support equipment. Housekeeping requirements for identified transit paths/work areas and storage areas are included in PAR 1469.1, subdivision (i).

Visual Inspections (j)(8)

Paragraph (j)(8) maintains the existing Rule 1469.1 paragraph (k)(1) visual inspection requirements. As with the current Rule 1469.1 provisions, the requirement to conduct a visual inspection of the filter media does not require the removal of equipment as part of the inspection process.

Personal Protective Equipment (j)(9)

Paragraph (j)(9) is a new provision that requires the removal of personal protective equipment in a manner that minimizes fugitive emissions.

Pressure Drop Across Filter Media – Subdivision (k)***Interim Requirements Before January 1, 2023***

Rule 1469.1 currently requires a pressure gauge to be installed and maintained to continuously measure the pressure drop across the filter media of a spray booth. It requires the pressure drop not to exceed a maximum limit as specified in a permit condition or by the manufacturer's recommended operating range if no permit condition limits the pressure drop. This requirement is maintained in paragraph (o)(3) until January 1, 2023.

Pressure Gauge Requirements, Pressure Drop Limits, and Operational Requirements (k)(1), (k)(2), and (k)(3) After January 1, 2023

Paragraph (k)(1) requirements are effective on and after January 1, 2023, or the date specified in subparagraph (d)(2)(B) for facilities complying with alternate point source requirements of subdivision (e). Under subparagraph (k)(1)(A) facilities are required to monitor pressure drop only across the final stage filter media. To meet this requirement, a dedicated pressure gauge will be required for the final stage filter media. While many spray booth permits already require dedicated pressure gauges at their final stage filters, some permits only include one pressure gauge across all the filter media in the spray booth. Directly measuring the pressure drop of the final stage filters ensures that facilities can monitor the status of those filters, which establishes the highest control efficiency for a spray booth. In most cases, the final stage filters will be HEPA or better; however, for a facility complying with the alternate point source requirements under subdivision (e), this provision will apply to the last stage filter in a spray booth which includes filter systems with multiple stages of filters and the filter efficiency for all the stages is certified by the manufacturer.

Subparagraph (k)(1)(B) will require the pressure drop to be maintained at or below the maximum pressure drop specified in a permit or the filter manufacturer's recommended maximum pressure drop, whichever is lower. The maximum pressure drop limit across the final stage filter media may change depending upon the specifications of the installed filter media. It may differ from the fixed maximum limit specified in a permit. By using the lower of the two values, facilities can ensure that the maximum pressure drop does not exceed the filter media's capacity.

Paragraph (k)(2) requires that the pressure drop across the final stage filter media not fall below a specified minimum limit as established by Table 4 of PAR 1469.1 (shown below as Table 7).

Table 7 – Minimum Pressure Drop Across Final Stage Filters

Availability of Minimum Pressure Drop Information	Minimum Pressure Drop Requirement	Effective Date
Specified in a South Coast AQMD permit	Specified in a South Coast AQMD permit	[Date of Rule Adoption]
Not specified in South Coast AQMD permit	Measure pressure drop to the nearest tenth of an inch of water column while the air pollution control system is in operation to establish the minimum pressure drop across existing final stage filter media in place before January 1, 2023	January 1, 2023, until new final stage filter media replacement
	Measure pressure drop to the nearest tenth of an inch of water column while the air pollution control system is in operation to establish the minimum pressure drop across new final stage filter media replaced after January 1, 2023	At the time of new final stage filter media installation

If the minimum limit is specified in a spray booth permit, the facility must already comply with this permit condition. If a minimum limit is not specified on the permit, the facility must establish a minimum limit by measuring the pressure drop to the nearest tenth of an inch of water column while the air pollution control system is in operation. This can be done by taking a reading of the dedicated pressure gauge required in subparagraph (k)(1)(A). As of January 1, 2023, the minimum limit would be the measured pressure drop at the existing filters; facilities would not be required to replace the filters by January 1, 2023. When the filters are deemed to need replacing, the new minimum limit would then be the measured pressure drop across the new final stage filter media. Pressure drop measurements that are below the minimum limit would indicate that the flow of air is somehow bypassing the filter media before entering the exhaust duct.

Paragraph (k)(3) requires a spray booth to cease operating if the pressure drop across the filter media is above the maximum pressure drop limit or below the minimum pressure drop limit. Before January 1, 2023, the maximum pressure drop limit is established for the filter media pursuant to paragraph (o)(3). Beginning January 1, 2023, for the final stage filter, the maximum pressure drop limit is established pursuant to paragraph (k)(1), and the minimum pressure drop is established by Table 4 – minimum Pressure Drop Across Final Stage Filters.

Filter Specification Sheets – Paragraph (k)(4)

A facility is required to maintain onsite the technical specification sheets for the final stage filter media installed in a spray booth and any documentation to support the minimum pressure drop required to be established by the facility (if not specified by a permit condition). The documentation should be made available to South Coast AQMD staff upon request.

Recording the Pressure Drop – Paragraph (k)(5)

Paragraph (k)(5) requires the pressure drop across the filter media to be recorded once a day on days when a spray booth is operated for chromate spraying operations or dried chromate coating removal activities.

Data Acquisition System Alternative – Paragraph (k)(6)

PAR 1469.1 allows a facility to install a data acquisition system (DAS), equipped with an audible alarm, to continuously record the pressure drop as an alternative to manually recording pressure drop as required by paragraph (k)(5). Specifically, under paragraph (k)(6), the DAS and alarm system must be maintained according to the manufacturer's specifications. Subparagraph (k)(6)(A) requires the DAS to record the pressure drop at least once, and at a frequency of at least every sixty (60) minutes when conducting chromate spraying operations or dried chromate coating removal activities in the spray booth. Subparagraph (k)(6)(B) has requirements for the format of the data file and the information generated by the DAS. Subparagraph (k)(6)(C) requires the alarm to alert the operator when the pressure drop exceeds the maximum limit or falls below the minimum limit.

Spray Booth Exhaust Duct Cleaning Requirements – Subdivision (l)

HEPA or better spray booth filtration is highly effective, however, staff observations and testing have found materials containing chromates inside exhaust ducts downstream of final filters and on roofs at Rule 1469.1 facilities. Based on stakeholder comments on the need for duct cleaning at all facilities, PAR 1469.1 duct cleaning provisions are based on an evaluation of site-specific conditions.

Duct Inspections (l)(1)

When the final stage filters are replaced, paragraph (l)(1) requires a visual inspection of the exhaust duct downstream of the filters for the presence of overspray or dried chromate coating material that may contain chromium. If any chromate coatings have been sprayed in the booth at any time after the ducts have been installed, the overspray or dried coating material may contain chromium.

Duct Cleaning (l)(2)

If material is observed during a visual inspection, paragraph (l)(2) provides facilities with two compliance options. Subparagraph (l)(2)(A) specifies facilities can remove the material observed during a visual inspection from the spray booth duct using approved cleaning methods. Subparagraph (l)(2)(A) also requires an inspection of associated exterior surfaces of the spray booth duct and removal of all such overspray or dried coatings using an approved cleaning method. Approved cleaning methods defined in PAR 1469.1 include wet mop, damp cloth, wet wash, low pressure spray nozzle, HEPA vacuum, protective coverings, or other method as approved by the Executive Officer. Under clauses (l)(2)(A)(i) and (l)(2)(A)(ii), cleaning must be conducted no later than seven days after the observation or, prior to use of the spray booth if the cleaning cannot be conducted within seven days. Alternatively, subparagraph (l)(2)(B) allows a facility to first analyze the material for the presence of chromates. The analysis must be conducted using a laboratory analysis or a commercially available testing procedure that is able to determine the presence of hexavalent chromium. If hexavalent chromium is documented downstream of the final filter, subparagraph (l)(2)(B) requires cleaning of the spray booth duct and an inspection of associated exterior surfaces of the spray booth duct and removal of all such overspray or dried coatings using an approved cleaning method. Clauses (l)(2)(B)(i) and (l)(2)(B)(ii) require cleaning within 14 days or, prior to use of the spray booth if the cleaning cannot be conducted 14 days of the observation. The additional time to conduct duct cleaning, if cleaning is required under subparagraph (l)(2)(B), is to account for the time for a facility to receive results of testing of duct material for the presence of hexavalent chromium. For the purposes of this rule, cleaning of exterior surfaces associated

with spray booth ducts includes roofs and other areas where materials exiting through the exhaust duct can be deposited.

Required Duct Cleaning (l)(3)

Paragraph (l)(3) specifies that if a facility receives written notification from the Executive Officer confirming the presence of hexavalent chromium in the spray booth exhaust duct, the facility operator must clean, using approved cleaning methods, the spray booth duct and/or associated exterior surfaces of the spray booth duct prior to use of the booth for chromate spraying operations.

Notification of Duct Cleaning (l)(4)

Paragraph (l)(4) requires notification to South Coast AQMD at least 72 hours before conducting cleaning required by paragraphs (l)(2) and (l)(3).

Recordkeeping Requirements – Subdivision (m)

Current Rule 1469.1 includes recordkeeping requirements. PAR 1469.1 maintains these requirements; however, since additional requirements are added, such as additional parameter monitoring, there are additional recordkeeping provisions. PAR 1469.1 recordkeeping provisions are consistent with those contained in other recently adopted and amended toxic metal particulate rules.

Chromate Usage (m)(1)

Paragraph (m)(1) maintains the existing requirement in Rule 1469.1 paragraph (j)(1) for facilities to maintain records of chromate coatings. These requirements include purchase records, Safety Data Sheets (previously referred to as Material Safety Data Sheets or Technical Data Sheets), daily usage records, and application methods for chromate coatings.

Housekeeping and Best Management Practices (m)(2)

Paragraph (j)(1) of existing Rule 1469.1 requires facilities to maintain records to demonstrate compliance with subdivision (d) requirements, which includes housekeeping. PAR 1469.1 subparagraph (m)(2)(A) maintains this requirement for housekeeping requirements in subdivision (i) and paragraph (o)(2) but also requires recordkeeping to demonstrate compliance with best management practices in subdivision (j). Compliance with these recordkeeping requirements includes a demonstration that periodic activities, such as weekly cleaning requirements, are being conducted. A checklist would satisfy this requirement.

Subparagraph (m)(2)(B) requires facilities to maintain records of the visual inspections required under paragraph (j)(8).

Monitoring Records (m)(3)

Subparagraph (m)(3)(A) requires facilities to maintain records of air velocity measurements or PTE demonstrations such as date/time of the measurement or demonstration, booth identification, description of equipment used/calibration dates, and results. As previously mentioned, PAR 1469.1 Appendix 1 includes the procedures facilities must use when conducting inward face air velocity measurements.

Subparagraph (m)(3)(B) maintains the existing Rule 1469.1 recordkeeping provisions contained in subparagraph (j)(2)(D); however, it also specifies data acquisition system or DAS recordkeeping for facilities selecting that compliance option.

As mentioned, some permits for Rule 1469.1 spray booths establish a minimum pressure differential for the final stage filter. Beginning January 1, 2023, PAR 1469.1 requires facilities that do not have minimum pressure drop value on permits to establish a minimum pressure drop for final stage filters. Subparagraph (m)(3)(C) adds a new recordkeeping requirement for facilities to maintain records of spray booth final stage filter replacement and the established minimum pressure drop required under PAR 1469.1 paragraph (k)(2).

Subparagraph (m)(3)(D) requires facilities to maintain records of the exhaust duct visual inspections required under paragraph (l)(1), including a photograph of the spray booth exhaust duct when the visual inspection is conducted and results of the analysis of overspray or dried coatings for the presence of hexavalent chromium if tests are conducted under the provisions of subparagraph (l)(2)(B).

Records Retention (m)(4)

Paragraph (m)(4) modifies the existing Rule 1469.1 record retention requirements contained in subparagraph (j)(2)(C). Specifically, PAR 1469.1 subparagraph (m)(4)(A) maintains the requirement for records to be maintained for three years but clarifies that these provisions are effective before July 1, 2023. At a minimum, the most recent two years of records must be maintained on site, and that records kept offsite must be made available within one week of the request. Beginning July 1, 2023, subparagraph (m)(4)(B) is a new provision that increases the record retention requirement to five years which is consistent with other South Coast AQMD regulations. The delayed effective date allows facilities to accumulate the necessary records before being subject to the requirement to have five years of records. The requirement to keep the most recent two years of records onsite with other records available within one week of a request is also consistent with other South Coast AQMD regulations.

Prohibitions – Subdivision (n)

PAR 1469.1 adds subdivision (n) that prohibits construction or installation of new open face spray booths or outdoor enclosed spray booths for chromate spray coating operations.

Open Face Spray Booths (n)(1)

Under paragraph (n)(1), a new open face spray booth for chromate spray coating operations will be prohibited as of the date of PAR 1469.1 adoption unless the open face spray booth is located with a permanent total enclosure that is vented to HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles. Paragraph (c)(20) includes a definition of a permanent total enclosure.

Outdoor Enclosed Spray Booths (n)(2)

Paragraph (n)(2) adds a prohibition on the installation or construction of a new spray booth for chromate spray coating operations that is not located within a building enclosure. This prohibition does not apply to spray booths greater than 10,000 square feet installed or constructed after PAR 1469.1 adoption. The square footage threshold was added to clarify that the prohibition of spray booths outside of a building enclosure does not apply to specialty paint hangers intended to paint planes or other large pieces where the entire building is vented to HEPA filters or filters that are individually tested and certified by the manufacturer to have a control efficiency of at least 99.7 percent on 0.3 micron or smaller particles.

Interim Requirements for Facilities – Subdivision (o)

As discussed in prior subdivisions, many of the existing rule requirements from Rule 1469.1 have been re-organized in PAR 1469.1. Some requirements have a delayed implementation date before the owner or operator is required to comply with the new requirements. To avoid a potential regulatory gap and backsliding of existing requirements until the future implementation date, subdivision (o) incorporates prior inward face air velocity, housekeeping, and pressure drop monitoring requirements from existing Rule 1469.1. These existing requirements are effective until either January 1, 2022 (housekeeping), January 1, 2026 (inward face air velocity), and January 1, 2023 (pressure drop). A description of the requirements is included under the following Chapter 2 headings: Spray Booth Capture Efficiency - (g), Housekeeping - (i), and Pressure Drop Across Filter Media - (k).

Exemptions – Subdivision (p)

Existing Rule 1469.1 includes exemptions for touch up and repair activities in subdivision (h). Under subdivision (p), PAR 1469.1 modifies the existing touch up and repair exemption and adds exemptions for thermal spraying and non-spraying application methods to clarify rule applicability.

Thermal Spraying (p)(1)

The applicability subdivision, (b), of Rule 1469.1 currently specifies that thermal spraying operations are not subject to the rule. To be consistent with other South Coast AQMD rules, this provision has been moved from the applicability subdivision to the exemptions subdivision. Thermal spraying activities are subject to other regulatory requirements, including the CARB ATCM.

Non-Spraying Application Methods (p)(2)

Paragraph (p)(2) has been added to exempt chromate coatings applied only by flow coater, roll coater, dip coater, or hand application methods from the control device requirements of paragraph (d)(1)(A) and the spray booth operation provisions of paragraph (d)(3).

Touch Up and Repair Operations (p)(3)

Paragraph (h)(1) of existing Rule 1469.1 includes an exemption for touch up and repair activities conducted inside a building provided the emissions and cancer risk are included in an approved Health Risk Assessment that meets the applicable risk limits depending on the distance to the receptor and the type of receptor. Paragraph (h)(2) of existing Rule 1469.1 exempts touch up, and repair activities from spray booth operation and transfer efficiency requirements provided emissions are calculated in an approved compliance plan, and total facility-wide from spraying operations are demonstrated to be less than the applicable risk limits depending on the distance to the receptor and the type of receptor. PAR 1469.1 paragraph (p)(3) modifies the current provisions to clarify that for touch up and repair to be exempted, emissions are required to be calculated and included in an approved facility-wide health risk assessment that limits the cancer risk to 10 in a million.

Appendix 1 - Inward Face Air Velocity Measurement Procedures

Existing Rule 1469.1 includes a performance standard for inward face velocity but does not reference a test method or require facilities to conduct testing. Subdivision (g) of PAR 1469.1

includes requirements for facilities to conduct periodic tests to demonstrate that spray booths meet the applicable average and minimum velocities in Table 1, as determine by the procedures specified in Appendix 1.

Appendix 1 establishes minimum requirements for test equipment and spray booth conditions as well as procedures for taking and recording measurements.

Existing Rule 1469.1 Appendices 1 and 2, which established methods used to demonstrate compliance with existing Option A are no longer applicable and are proposed to be removed.

CHAPTER 4 – IMPACT ASSESSMENT

AFFECTED SOURCES

Chromate coatings are primarily applied onto metal substrates as an anti-corrosion agent in a variety of industries. PAR 1469.1 applies to those facilities that apply chromate coatings via a spraying method; facilities that do not have chromate coating spraying operations are not subject to this rule. There are approximately 115 facilities expected to be impacted by PAR 1469.1. The facilities were identified by reviewing South Coast AQMD spray booth permits and supplemented by Internet searches and trade association contacts.

The vast majority of spray booths at these facilities are equipped with HEPA filters or better, complying with Option B. Four (4) spray booths located at two (2) facilities currently use HRAs to comply with the facility-wide cancer risk limits in Option C. There are no facilities complying with Option A. As described in Chapter 3, PAR 1469.1 would require these two facilities to submit permit applications to upgrade spray booths where chromate spraying operations are conducted to be equipped with HEPA filters or accept permit conditions to limit chromate emissions and specify a minimum filter efficiency.

EMISSIONS IMPACT

PAR 1469.1 will reduce both point source and fugitive emissions of hexavalent chromium. Point source controls will reduce hexavalent chromium emissions from chromate spray coating operations and dried chromate coating removal activities through use of HEPA or better filtration. PAR 1469.1 includes enhanced parameter monitoring to ensure the air pollution control systems are operating as intended. Housekeeping, building enclosure and best management practices will reduce fugitive emissions from Rule 1469.1 facilities. Fugitive emissions are difficult to quantify but have been shown to be a contributing factor to ambient toxic air contaminant concentrations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

SOCIOECONOMIC ASSESSMENT

California Health & Safety Code Section 40440.8 requires a socioeconomic impact assessment for proposed and amended rules resulting in significant impacts to air quality or emission limitations.

PAR 1469.1 applies to facilities using chromate coatings that are typically sprayed inside a spray booth vented to a combination of conventional spray booth filters, multi-stage filters, and HEPA filters to control and capture overspray. Potential emissions not only occur during the spraying process, but during buffing, scuffing, sanding, or grinding activities on the workpiece to remove dried excess coating after the curing process. The proposed requirements in PAR 1469.1 with potential costs include:

- New HEPA controls on spray booths;
- New point source requirements (i.e., upgrading of certain booths or permit modification for chromate emissions limits);
- New point source requirements for dried coating removal (i.e., control devices for such activities);
- Air velocity monitoring requirements;
- Requirements for building enclosures;
- Housekeeping and best management practices (BMP) enhancements; and
- Duct cleaning

Affected Facilities and Industries

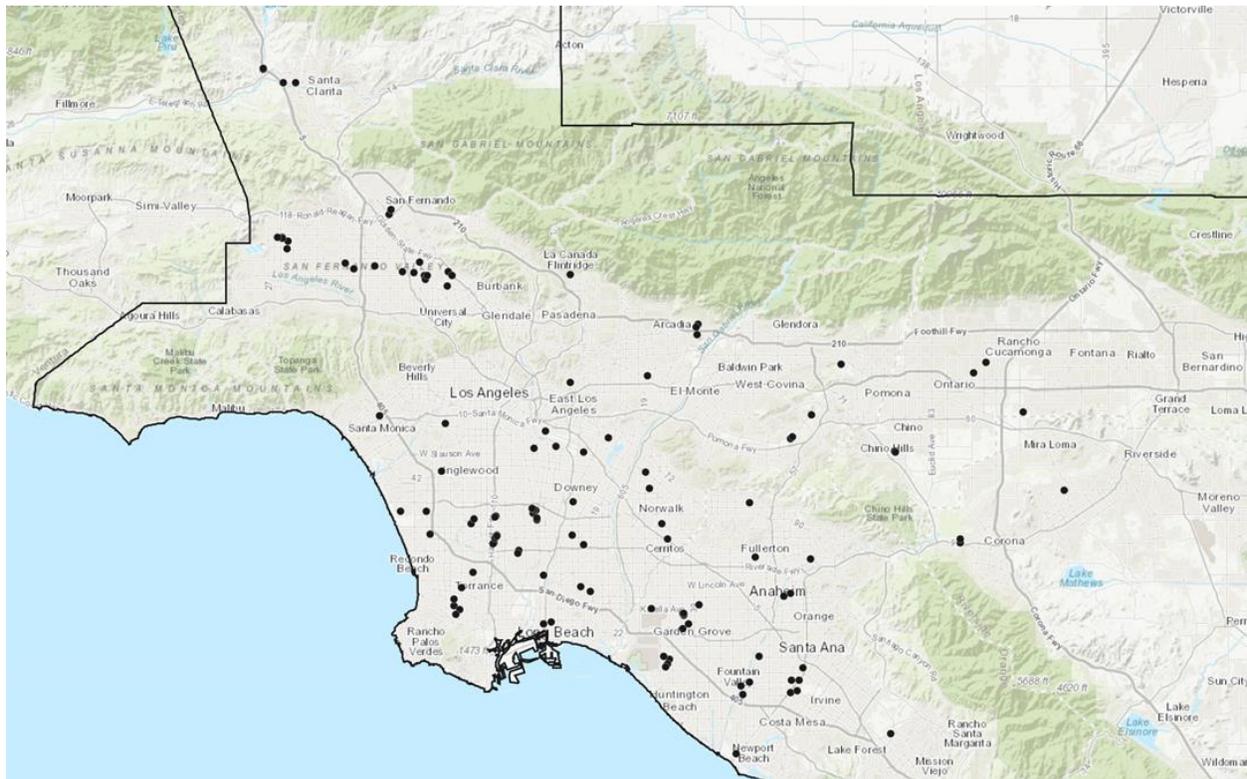
PAR 1469.1 would affect a total of 231 spray booths across 115 facilities in the South Coast AQMD jurisdiction. Based on a review of spray booth permits, an estimated 72 were enclosed, 108 were open face, and 51 were unconfirmed (20 were assumed enclosed versus 31 open based on the ratio of known enclosed/open booths). PAR 1469.1 primarily affects the electroplating, plating, polishing, anodizing, and coloring industry (NAICS 332813), other aircraft parts and auxiliary equipment manufacturing industry (NAICS 336413), and metal coating, engraving (except jewelry and silverware), and allied services to manufacturers industry (NAICS 332812). Figure 9 shows the locations of the PAR 1469.1 facilities within South Coast AQMD's jurisdiction.

Compliance Costs

For the purpose of the cost impacts analysis of PAR 1469.1, staff used facility survey responses to estimate potential compliance costs for the universe of affected facilities. The facility-specific information provided by facility operators in the written survey establishes a representative cross-section of the affected PAR 1469.1 universe, and costs were estimated accordingly. Of the 115 total estimated potential facilities affected by PAR 1469.1, staff received a 27 percent response rate (31 respondents out of 115 facilities included in the survey).⁹ For equipment estimates in which spray booth specifications were not specified (enclosed spray booth, open face spray booth, bench spray booth, etc.), ratios of known facility information were substituted to make the estimates.

⁹ Rule staff sent out a facility survey to a list of approximately 115 potentially affected facilities on January 31, 2020 via email and mail. Staff received 31 completed surveys.

Figure 9 – PAR 1469.1 Facility Locations



Spray Booth Emission Controls/Modifications (subdivisions (d), (e), and (f))

As described in Chapter 3, there are two facilities that comply with current Rule 1469.1 health risk assessment provisions and operate spray booths that are not equipped with HEPA filters. PAR 1469.1 would require these facilities to install new HEPA filtration systems (per subdivision (d)) or accept permit conditions to limit chromate emissions and specify a minimum filter efficiency (per subdivision (e)). Based on the staff estimate, one of these facilities will install two new HEPA filtration systems at a cost of \$56,000 per unit.¹⁰ The other facility is assumed to select the HRA/permit modification option in subdivision (e) for two spray booths and pay a one-time permit application fee of \$3,028 for each booth. Eleven facilities are assumed to install one downdraft table each to conduct coating removal activities. Each installation is expected to cost \$10,114.

Spray Booth Requirements (subdivision (g))

In order to meet the spray booth requirements of PAR 1469.1, all the affected 115 facilities are expected to purchase and use a hot wire anemometer at a cost of \$230 each with an annual calibration cost of \$200.

Building Enclosure Requirements (subdivision (h))

Based on the survey responses, majority of facilities are in compliance with the building enclosure requirements of the PAR 1469.1. Based on the staff estimate, 15 facilities would be required to

¹⁰ Cost for HEPA system is based on the 2005 Final Staff Report for Proposed Rule 1469.1, in which the \$40,000 per unit cost has been adjusted to 2020 dollars using the Marshall & Swift all industries index.

make minor modifications to their building enclosures. Each modification is expected to cost \$9,500 (Two 12' by 16' openings at a cost of \$13.50/sq. ft.).

Housekeeping, Recordkeeping, and Best Management Practices (subdivisions (i) and (j))

To meet the housekeeping requirements of PAR 1469.1, an estimated 41 facilities are assumed to conduct two hours per week of housekeeping activity, and 15 minutes per week of recordkeeping. Labor costs assume \$25/hour for 50 weeks per year.

Staff assumed that all facilities would be required to implement new requirements for best management practices. Staff assumed all 231 spray booths would install a 115-volt solenoid valve to meet the requirements of subparagraph (j)(1)(B). Each solenoid valve installation is estimated to cost \$1,163 (\$163 plus \$1,000 installation). To establish workpiece support equipment transport routes and storage areas and posting of post-operation ventilation time signage, a one-time cost of \$25 (one-hour labor) per facility was assumed (total of two hours per facility).

Pressure Drop Across Filter Media (subdivision (k))

PAR 1469.1 would also require daily pressure gauge readings. According to the survey responses, majority of the facilities indicated that they operate at least five days per week. For the purpose of estimating the cost for this category, staff assumed pressure gauge readings for 15 minutes per day across all facilities at \$25 per hour. According to a review of spray booth permit information, 27 spray booths currently equipped with HEPA controls are not required to have a dedicated HEPA pressure gauge. The cost of a pressure gauge is estimated to be \$63.50 each (one per spray booth) and can be installed by the facility operator. Daily recording of the minimum pressure drop readings would be done along with the daily spray booth pressure gauge readings, and annual final stage filter replacement is assumed to take one hour per spray booth per year (\$25 per hour labor).

Spray Booth Exhaust Duct Cleaning Requirements (subdivision (l))

PAR 1469.1 would also require duct cleaning for spray booths vented to filtration systems with control efficiencies that are less than that of HEPA. Spray booths with HEPA controls are assumed to not require duct cleaning. A one-time cost of \$7,459 for duct cleaning is assumed for 11 spray booths. Material testing of duct deposits is assumed to cost of \$150 (one-time), and recordkeeping upon completion of the duct cleaning assumes 15 minutes at \$25 per hour.

Total PAR 1469.1 Compliance Costs Summary

As presented in Table 8, the total annual cost of PAR 1469.1 requirements, is about \$443,000 across all affected facilities. Capital costs for purchase and installation of required equipment, signage, and other and one-time expenditures were annualized over a period of 10 years. The total one-time costs associated with PAR 1469.1 are estimated at \$82,000 annually (18.5 percent of the total). Recurring costs for various routine checks, housekeeping and recordkeeping are presented as annual costs across the entire affected universe of facilities. The total recurring cost associated with PAR 1469.1 is about \$361,000 (81.5 percent of the total). The average annual cost per facility potentially affected by PAR 1469.1 is approximately \$3,850.

Table 9 presents total annual cost of PAR 1469.1 apportioned across industry type, as well as the number of facilities in each industry. The Electroplating, Plating, Polishing, Anodizing, and Coloring industry (North American Industrial Classification System or NAICS 332813) has the greatest share (28.6 percent) of the additional compliance costs.

Table 8 – Estimated Annual Compliance Cost of PAR 1469.1

PAR 1469.1 Compliance Costs				
	Quantity (number of spray booths or facilities)	Per unit cost	Recurrence	Total Industry Cost
One-Time Costs (annualized over 10 yrs)*				
New HEPA spray booth emission controls (purchase & installation)	2 spray booths	\$56,000.00	One-time	\$13,776.00
HRA option - permit application fee	2 spray booths	\$3,028.23	One-time	\$744.94
HEPA controls for dried coating removal activities	11 downdraft tables	\$10,114.00	One-time	\$13,684.24
Closing Building Openings	15 facilities	\$5,184.00	One-time	\$9,564.48
"Interlock" system preventing use of spray equipment unless exhaust system is operating (installation and purchase)	231 spray booths	\$1,163.00	One-time	\$33,044.31
Marking workpiece support equipment transit paths and storage areas	115 Facilities	\$25.00	One-time	\$353.63
Posting post-operation minimum ventilation time per (j)(2)(C)	115 Facilities	\$25.00	One-time	\$353.63
Dedicated HEPA filter pressure gauge - all associated costs (e.g. pressure gauge, installation, permitting)	27 spray booths	\$63.50	One-time	\$210.88
Duct cleaning for spray booths without HEPA systems	11 spray booths	\$7,459.00	One-time	\$10,092.03
Total				\$81,824.14
Recurring Costs (annual cost)				
Air velocity requirements (industry-wide)	231 spray booths	--	Annual	\$35,503.35
Housekeeping (2 hrs. per week)	41 facilities	\$2,500	Annual	\$102,500.00
Recordkeeping of Housekeeping activities (15 mins per week)	115 facilities	\$312.50	Annual	\$35,937.50
Daily pressure drop readings	115 facilities	\$1,562.50	Annual	\$179,687.50
Pressure drop final stage filter replacement	231 spray booths	\$25.00	Annual	\$5,775.00
Duct deposition material testing	2 spray booths	\$150	Annual	\$300.00
Duct cleaning recordkeeping (15 minutes)	231 spray booths	\$6.25	Annual	\$1,443.75
Total				\$361,147.10
TOTAL				\$442,971

*Capital costs were annualized over 10 years using a Capital Recovery Factor of 0.123

Table 9 – Compliance Cost of PAR 1469.1 by Industry

NAICS Code	Industry Description	# of Facilities	Share of 1469.1 Cost	Industry Cost
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	34	28.6%	\$ 126,672.26
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	12	10.1%	\$ 44,707.86
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	10	8.4%	\$ 37,256.55
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing	5	4.2%	\$ 18,628.27
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	5	4.2%	\$ 18,628.27
332710	Machine Shops	4	3.4%	\$ 14,902.62
336411	Aircraft Manufacturing	4	3.5%	\$ 15,647.56
332322	Sheet Metal Work Manufacturing	3	2.5%	\$ 11,176.96
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3	5.6%	\$ 4,952.96
336412	Aircraft Engine and Engine Parts Manufacturing	3	2.5%	\$ 11,176.96
325510	Paint and Coating Manufacturing	2	1.7%	\$ 7,451.31
326199	All Other Plastics Product Manufacturing	2	1.7%	\$ 7,451.31
424690	Other Chemical and Allied Products Merchant Wholesalers	2	1.7%	\$ 7,451.31
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	2	1.7%	\$ 7,451.31
--	Others	24	20.2%	\$ 89,415.72
Total				\$ 442,971

Regional Macroeconomic Impacts

South Coast AQMD does not estimate regional macroeconomic impacts when the total annual compliance cost is less than one million current U.S. dollars as the Regional Economic Models Inc. (REMI)'s Policy Insight Plus Model is not able to reliably evaluate impacts that are so small relative to the baseline regional economy.

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727**Requirements to Make Findings**

California Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report.

Necessity

PAR 1469.1 is needed to further reduce emissions of hexavalent chromium from facilities conducting chromate spray coating and related operations. PAR 1469.1 requirements for housekeeping, best management practices and building enclosures are needed to minimize fugitive emissions.

Authority

The South Coast AQMD Governing Board has authority to adopt PAR 1469.1 pursuant to the California Health and Safety Code Sections 39002, 39650 et. seq., 40000, 40440, 40441, 40702, 40725 through 40728, 41508, and 41700.

Clarity

PAR 1469.1 is written or displayed so that its meaning can be easily understood by the persons directly affected by it.

Consistency

PAR 1469.1 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

Non-Duplication

PAR 1469.1 will not impose the same requirements as or in conflict with any existing state or federal regulations. The proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference

By adopting PAR 1469.1, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Section 41700 (nuisance), and Federal Clean Air Act Section 112 (Hazardous Air Pollutants) and Section 116 (Retention of State authority).

COMPARATIVE ANALYSIS

California Health and Safety Code Section 40727.2 requires a comparative analysis of the proposed rule requirements with those of any Federal or South Coast AQMD rules and regulations applicable to the same equipment or source category. The following analysis compares PAR 1469.1 with federal Aerospace NESHAP (subpart GG) and 6H NESHAP requirements. Staff is

not aware of any other applicable regulations. Only the relevant provisions of the NESHAPs relating to standards, monitoring, recordkeeping and reporting have been included.

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H																								
Applicability	Any operation in which chromate coatings are sprayed	Facilities engaged in the manufacture or rework of commercial, civil or military aerospace vehicles or components and that are major sources	Non-major source facilities that spray coatings containing target hazardous air pollutants to metal or plastic substrates																								
Point Source Requirements: Spraying operations	<ul style="list-style-type: none"> • For facilities with spray booths without HEPA filters: <ul style="list-style-type: none"> ○ Upgrade to HEPA controls no later than January 1, 2026; or ○ Modify existing permits to limit chromate emissions and specify minimum filter efficiency consistent with the approved HRA using 2015 OEHHA risk assessment guidance • For all other facilities, spraying of chromate coatings must be conducted in spray booths equipped with HEPA filters, at a minimum 	<ul style="list-style-type: none"> • For sources constructed prior to June 6, 1994, spraying of coatings containing inorganic hazardous air pollutants are required to use waterwash system, or two-stage filters with minimum control efficiencies for: <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 10px;">○ Liquids</td> <td style="padding-right: 10px;"><u>Min. Filter Eff.</u></td> <td><u>Particle Size</u></td> </tr> <tr> <td></td> <td>>90</td> <td>>5.7 µm</td> </tr> <tr> <td></td> <td>>50</td> <td>>4.1 µm</td> </tr> <tr> <td></td> <td>>10</td> <td>>2.2 µm</td> </tr> <tr> <td>○ Solids</td> <td><u>Min. Filter Eff.</u></td> <td><u>Particle Size</u></td> </tr> <tr> <td></td> <td>>90</td> <td>>8.1 µm</td> </tr> <tr> <td></td> <td>>50</td> <td>>5.0 µm</td> </tr> <tr> <td></td> <td>>10</td> <td>>2.6 µm</td> </tr> </table> • For sources constructed on and after June 6, 1994, spraying of coatings containing chromium are required to use HEPA filters, or <ul style="list-style-type: none"> ○ Three-stage filters with minimum control efficiencies for: <ul style="list-style-type: none"> ▪ Liquids 	○ Liquids	<u>Min. Filter Eff.</u>	<u>Particle Size</u>		>90	>5.7 µm		>50	>4.1 µm		>10	>2.2 µm	○ Solids	<u>Min. Filter Eff.</u>	<u>Particle Size</u>		>90	>8.1 µm		>50	>5.0 µm		>10	>2.6 µm	<ul style="list-style-type: none"> • Conduct spraying operations in a spray booth or prep station • Spray booth or prep station must be: <ul style="list-style-type: none"> ○ Fitted with filters demonstrated to achieve at least 98% control efficiency; or ○ A waterwash booth that is maintained according to manufacturer’s specifications and consistent with good air pollution control practices
○ Liquids	<u>Min. Filter Eff.</u>	<u>Particle Size</u>																									
	>90	>5.7 µm																									
	>50	>4.1 µm																									
	>10	>2.2 µm																									
○ Solids	<u>Min. Filter Eff.</u>	<u>Particle Size</u>																									
	>90	>8.1 µm																									
	>50	>5.0 µm																									
	>10	>2.6 µm																									

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
		<p style="text-align: center;"><u>Min. Filter Eff. / Particle Size</u></p> <p style="text-align: center;">>95 >2.0 µm >80 >1.0 µm >65 >0.42 µm</p> <p style="margin-left: 20px;">▪ Solids</p> <p style="text-align: center;"><u>Min. Filter Eff. / Particle Size</u></p> <p style="text-align: center;">>95 >2.5 µm >85 >1.1 µm >75 >0.70 µm</p> <p style="margin-left: 20px;">• An approved equivalent to a three-stage control system</p>	
<p>Point Source Requirements for Dried Chromate Coating Removal Activities</p>	<p>Conduct dried chromate coating removal activities:</p> <ul style="list-style-type: none"> • In a spray booth that is equipped with HEPA filters, at a minimum, or spray booth that meets the HRA compliance option; or • Vented to a control device equipped with HEPA or HEPA-equivalent or better controls 	<p>For non-chemical depainting operations that generate inorganic hazardous air pollutant emissions from dry media blasting:</p> <ul style="list-style-type: none"> • The operation must be performed in an enclosed area or in a closed cycle depainting system; and • The air stream from the operation must pass through: <ul style="list-style-type: none"> ○ A dry filter system meeting a minimum efficiency specified in the rule; ○ A baghouse; or ○ A waterwash system before being released to the atmosphere 	<p>None Specified</p>

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
		<ul style="list-style-type: none"> Mechanical and hand sanding are exempt from depainting requirements 	
<p>Spray Booth Requirements: Preventing coating particles from exiting through spray booth openings</p>	<ul style="list-style-type: none"> Do not allow visible emissions to exit the spray booth Spray booths must meet average and minimum inward face air velocity requirements or meet requirements of a PTE using Method 204 on a regular frequency of: <ul style="list-style-type: none"> Once every six months for open face spray booths; or Once every 12 months for enclosed spray booths All spray booth filters must be free of leaks, breaks, and tears, and properly seated 	<p>Apply coatings in a booth or hangar in which air flow is directed downward onto or across the part or assembly being coated</p>	<p>None Specified</p>
<p>Building Enclosure Requirements</p>	<ul style="list-style-type: none"> Conduct spraying operations, dried coating removal activities, and demasking activities within a building enclosure Store workpiece support equipment and cleaning equipment within a building enclosure Close building openings within 20 feet of the opening of an open face spray booth and areas where dried chromate coating removal activities and demasking activities occur 	<p>None Specified</p>	<p>None Specified</p>
<p>Housekeeping:</p>	<ul style="list-style-type: none"> Clean, weekly if not within a PTE vented to HEPA filters, or monthly if within a 	<p>None Specified</p>	<p>None Specified</p>

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
<p>Cleaning areas outside of spray booths</p>	<p>PTE vented to HEPA filters, open floor areas within 20 feet of all the following:</p> <ul style="list-style-type: none"> ○ Opening of an open face spray booth ○ Ingresses and egresses of an enclosed spray booth ○ Areas where dried chromate coating removal or demasking activities are conducted ○ Areas where chromate coatings are mixed ○ Storage areas for equipment materials that may contain chromates ○ Waste storage areas for materials that may contain chromates ○ Workpiece support equipment transit paths, work areas, and storage areas ● Clean once per day on days when chromate spraying operations are conducted, within 20 feet of ingresses and egresses of an enclosed spray booth located outside of a building enclosure 		
<p>Housekeeping: Spills</p>	<p>Clean spills of liquid or solid material that may contain chromates immediately but no later than hour after being spilled</p>	<p>The handling and storage of coatings and waste that contains organic hazardous air pollutants must be conducted in a manner that minimizes spills</p>	<p>None Specified</p>
<p>Housekeeping: Within spray booths</p>	<ul style="list-style-type: none"> ● Clean all floors within a spray booth without protective coverings at least once per calendar week, during any week when activities are conducted within the booth 	<p>None Specified</p>	<p>None Specified</p>

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
	<ul style="list-style-type: none"> • If protective coverings are used within a booth, remove and replace all spray booth protective floor or wall coverings at least every six months • Facility may elect to use sticky mats in lieu of housekeeping requirements within spray booths if sticky mats are: <ul style="list-style-type: none"> ○ At least two feet in depth and as wide as the opening at all spray booth ingresses and egresses ○ Placed such that all traffic travels over the sticky mats ○ Replaced once a day on days when operations are conducted in the booth 		
Housekeeping: Waste disposal	Place waste materials that may contain chromates immediately in a container that: <ul style="list-style-type: none"> • Remains closed unless being filled or emptied • Is lined with removeable bags if waste material will be transferred to other on-site containers 	None Specified	None Specified
Housekeeping: HEPA vacuum	If a HEPA vacuum is used: <ul style="list-style-type: none"> • HEPA filter should be free leaks, breaks, tears, or other types of damage, and securely latched and properly situated • Vacuum must be emptied into a container within a spray booth and the container must remain closed except being filled or emptied 	None Specified	None Specified

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
<p>Best Management Practices (BMP): Chromate spraying operations</p>	<ul style="list-style-type: none"> • Keep ingresses and egresses of an enclosed spray booth closed while conducting spraying operations • Use a system to ensure that spray booth air pollution control system is operating while chromate spraying equipment is being used 	<ul style="list-style-type: none"> • Waterwash booths shall remain in operation during coating operations • Interlock for spraying equipment and pressure differential is a compliance option 	<p>None specified</p>
<p>BMP: Spray booth operations</p>	<ul style="list-style-type: none"> • When removing protective spray booth floor, wall, or exhaust coverings: <ul style="list-style-type: none"> ○ Operate air pollution control system ○ Ensure that enclosed spray booth ingresses and egresses are closed ○ Place waste materials that may contain chromates immediately in a container, and container should remain closed unless being filled or emptied • Operate the air pollution control system for a minimum of three air exchanges within the spray booth or five minutes, whichever is longer after: <ul style="list-style-type: none"> ○ Conducting spraying operations ○ Conducting dried chromate coating removal activities ○ Removing protective floor, wall, or exhaust coverings • Do not operate air pollution control system when the final stage filters are being removed, replaced or are missing, damaged, or improperly installed 	<p>None specified</p>	<p>Painters must be trained every 5 years in techniques to minimize paint overspray, including routine spray booth and filter maintenance</p>

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
BMP: Transfer efficiency	Spray coatings using HVLP spray, electrostatic application, or other alternative application that meets the transfer efficiency of HVLP spray as demonstrated to the Executive Officer	Application Equipment: <ul style="list-style-type: none"> • Flow/curtain coating; • Dip coat • Roll coating; • Brush coating • Cotton-tipped swab application; • Electrodeposition (dip) coating; • High Volume Low Pressure (HVLP) spraying; • Electrostatic spray. • Other methods equivalent to HVLP or electrostatic application 	Painters must be trained every 5 years in techniques to minimize paint overspray, including: <ul style="list-style-type: none"> • Spray gun equipment selection, set up, and operation • Spray techniques to improve transfer efficiency, minimize coating usage and overspray
BMP: Dried chromate coating removal activities	When conducting dried chromate coating removal activities within a spray booth, ensure that spray booth is being operated properly, visual emissions are prevented, inward face air velocity requirements are met, and filter is operating within minimum and maximum pressure drop limits	None Specified	None Specified
BMP: Workpiece support equipment	<ul style="list-style-type: none"> • Establish and clearly mark workpiece support equipment transit paths, work areas, and storage areas outside of a spray booth or PTE • Transport/store equipment within established paths and work areas and storage areas 	None Specified	None Specified
BMP: Visual inspections	Perform weekly visual inspection of the visible filter media for leaks, breaks, tears, and improper seating	None Specified	None Specified

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
BMP: Personal Protective Equipment	Remove personal protective equipment in a manner that minimizes fugitive emissions	None Specified	None Specified
Pressure Drop Across Filter Media: Pressure gauge	Install pressure gauge to continuously monitor the pressure drop across the Spray Booth final stage filter media	Install pressure gauge across filter banks	None Specified
Pressure Drop Across Filter Media: Maximum pressure drop	<ul style="list-style-type: none"> • Maintain the pressure drop across spray booth final stage filter media at or below the maximum pressure drop specified in a South Coast AQMD permit or the filter manufacturer's recommended maximum pressure drop, whichever is lower • Do not operate a spray booth if the pressure drop is above the maximum limit 	Shut down operation and take corrective action when the pressure drop exceeds or falls below the filter manufacturer's recommended limit(s)	None Specified
Pressure Drop Across Filter Media: Minimum pressure drop	<ul style="list-style-type: none"> • Maintain the pressure drop across the spray booth final stage filter media at or above the minimum pressure drop limit specified in a South Coast AQMD permit or established by taking a measurement of the pressure drop: <ul style="list-style-type: none"> ○ As of January 1, 2023, using the existing final stage filter media until replacement with new filters; and ○ When new final stage filters are installed • Do not operate a spray booth if the pressure drop is below the minimum limit 	Shut down operation and take corrective action when the pressure drop exceeds or falls below the filter manufacturer's recommended limit(s)	None Specified

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
<p>Pressure Drop Across Filter Media Maintain specifications and records</p>	<ul style="list-style-type: none"> • Maintain filter specification sheets for spray booth final stage filter media • Maintain records of any established minimum pressure drop limits 	None Specified	None Specified
<p>Pressure Drop Across Filter Media Recording pressure drop</p>	<ul style="list-style-type: none"> • Record pressure drop at least once on days when conducting chromate spraying or dried chromate coating removal activity within the spray booth • In lieu of recording daily pressure drop, facility may use a DAS to continuously record the pressure drop, and must: <ul style="list-style-type: none"> ○ Record at least once every 60 minutes on days when chromate spraying operation or dried chromate coating removal activity is conducted ○ Generate a data file in a format approved by the Executive Officer ○ Have an audible alarm that alerts when the pressure drop is not within maximum or minimum limits 	<ul style="list-style-type: none"> • Continuously monitor pressure drop across the filter and read and record the pressure drop once per shift; or • Install an interlock system that automatically shuts down the coating spray application system if pressure drop exceeds or falls below filter manufacturer’s recommended limits 	None Specified
<p>Spray Booth Exhaust Duct Cleaning Requirements Based on facility observations</p>	<ul style="list-style-type: none"> • Conduct visual inspection of spray booth duct immediately downstream of final stage filter when replacing filter media • If overspray or dried coating is observed in the spray booth duct: <ul style="list-style-type: none"> ○ Clean the duct and inspect associated exterior surfaces and remove all overspray and dried coatings no later than seven days after observation or 	None Specified	None Specified

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
	<p>before any chromate spraying operations are conducted in the spray booth; or</p> <ul style="list-style-type: none"> ○ Analyze the overspray or dried coating for the presence of hexavalent chromium, and if found, clean the duct and inspect associated exterior surfaces and remove all overspray and dried coatings no later than 14 days after observation or before any chromate spraying operations are conducted in the spray booth 		
<p>Spray Booth Exhaust Duct Cleaning Requirements Based on agency observations</p>	<p>If a facility receives written notification from South Coast AQMD that confirms the presence of hexavalent chromium in the duct or associated exterior surfaces, clean the duct an surfaces, and not operate the booth until cleaning is conducted</p>	<p>None Specified</p>	<p>None Specified</p>
<p>Recordkeeping</p>	<ul style="list-style-type: none"> ● Keep records of chromate coatings usage ● Keep records of visual inspection of spray booth duct when final stage filter media is replaced, including photographs of the duct ● Maintain records to demonstrate compliance with housekeeping and best management practices requirements ● Keep records of spray booth air velocity measurements or PTE demonstrations ● Keep records of pressure drop readings or DAS data files 	<p>Primer and Topcoat Application Operations – Inorganic Hazardous Air Pollutant Emissions</p> <ul style="list-style-type: none"> ● Record pressure drop across dry particulate filters or HEPA filters once each shift during which coating occurs. ● Record water flow rate through waterwash system once each shift during which coating operations occur. ● Include acceptable limits of pressure drop or water flow rate. 	<ul style="list-style-type: none"> ● Records documenting that each painter completed the training, including dates ● Documentation of filter control efficiency ● Documentation that spray gun meets transfer efficiency requirements

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
	<ul style="list-style-type: none"> • Keep records of spray booth final stage filter media replacement and established minimum pressure drop • Retain records for five years, with at least two most recent years kept onsite 	<ul style="list-style-type: none"> • Keep manufacturer-supplied filter documentation, for new facilities • Semiannual reports occurring every 6 months from date of notification of compliance status that identify: <ul style="list-style-type: none"> ○ Each exceedance of the operating parameters established for a control device under the initial performance test; ○ All times when a primer or topcoat application operation was not immediately shut down when the parameter monitoring was outside the limit(s) specified by the filter or booth manufacturer. • Annual reports beginning 12 months after date of notification of compliance status listing the number of times pressure drop or water flow rate was outside the limit(s) specified by the filter or booth manufacturer 	<ul style="list-style-type: none"> • Records of any deviation from rule requirements
<p>Prohibitions: New spray booths</p>	<ul style="list-style-type: none"> • Prohibit installation or construction of new open face booths unless located within a PTE vented to HEPA filters, at a minimum 	None Specified	None Specified

Rule Element	PAR 1469.1	NESHAP Subpart GG	NESHAP Subpart 6H
	<ul style="list-style-type: none"> Prohibit installation of new spray booths outside of a building enclosure, unless spray booths are greater than 10,000 square feet. 		
Interim Requirements	Existing requirements (not new rule language)	None Specified	None Specified
Exemptions	<ul style="list-style-type: none"> Rule shall not apply to thermal spraying operations Spray booth requirements do not apply to operations where chromate coatings are applied only by flow coater, roll coater, dip coater, or hand application methods Spray booth and transfer efficiency requirements do not apply to any touch up and repair operation spraying chromate coatings conducted outside of a spray booth, provided that it is performed within a building enclosure and emissions and cancer risk have been calculated in an approved health risk assessment that limits facility-wide cancer risk to 10 in a million 	Spray-applied coatings do not include: <ul style="list-style-type: none"> Coatings that are applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fl. oz. and when the amount of a single coating formulation applied is no more than 3.0 fl. oz. in a single application Powder coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology 	Spray-applied coatings do not include: <ul style="list-style-type: none"> Thermal spraying Powder coating, hand-held, non-refillable aerosol containers, or non-atomizing application technology Coatings that are applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fl. oz.

APPENDIX A – RESPONSE TO COMMENTS

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1. GSP Metal Finishing Email Correspondence (02/22/21)
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3. The Boeing Company Email Correspondence (03/09/21)
4. The Boeing Company Email Correspondence (03/10/21)

GSP Metal Finishing Email Correspondence, submitted 02/22/21

From: mpalatas@gspmf.com <mpalatas@gspmf.com>
Sent: Monday, February 22, 2021 8:12 AM
To: Yunnie Osias <yosias@aqmd.gov>
Cc: Michael Laybourn <MLaybourn@aqmd.gov>; 'Teresa Nieves-Montebello' <tnmontebello@gspmf.com>; jchristodulou@gspmf.com
Subject: RE: Follow-up for PAR 1469.1 Public Workshop comment

Hi Yunnie,

Well, that person would be me at this point. Thanks for the thorough presentation last Thursday. I was, frankly, disheartened by all of the new requirements that will seemingly be levied on painting operators under 1469.1. These new requirements will increase our operating costs significantly, which will be passed onto customers, which will certainly lead many to take their business elsewhere (as in not in California), with the final result that businesses in California will be forced to close down due to reduced revenue.

1-1

That said, my comment concerned the filter differential pressure requirement specified in our existing spray booth permit (R-G28879). The wording states that the maximum differential pressure we can have across our UHEPA/final filter bank is 3.0" w/c, and the max we can have across our pre-filter bank is 1.5" w/c.

As an engineer, I always thought that this was not correctly specified. The specified maximum differential pressure reading should be some value above the "clean" filter reading. If our brand new/clean filter differential pressure is 1" w/c, limiting us to a maximum of 1.5" w/c will result in our changing the filters very frequently. AQMD needs to determine the delta that they can live with, and let operators ADD that maximum delta to the clean/new filter d/p. If, for example, AQMD wants to limit the d/p to 1.5" w/c, and the clean/new d/p is 1.0" w/c, then the maximum for that system would be 2.5" w/c.

1-2

You can call me anytime for questions.

Mike Palatas
 VP, Operations
 GSP Metal Finishing
 818-744-1328

Responses to GSP Metal Finishing Email Correspondence, submitted 02/22/2021

- 1-1 Response: PAR 1469.1 balances the need for emissions reductions with the financial cost to industry. Based on the survey responses received from affected facilities, most spray booths are already meeting the requirements in PAR 1469.1. These requirements are intended to reduce fugitive emissions through enhanced parameter monitoring, housekeeping, and additional best management practices. PAR 1469.1 provides longer lead times if a facility needs to upgrade or install equipment; facilities with doors at building openings simply need to ensure that the doors are closed if within 20 feet of open face booths, and areas where dried chromate coating removal and demasking activities are conducted; no modifications to their buildings would be needed. Based on the Socioeconomic Impact Assessment contained in Chapter 4 of this Staff Report, it is not expected that PAR 1469.1 compliance costs will lead to a significant reduction in the number of facilities conducting chromate spraying.
- 1-2 Response: As mentioned in the PAR 1469.1 Staff Report, Rule 1469.1 currently requires the pressure drop across the air pollution control equipment filter media to be at or below the pressure drop established by permit condition or by the manufacturers recommended operating range if not specified by the permit. The provisions of PAR 1469.1 paragraph (o)(3) maintain this requirement until January 1, 2023. Beginning January 1, 2023, PAR 1469.1 subdivision (k) establishes new requirements for minimum pressure drop limits and modified maximum pressure drop limits across the final stage filter media based on the filter specifications. Unless specified in a South Coast AQMD permit, the minimum limit will be based on the recorded pressure drop for filters in place before January 1, 2023, and moving forward, when new filters are installed. The maximum pressure drop will be based on the filter specifications or the limit specified in a South Coast AQMD permit, whichever is lower. Therefore, PAR 1469.1 takes into account the “clean” filter reading when establishing the minimum pressure drop.

Plasma Technology Incorporated Comment Letter, submitted 03/04/21

**PLASMA TECHNOLOGY INCORPORATED**

The Surface Engineering Company

1754 Crenshaw Blvd., Torrance, CA 90501-3384
(310) 320-337370 Rye St., South Windsor, CT 06074-1218
(860) 282-0659FAA: DN3R455L / EASA: 145.4751
Torrance, CA

March 4, 2021

To: Yunnie Osias, SCAQMD

From: Steve Norris, PTI
James Unmack, Unmack Corporation
Barbara Kanegsberg, BFK Solutions
Ed Kanegsberg, BFK Solutions

Plasma Technology Incorporated (PTI) is a small business headquartered in Torrance CA. PTI has conducted high value surface coating processes for over 50 years. We appreciate the opportunity to comment on proposed Rule 1469.1.

De minimis exemption

The language of the February 17, 2021 rule does not consider a *de minimis* amount of chromium containing paint. PTI uses very low levels of strontium chromate two-part epoxy paint for touch up and repair, less than 1.5 **gallon** per year. The 2019 and 2020 SCAQMD Annual Emissions Report (AER) reported chromium emission from its paint booth that is **less than the minimum number that can be reported** (0.00001 lbs) (ref AER Reports).

2-1

Many of the requirements in Rule 1469.1 and a good deal of language in the draft Staff Report (Appendix 1) address dried coatings. PTI has found no published studies documenting adverse health effects resulting from exposure to dried chromate paint. Studies that involve soluble chromate indicate that it is readily bioavailable. The OSHA analytical method uses exhaustive extraction to recover Cr(VI) from dried paint. Given the lack of exposure studies and the fact that Cr(VI) in dried paint is tightly bound, increased costly measures to manage dried paint are not justified at this time.

PTI has investigated available information regarding dried paint in some detail. Adverse impact on health has been found for soluble chromate. Researchers (Park et al, 2004) performed a rigorous statistical analysis of the long-term health impacts of chromate exposure on a cohort of 2,372 men hired between August 1, 1950 and December 1, 1974 at a plant in Baltimore MD (1.3). The study is thorough and includes considerations of the possible impact of smoking and ethnic background. Air sampling was performed by the employer; and levels of water-soluble chromate were determined.

2-2

As far as we can determine, studies documenting adverse health impacts have all been performed using soluble chromate. We attempted to find studies documenting the health impact of dried coatings that contain Cr(VI). We conducted web searches. We reached

impact of dried coatings that contain Cr(VI). We conducted web searches. We reached out to OEHHA as well as to one of the researchers involved in the Park study. No published studies were found. The lack of such documented studies is surprising, considering the extensive use of chromate paints.

From a chemical standpoint, chromates in dried paint are far less readily extracted for analysis than soluble chromates. (Ref. Appendix 3.1) None of the studies available in the open literature identify the type of paint, whether a 2-part epoxy or an architectural one-part paint. And none of the available literature addresses the issue of Cr (VI) recovery (extractability) from the paints used in the study.

Costs

Costs associated with the proposed rule are very high, particularly considering the low level of chromate paint used by PTI. The alternative, utilizing the exemption (p-4) and moving touchup operations outside of our existing spray booth, would seem counterproductive in terms of desirable manufacturing practices and would also require a very expensive analysis to show low plant-wide risk.

Costs to meet the proposed requirements are significant, particularly considering the low level of paint used annually. We estimate the cost for design, build and maintenance of an enclosure for the PTI Paint Spray Booth in order to comply with the proposed AQMD Rule 1469.1. The costs are \$6160 to design and implement and \$3440 ongoing annual costs.

We include time and materials for a Senior Engineer and one Technician to design, procure and implement the enclosure. Initial training of two employees for proper filter monitoring in lieu of alarms is added to the initial cost. Annual on-going training and maintenance has also been calculated.

These costs are summarized in the following table,

2-2
cont.

2-3

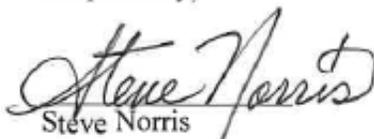
Table: Costs to design, Implement, and Maintain Paint Booth Alarms

Item	days	\$\$	Comments
Sr. Engineer burdened rate	1	960	\$40/hr. salary
Technician burdened rate	1	600	\$25/hr. wage
Trainer daily rate	1	2000	
Design and implementation			
Obtain preliminary equipment costs	0.5	480	Engineer
Fine tune equipment design	0.5	480	Engineer
Set up new equipment	1	1560	Engineer+ technician
Initial training for employees	0.5	1600	trainer+2 technicians
New enclosure		3000	
Total to design and implement		6160	
Continuing annual expense			
Train employees update (2 x per year)	1	3200	trainer+2 technicians
Maintenance	0.25	240	Engineer
Total Annual cost		3440	

2-3
cont.

We appreciate your addressing these issues. Please do not hesitate to contact us should you require clarification.

Respectfully,



Steve Norris
Facilities Manager
Plasma Technology Inc.

James L Unmack, PE Fellow AIHA,
Unmack Corporation,
Advisor to PTI

Ed Kanegsberg
Vice President,
BFK Solutions LLC,

Advisor to PTI

Barbara Kanegsberg
President
BFK Solutions LLC,
Advisor to PTI

References

Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium (version February 17, 2021)

Preliminary Draft Staff Report
Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium

Criteria for a Recommended Standard Occupational Exposure to Hexavalent Chromium, DHHS (NIOSH) Publication No. 2013 – 128 (revised with minor technical changes), September 2013.

Park, R.M., J. F. Bena, L. Stayner, R.J. Smith, H.J. Gill, and P.S.J. Lees, Hexavalent Chromium and Lung Cancer in the chromate Industry: A Quantitative Risk Assessment, Risk Analysis, Vol. 24:5, p.1099 (2004)

Appendix 1 Excerpts from Preliminary Draft Staff Report

(Preliminary Draft Staff Report
Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium, February 202)

Exemptions (p. 4) Rule 1469.1 includes limited exemptions for touch up and repair operations conducted outside of a spray booth, but within a building provided emissions and cancer risk from touch up and repair operation are calculated and included in an approved Health Risk Assessment or compliance plan which meets the applicable risk levels.

Uncontrolled Sources (p.8)

Dried Coating Removal

Responses to Plasma Technology Incorporated Comment Letter, submitted 03/04/21

- 2-1 Response: Many of the recurring requirements in PAR 1469.1, such as housekeeping, filter pressure drop monitoring, and spray booth duct inspections, are dependent on the frequency that spraying operations or dried coating activities are conducted. Based on the information available to staff, most facilities would not be required by PAR 1469.1 to install new equipment or controls. Almost all facilities are already required to conduct spraying operations in spray booths vented to HEPA filters, and most facilities already conduct dried chromate coating removal activities within existing spray booths or other control devices.
- 2-2 Response: PAR 1469.1 was developed to reduce emissions of hexavalent chromium from chromate coating spraying and related operations. Dried chromate coatings in the form of overspray or dust from dried chromate coating removal activities contain hexavalent chromium which is a potent carcinogen. If not controlled, this can lead to the generation of fugitive emissions. Waste from chromate coating spraying and related activities also contain materials containing dried chromate coating particles and if not subject to adequate housekeeping activities, the particles can be re-suspended or ground into smaller particles by foot and vehicular traffic, resulting in fugitive emissions. South Coast AQMD relies on OEHHA's Risk Assessment Guidelines and the cancer potency factors that OEHHA developed through a public process. OEHHA has designated hexavalent chromium as a toxic air contaminant. South Coast AQMD staff has evidence from facility inspections and site visits that dried coating particles contain hexavalent chromium, therefore, PAR 1469.1 includes requirements that will reduce the emissions of hexavalent chromium from chromate spraying operations, dried coating removal activities, and demasking in order to protect public health.
- 2-3 Response: Existing Rule 1469.1 requires facilities to spray chromate coatings within an enclosure. PAR 1469.1 does not require facilities that conduct spraying operations within spray booths to construct any new enclosures. After a review of the facility, staff found that the facility is already complying with the building enclosure requirements of PAR 1469.1 and no building modifications would be needed.

The Boeing Company Email Correspondence, submitted 03/09/21

From: Pearce (US), William R
Sent: Tuesday, March 09, 2021 8:05 PM
To: Yunnie Osias <yosias@aqmd.gov>
Subject: PAR 1469.1 Comments

Please find attached comments with respect to latest proposed rule language. Appreciate previous comments that have been incorporated into the proposed rule. Still working on (e)(3)(A), but perhaps we can chat briefly in the morning if you have time about that specific item. Wanted to get the other comments to you for review.

(e)(3)(B)	Specify filter make and model evaluated in the approved health risk assessment. Filters that meet or exceed the efficiency of the specified filters may also be utilized.	3-1
(e)(5)	Unclear what is meant by “.....and associated surfaces” in the statement.	3-2
(i)(1)(E)	Sites have a number of storage areas for virgin coating product that contains chromates. There is no possibility of chromates being present in the areas, unless a can is dropped or damaged. Should that occur, rule already requires that any spill be cleaned up immediately. Language should be revised as follows: Storage areas for equipment and materials (excluding storage for unopened coating containers) that may contain chromates;	3-3
(i)(9)(B)	Reference to (A) should be removed, as other filters may be allowed. Language should be revised as follows: The HEPA vacuum is emptied into a container within a spray booth that meets the provisions of subparagraph (d)(1)(A). The container shall remain closed except when being filled or emptied.	3-4
(j)(2)(A)(iii)	It is not physically possible to place the ULPA filters that are installed in our new paint booth in containers before removal from the booth. There is very little working room between the third stage bag filters and the fourth stage ULPA filters. To create adequate space, would actually need to remove the third stage filters prior to removal of the fourth stage, which will create unnecessary fugitive dust issues. In addition, we have operated previous booths (now out of service) where the HEPA filters were actually in their own separate unit ducted from the paint booth due to space constraints. Language should be revised as follows: Place all material that may contain chromates that are intended to be disposed of in a container (where feasible) before removal from the spray booth. The container shall remain closed except when being filled or emptied.	3-5

(k)(1)(B)	For permits that have already been issued by the District, Engineering has evaluated the information supplied by the manufacturer with respect to the maximum filter pressure drop for the final stage filters. The proposed rule should not second guess values that have been determined by Engineering staff and agreed to by permit holders. Language should be revised as follows: Beginning January 1, 2023, maintain the pressure drop across the spray booth final stage filter media at or below the maximum pressure drop specified in a South Coast AQMD permit or the filter manufacturer’s recommended maximum pressure drop, whichever is lower.	3-6
(l)(2)(A)	Unclear what is meant by “.....and associated surfaces” in the statement.	3-7
(l)(3)	Unclear as to what would trigger the event of District sampling specified, but facility should be afforded the same time frame (14 days) as in (l)(2)(B) for cleaning of the duct.	3-8
(n)(2)	Language appears to prohibit the construction of any new paint hangars, where the entire building enclosure is the paint booth. Language should be revised to exclude these types of structures from prohibition.	3-9

Responses to The Boeing Company Email Correspondence, submitted 03/09/21

- 3-1 Response: PAR 1469.1 subparagraph (e)(3)(B) was revised to allow for filters with efficiencies that are greater than the filter efficiency evaluated in the approved health risk assessment.
- 3-2 Response: The rule language was revised to “associated exterior surfaces” to clarify that the provision is referring to surfaces that are exterior of the spray booth duct, such as the roof.
- 3-3 Response: PAR 1469.1 subparagraph (i)(1)(E) was revised to add the phrase “excluding storage areas used exclusively for unopened Coating containers” to clarify that those areas do not need to be cleaned according to the schedule required in paragraph (i)(1).
- 3-4 Response: PAR 1469.1 subparagraph (i)(9)(B) was revised so that a HEPA vacuum can be emptied within a spray booth that meets the requirements of paragraph (d)(1), which includes all spray booths complying with the rule.
- 3-5 Response: PAR 1469.1 clause (j)(2)(A)(iii) does not apply to filters. The disposal of filters is addressed in paragraph (i)(8), which applies to the disposal of waste materials.
- 3-6 Response: Subparagraph (k)(1)(B) addresses instances where filters installed in a spray booth have a manufacturer-specified maximum pressure drop that is lower than that of the filters submitted to South Coast AQMD during the permitting process when the maximum pressure drop was established. The intent of subparagraph (k)(1)(B) is to prevent potential filter ruptures by ensuring that the maximum pressure drop does not exceed the specified limit and to prevent permit modifications each time a different filter is used.
- 3-7 Response: See response to Comment 3-2.
- 3-8 Response: Paragraph (l)(3) is intended to address situations where the South Coast AQMD becomes aware of the presence of hexavalent chromium in a spray booth duct or on associated exterior surfaces and notifies the facility. These would likely be extreme cases where the amount of hexavalent chromium present is enough to be detected by a South Coast AQMD ambient monitor, or a situation where South Coast AQMD initiates testing of the duct or associated exterior surfaces. In these situations, staff believes that spray booths should not be operated until after cleaning is conducted. Additionally, the 14-day timeframe in clause (l)(2)(B)(i) takes into consideration the time needed for a facility to send a sample out for analysis. In paragraph (l)(3), the sample would already have been taken and analyzed prior to notifying the facility.

3-9 Response: The prohibition of new spray booths located outside of a building enclosure in paragraph (n)(2) was revised to exclude spray booths greater than 10,000 square feet.

The Boeing Company Email Correspondence, submitted 03/10/21

From: Pearce (US), William R <william.r.pearce@boeing.com>
Sent: Wednesday, March 10, 2021 10:58 AM
To: Yunnie Osias <yosias@aqmd.gov>
Subject: RE: PAR 1469.1 Comments

As I was listening to you go over the recent revisions to the proposed rule language, two more items for discussion. Sections (f) does not seem to allow for removal of coatings within a paint booth that takes advantage of (e)(3). Section (k) does not take into account two-stage systems and the fact that the filters are back to back. There is not a feasible method to measure the second stage separately. } 4-1
} 4-2

Responses to The Boeing Company Email Correspondence, submitted 03/10/21

- 4-1 Response: Subparagraph (f)(1)(A) was revised to allow for dried chromate coating removal activities to be conducted a spray booth that meets the requirements of paragraph (d)(1), which includes all spray booths complying with the rule.
- 4-2 Response: The staff report clarifies in Chapter 3, under the heading Pressure Drop Across Filter Media – Subdivision (k) that final stage filter media includes filter systems with multiple stages of filters where the filter efficiency for all the stages is certified as a whole by the manufacturer.

ATTACHMENT H



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1469.1 – SPRAYING OPERATIONS USING COATINGS CONTAINING CHROMIUM

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal which, upon posting, may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Planning and Research - State Clearinghouse
1400 Tenth St, Suite 222
Sacramento, CA 95814-5502

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 1469.1 – Spraying Operations Using Coatings Containing Chromium

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: South Coast AQMD is proposing amendments to Rule 1469.1 to reduce emissions of hexavalent chromium from the spraying of chromate coatings and from related activities by: 1) updating point source requirements and control device parameter monitoring to maximize and ensure capture and control of hexavalent chromium; 2) updating housekeeping requirements and adding best management practices and building enclosure requirements to minimize the accumulation of hexavalent chromium-containing materials which may become fugitive emissions; 3) proposing new requirements for conducting visual inspections and duct cleaning; 4) revising recordkeeping requirements; 5) establishing prohibitions for new open face spray booths and spray booths located outdoors; 6) updating definitions of terms; and 7) revising exemptions.

Public Agency Approving Project: South Coast Air Quality Management District

Agency Carrying Out Project: South Coast Air Quality Management District

Exempt Status: CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the only physical modifications that may occur as a result of the proposed project are associated with implementing the building enclosure requirements, which may be achieved without involving construction or via minimal construction activities, depending on the affected facility, it can be seen with certainty that implementing the proposed project would not cause significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Hearing: May 7, 2021

CEQA Contact Person:	Phone Number:	Email:	Fax:
Kevin Ni	(909) 396-2462	kni@aqmd.gov	(909) 396-3982

Rule Contact Person:	Phone Number:	Email:	Fax:
Yunnie Osias	(909) 396-3219	yosias@aqmd.gov	(909) 396-3982

Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources



Proposed Amended Rule 1469.1

Spraying Operations Using Coatings Containing Chromium



Board Meeting

June 4, 2021

Background

- Rule 1469.1 applies to facilities conducting chromate spraying operations and was adopted in 2005
- Chromate is a form of hexavalent chromium which is a potent carcinogen
 - Chromate spraying is applied to surfaces to provide corrosion protection
 - Chromate spraying is typically used to support the aerospace, military, and industrial equipment industries
- Proposed Amended Rule 1469.1 (PAR 1469.1) will further reduce hexavalent chromium emissions from chromate spraying and related operations
- Rulemaking included seven Working Group Meetings



Need for PAR 1469.1

- Rule 1469.1 focuses on point source requirements requiring spraying operations to be conducted within a spray booth that is vented to pollution controls
- Since 2005, ambient monitoring has shown that fugitive emissions from chromate spraying operations can be significant if not well controlled
- PAR 1469.1 is needed to:
 - Enhance monitoring of pollution controls to ensure proper operation
 - Incorporate additional measures to minimize and contain fugitive emissions
 - Add requirements to address dried coating removal activities



Additional Monitoring of Specific Parameters to Ensure Proper Operation of Pollution Controls

- Establishes requirements to measure inward face air velocity at the filter face for spray booths
- Establishes additional requirements for monitoring pressure across the filter media
- Strengthens provisions for spray booths without HEPA filters

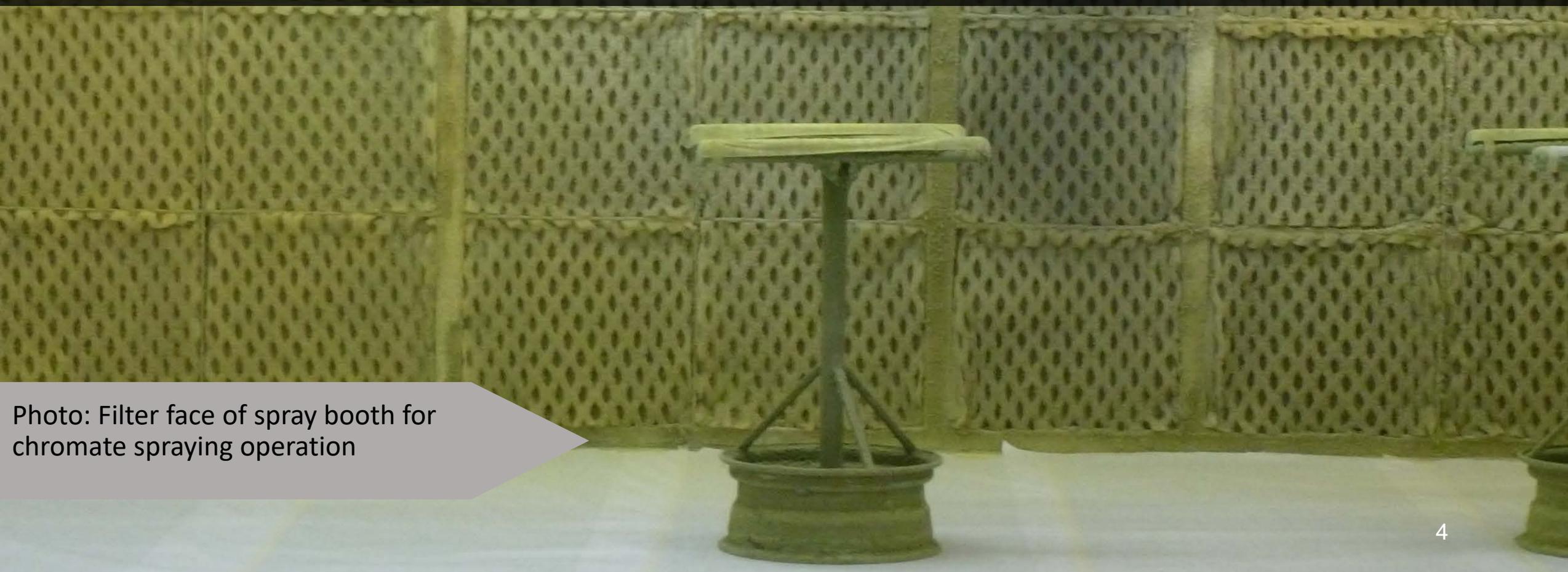


Photo: Filter face of spray booth for chromate spraying operation

New Requirements for Coating Removal Activities Which Can Be a Source of Fugitive Emissions

- Adds provisions to vent fugitive emissions from dried chromate coating removal activities to HEPA filters
- Adds provisions for demasking activities to minimize fugitive emissions

Photo: Downdraft table that is vented to HEPA filtration used for dried coating removal

Enhanced Housekeeping to Minimize Accumulation of Chromate Coatings on Surfaces

- Specify additional areas where cleaning is required
- Use only approved cleaning methods
- Specify schedule for routine cleaning of specified areas
- Close waste containers unless being filled or emptied



Photo: Flooring outside of spray booth with no overspray.

Added Best Management Practices and Building Enclosure Requirements to Minimize and Contain Fugitive Emissions

- Prohibits use of compressed air in areas where demasking occurs
- Limit workpiece support equipment to designated storage and transit areas
- Close building openings to minimize fugitive emissions



Photo: Spray booth within a building with minimal openings. Support equipment in designated areas within a building.

PAR 1469.1 Impacts to Facilities

- PAR 1469.1 balances the need for emission reductions with economic challenges faced by facilities due to COVID-19 by allowing longer implementation lead times
- Approximately 115 facilities are covered by PAR 1469.1
- Average cost for each facility is estimated at \$4,000 per year
- Staff is not aware of any key issues



Recommended Actions

Adopt the Resolution:
Determining that
Proposed Amended
Rule 1469.1 is
exempt from
California
Environmental Quality
Act; and
Amending Rule 1469.1



BOARD MEETING DATE: June 4, 2021

AGENDA NO. 32

PROPOSAL: Determine that Proposed Amendments to Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants, Are Exempt from CEQA; and Amend Rule 1466

SYNOPSIS: Rule 1466 seeks to minimize the amount of off-site fugitive dust emissions containing toxic air contaminants by reducing particulate emissions in the ambient air as a result of earth-moving activities. Proposed Amended Rule 1466 will clarify and streamline existing provisions, update monitoring requirements, enhance dust control measures, revise alternative provisions, and add additional notification and recordkeeping requirements.

COMMITTEE: Stationary Source, March 19, 2021, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that the proposed amendments to Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants are exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants.

Wayne Natri
Executive Officer

SR:SN:MM:UV:CN

Background

Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants is designed to minimize fugitive dust emissions containing toxic metals, pesticides, herbicides, polychlorinated biphenyls, and other toxic air contaminants during earth-moving activities from sites for which another agency or the Executive Officer have determined that the soil contains toxic air contaminant(s). Rule 1466 requires ambient monitoring of PM₁₀ during earth-moving activities and requires implementation of a series of dust control measures to minimize exposure to the public. Additional requirements include notifications, recordkeeping, and signage. Currently, Rule 1466

allows alternative dust control measures, ambient dust concentration limits, signage, and other alternative provisions upon Executive Officer approval.

Rule 1466 was adopted on July 7, 2017. Since its adoption, staff has identified areas within the rule where additional clarity is needed as well as areas to streamline implementation for both the affected sources and South Coast AQMD staff.

Public Process

Development of Proposed Amended Rule 1466 (PAR 1466) was conducted through a public process. Two working group meetings were held remotely on January 14, 2021 and February 5, 2021. The Instrument Sub-Committee Working Group Meeting was held remotely on March 23, 2021. A Public Workshop was held remotely on March 4, 2021.

Proposed Amendments

PAR 1466 will clarify and streamline existing monitoring, fencing, and stockpiling requirements. Specifically, PAR 1466 will revise the requirements for pre-approved monitors, PM₁₀ monitoring and calculations, and wind monitoring. PAR 1466 will also require additional quality assurance/quality control procedures for monitors.

Additionally, in an effort to address comments from operators, PAR 1466 will provide an option to allow use of fencing with either a specified shade value or porosity. PAR 1466 will also increase the frequency of stabilizing or covering stockpiles and extend the applicability of enhanced dust control measures to sites adjoining schools, joint use agreement properties and adjacent athletic areas. PAR 1466 will replace alternative provisions with additional options for dust control measures and remove alternative ambient dust concentration limits in order to streamline implementation.

Key Issues and Responses

Through the rulemaking process, staff has worked with the stakeholders to address comments and resolve key issues. Staff is not aware of any remaining key issues.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor

Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

Socioeconomic Analysis

PAR 1466 is expected to affect an estimated 32 clean-up sites per year across the four-county area. The proposed amendments would require affected sites to purchase additional equipment to meet the PM₁₀ monitoring requirements and dust minimization provisions of the rule. The proposed amendments would also require additional fugitive dust suppression and soil stabilization measures.

The average annual increase in cost per site is estimated to be less than \$2,100 and the total annual increase in cost is expected to be about \$67,000 across the affected sites. About 47 percent of the total compliance costs affect the industrial sector of real estate lessors. The regional economic impacts of PAR 1466 are expected to be minimal.

AQMP and Legal Mandates

Pursuant to Health & Safety Code Section 40460 (a), South Coast AQMD is required to adopt an AQMP demonstrating compliance with all federal regulations and standards. South Coast AQMD is required to adopt rules and regulations that carry out the objectives of the AQMP. PAR 1466 is an air toxics control measure (TXM-04) in the 2016 AQMP, but is not a control measure for attainment of state or federal regulations and standards. PAR 1466 is needed to clarify, update, and enhance provisions addressing monitoring, dust control measures, signage, and notifications to ensure the provisions are enforceable, provide clarification and further minimize fugitive dust emissions to the surrounding community from toxic clean-up sites.

Implementation and Resource Impacts

Existing staff resources are sufficient to implement the proposed amendments.

Attachments

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1466
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Meeting Presentation

ATTACHMENT A
SUMMARY OF PROPOSAL

Proposed Amended Rule 1466 - Control of Particulate Emissions from Soils with Toxic
Air Contaminants

Monitoring Requirements

- Update PM₁₀ monitor approval requirements in Appendix 1 – Rule 1466 Approved PM₁₀ Monitors
- Include a provision allowing operators to move monitors when there is a wind direction change
- Require additional quality assurance/quality control procedures for monitors
- Revise the PM₁₀ calculation methodology
 - Require calculation of the two-hour PM₁₀ average concentration as a rolling average every minute starting January 1, 2022
 - Clarify that PM₁₀ average calculation restarts when resuming earth-moving activities after addressing a PM₁₀ concentration exceedance
- Revise wind monitoring requirements

Dust Control Measures

- Extend enhanced dust control measures for schools, joint use agreement properties, and adjacent athletic areas to sites adjoining a school, joint use agreement property, or adjacent athletic area
- Increase frequency of stabilization or covering of stockpiles and dust sources to all times when earth-moving activities and monitoring are not occurring
- Clarify daily stockpile inspection requirement to include days when no earth-moving activities are occurring
- Allow option to install fencing that has a shade value or opacity of 85 ± 5% windscreen specification

Alternative Provisions

- Removes provisions that allow use of alternatives for PM₁₀ limits, PM₁₀ monitoring methods, PM₁₀ calculation methodologies, dust control measures, and direct soil loading for linear trenching for natural gas, power, sewer, and water projects and excavation activities less than 500 cubic yards of soil

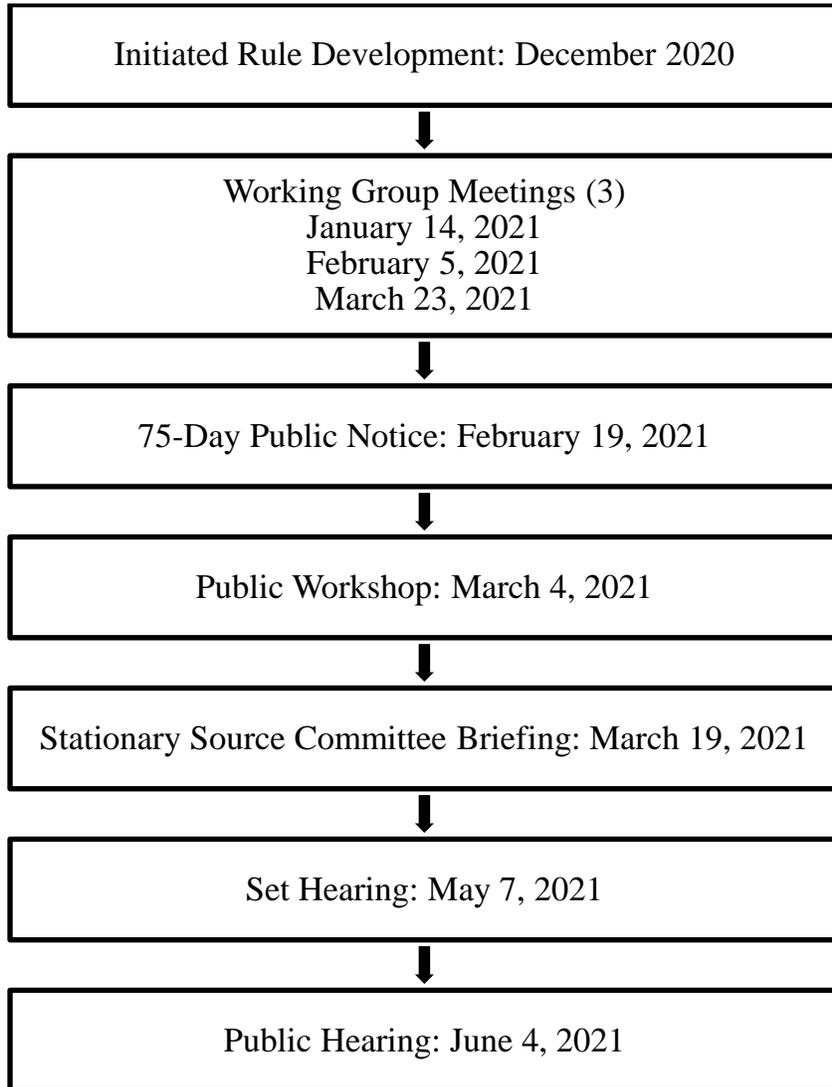
ATTACHMENT B
KEY ISSUES AND RESPONSES

**Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic
Air Contaminants**

Through the rulemaking process staff has worked with stakeholders to address a variety of issues. Staff is not aware of any outstanding key issues

**ATTACHMENT C
RULE DEVELOPMENT PROCESS**

**Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with
Toxic Air Contaminants**



**6 months spent in rule development.
1 Public Workshop.
3 Working Group Meetings.**

ATTACHMENT D
KEY CONTACTS LIST

**Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with
Toxic Air Contaminants**

AECOM

Aeroqual

BlueScape Environmental

The Boeing Company

California Department of Toxic Substances Control

Eco-Rental Solutions LLC

Field Environmental Instruments, Inc.

Health Science Associates

Los Angeles Unified School District

Met One Instruments, Inc.

National Demolition

Panacea, Inc.

Pine Environmental Services, Inc.

RES Environmental Inc.

SailBri Cooper, Inc.

Southern California Edison

Southern California Alliance of Publicly Owned Treatment Works

Specto Technology

Thermo Fisher Scientific

Torrance Logistics Company LLC

TSI

ATTACHMENT E

RESOLUTION NO. 21-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants is exempt from requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1466 is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(1), and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that since the proposed project is designed to enhance ongoing efforts to minimize off-site fugitive dust emissions occurring during earth-moving activities of soil containing toxic air contaminants which can be achieved without involving construction activities, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment, and is therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the South Coast AQMD staff conducted a Public Workshop regarding Proposed Amended Rule 1466 on March 4, 2021; and

WHEREAS, Proposed Amended Rule 1466 and supporting documentation, including but not limited to, the Notice of Exemption, the Socioeconomic Impact Assessment that is contained in the Final Staff Report, and the Final Staff Report were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that the modification to Proposed Amended Rule 1466 since the notice of public hearing was published is a clarification that meets the same air quality objective and is not so substantial as to significantly affect the meaning of Proposed Amended Rule 1466 within the meaning of Health and Safety Code Section 40726 because the change to subparagraph (e)(12)(A) simply clarifies that the reference to South Coast AQMD *Rule 403 Fugitive Dust Implementation Handbook* or Volumes I and II of South Coast AQMD's *Dust Control in the Coachella Valley* is to "the most current version" and: (a) the change does not impact emission reductions, (b) the change does not affect the number or type of sources regulated by the rule, (c) the change is consistent with the information contained in the notice of public hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 1466 will not be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 1466 to protect public health by further minimizing fugitive dust emissions from earth-moving activities at sites that contain certain toxic air contaminants; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002,

39650 et seq., 40000, 40001, 40440, 40441, 40702, 40725 through 40728, 41508, 41511, 41700, and 41706 of the Health and Safety Code; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1466 is written and displayed so that its meaning can be easily understood by persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1466 is in harmony with and not in conflict with, or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1466 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in adopting Proposed Amended Rule 1466, references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Healthy and Safety Code Sections 41700 (nuisance) and Federal Clean Air Act (CAA) Section 112 (Hazardous Air Pollutants), and Federal CAA Section 116 (Retention of State Authority); and

WHEREAS, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and that the South Coast AQMD's comparative analysis of Proposed Amended Rule 1466 is included in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment of Proposed Amended 1466, as contained in the Final Staff Report, is consistent with the March 17, 1989 Governing Board Socioeconomic Resolution for rule adoption; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Socioeconomic Impact Assessment for Proposed Amended Rule 1466, as contained in the Final Staff Report, is consistent with the provisions of Health and Safety Code Sections 40440.8 and 40728.5, and that Health and Safety Code 40920.6 is not applicable to rules regulating toxic air contaminants; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1466 will result in increased costs to affected industries, with a total annualized cost as specified in the Final Staff Report; and

WHEREAS, the South Coast AQMD Board has actively considered the Socioeconomic Impact Assessment, as contained in the Final Staff Report, and has made a good faith effort to minimize such impacts; and

WHEREAS, a public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Section 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD Governing Board specifies that the Planning and Rules Manager overseeing the rule development for Proposed Amended Rule 1466 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed amended rule is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on the proposed project; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1466 as set forth in the attached, and incorporated herein by reference.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F

(Adopted July 7, 2017)(Amended December 1, 2017)
(Amended June 4, 2021)

PROPOSED AMENDED RULE 1466. CONTROL OF PARTICULATE EMISSIONS FROM SOILS WITH TOXIC AIR CONTAMINANTS

[Rule Index to be included after amendment]

(a) Purpose

The purpose of this rule is to minimize the amount of off-site fugitive dust emissions containing toxic air contaminants by reducing particulate emissions in the ambient air as a result of earth-moving activities, including, dredging, excavating, grading, earth-cutting and filling, loading, unloading, handling, mechanized land clearing, treating, stockpiling, transferring, and removing of soil that contains applicable toxic air contaminants, from sites that meet the applicability requirements of subdivision (b).

(b) Applicability

(1) This rule shall apply to any owner or operator conducting earth-moving activities of soil with applicable toxic air contaminant(s) as defined in paragraph ~~(e)(15)~~(c)(16) that have been identified as contaminant(s) of concern at a site that has been designated and notified by:

- (A) The U.S. Environmental Protection Agency (U.S. EPA) as a Superfund National Priorities List site;
- (B) The California Department of Toxic Substances Control (DTSC) as a Brownfield or Cleanup Program site;
- (C) The State Water Resources Control Board (State Water Board) or Regional Water Quality Control Board (Regional Water Board) as a Site Cleanup Program site;
- (D) A county, local, or state regulatory agency as a Hazardous Material Release site, as defined in California Health and Safety Code Section 25260; ~~effective January 1, 2018;~~ or
- (E) The Executive Officer pursuant to subdivision (i).

(2) This rule shall not apply to:

- (A) Earth-moving activities of soil with applicable toxic air contaminant(s) of less than 50 cubic yards; or
- (B) Removal of soil for sampling purposes.

(c) Definitions

- (1) ADEQUATELY WET ~~is~~ means the condition of being sufficiently mixed or penetrated with water to prevent the release of particulates or visible emissions. The process by which an adequately wet condition is achieved is by using a dispenser or water hose with a nozzle that permits the use of a fine, low-pressure spray or mist.
- (2) ADJACENT ATHLETIC AREA ~~is~~ means any outdoor athletic field or park where youth organized sports occur that is in physical contact or separated solely by a public roadway or other public right-of-way to a SCHOOL ~~school or early education center~~.
- (3) ADJOINING means in physical contact with or separated solely by a public roadway or other public right-of-way.
- (34) CHEMICAL STABILIZERS means ~~are any non-toxic chemicals that are used to bind soil together to control FUGITIVE DUST emissions~~ dust suppressant. ~~The chemical stabilizers shall meet any specifications, criteria, or tests required by any federal, state, or local agency or any applicable law, rule, or regulation. Unless otherwise indicated, the use of a non-toxic chemical stabilizer shall be of sufficient concentration and application frequency to maintain a stabilized surface and no less than what is specified by the manufacturer.~~
- (45) DISTURBED SURFACE AREA means ~~is~~ a portion of the earth's surface which has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed natural soil condition, thereby increasing the potential for ~~fugitive dust~~ FUGITIVE DUST. This definition excludes those areas which have:
 - (A) Been restored to a natural state, such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby natural conditions;
 - (B) Been paved or otherwise covered by a permanent structure; or
 - (C) Sustained a vegetative ground cover of at least 70 percent of the native cover for a particular area for at least 30 days.
- (56) DUST SUPPRESSANTS means ~~are~~ water; or hygroscopic materials, ~~other than~~ ~~or~~ ~~chemical stabilizers~~ CHEMICAL STABILIZERS, that are used as a treatment material to reduce ~~fugitive dust~~ FUGITIVE DUST emissions.
- (6) ~~(EARLY EDUCATION CENTER is any public or private property, used for purposes of education as defined as an Early Learning and Developmental Program by the U.S. Department of Education, but does not include any property in which education is primarily conducted in private homes. Early education center includes~~

~~any building or structure, playground, athletic field, or other areas of early education center property.~~

- (7) EARTH-MOVING ACTIVITIES ~~are~~means, for the purpose of this rule, any activity on a site that meets the applicability requirements of subdivision (b) where soil with applicable toxic air contaminant(s) SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S) ~~are~~is being moved or uncovered, ~~shall include including, but not be limited to the following:~~ dredging, excavating, grading, earth-cutting and filling operations, loading, or unloading, handling, mechanized land clearing, and treating, transferring, removing, and adding to or removing from STOCKPILES~~stockpiles,~~ and vehicular movement of equipment associated with these activities. EARTH-MOVING ACTIVITIES do not include vehicular movement from: delivery vehicles, passenger vehicles transporting personnel to and from the site, vehicles used for administrative purposes, vehicles transporting personnel for the purposes of soil sampling and conducting ambient PM₁₀ monitoring requirements, watering trucks, and equipment used exclusively on a portion(s) of the site where there is no SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S).
- (8) FUGITIVE DUST ~~is~~means, for the purpose of this rule, any solid particulate matter that is in contact with ambient air and has the potential to become airborne, other than solid particulate matter that is emitted from an exhaust stack.
- (9) JOINT USE AGREEMENT PROPERTY ~~means~~is a shared public facility in which a formal agreement exists between a SCHOOL~~school or early education center~~ and another government entity setting forth the terms and conditions for shared use.
- (10) OWNER OR OPERATOR ~~is~~means any firm, business establishment, association, partnership, corporation or individual, whether acting as principal, agent, employee, contractor, or other capacity.
- (11) PAVED ROAD ~~means~~is a public or private improved street, highway, alley, public way, or easement that is covered by typical roadway materials, but ~~excluding~~ excludes access roadways that connect a facility with a public paved roadway and are not open to through traffic. Public paved roads are those open to public access and that are owned by any federal, state, county, municipal, or any other governmental or quasi-governmental agencies. Private paved roads are any ~~paved roads~~PAVED ROADS not defined as public.
- (12) PROPERTY LINE ~~means~~is the boundary of an area where a person has the legal use or possession of the property. Where such property is divided into one or more

sub-tenancies, the property line(s) shall refer to the boundaries dividing the areas of all sub-tenancies.

- (13) ~~SCHOOL is~~means any public or private education center, including juvenile detention facilities ~~with classrooms and education centers serving as the students' place of residence (e.g., boarding schools), used for purposes of the education of more than 12 children at the education center in kindergarten or any through grades 1 to 12, inclusive, but does not include any school in which education is primarily conducted in private homes.~~ A SCHOOL also includes an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Starts, Head Start, First Five, and Child Development Centers. A SCHOOL ~~does not include any private education center in which education is primarily conducted in private homes.~~ A SCHOOL ~~School~~ includes any building or structure, playground, athletic field, or other areas of school property.
- (14) SLAG means, for the purpose of this rule, the by-product material that is separated from metals during smelting or refining of ore.
- (~~14~~15) SOIL ~~is~~means dirt, sand, gravel, clay, SLAG, and aggregate material less than two inches in length or diameter, and other organic or inorganic particulate matter.
- (~~15~~16) SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S) means, for the purpose of this rule, ~~soil~~SOIL that has been identified by the U.S. EPA, the DTSC, the State Water Board, the Regional Water Board, or a county, local, or state regulatory agency, ~~to contain one or more of the applicable toxic air contaminants as listed in Table I that exceed action levels as specified by the designating agency, or, effective January 1, 2018, soil that has been identified by the Executive Officer to contain one or more of the toxic air contaminants listed in Rule 1401 – New Source Review of Toxic Air Contaminants (Table I) or Hazardous Air Pollutants Identified as Toxic Air Contaminants as listed in California Code of Regulations Section 93001, excluding volatile organic compounds regulated under Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.~~
- (~~16~~17) STABILIZED SURFACE ~~means~~is any previously ~~disturbed surface area~~ DISTURBED SURFACE AREA or ~~stockpile~~ STOCKPILE, which through the application of CHEMICAL STABILIZERS or ~~dust suppressants~~ DUST SUPPRESSANTS, shows visual or other evidence of surface crusting and is resistant to ~~wind driven fugitive dust~~ WIND-DRIVEN FUGITIVE DUST, and is demonstrated to be stabilized. Stabilization can be demonstrated by one or more of

the applicable test methods contained in the most current version of the South Coast AQMD Rule 403 Fugitive Dust Implementation Handbook or in Volumes I and II of South Coast AQMD's Dust Control in the Coachella Valley.

- (1718) STOCKPILE ~~means~~ any accumulation of ~~soil~~ SOIL, which is not fully enclosed, covered, or chemically stabilized, and which attains a height of three feet or more and a total surface area of 150 square feet or more.
- (1819) TRACK-OUT ~~is~~ means, for the purpose of this rule, any soil SOIL that adheres to and agglomerates on the exterior surface of motor vehicles, haul trucks, and equipment (including tires) that has been released onto a ~~paved road~~ PAVED ROAD and that can be removed by a vacuum sweeper under normal operating conditions.
- (1920) WIND-DRIVEN FUGITIVE DUST ~~means~~ visible emissions from any ~~disturbed surface area~~ DISTURBED SURFACE AREA, which is generated by wind action alone.
- (20) ~~WIND GUST is the maximum instantaneous wind speed as measured by an anemometer.~~

(d) Monitoring Requirements

- (1) When on-site earth-moving activities ~~or vehicular movement~~ occurs, the owner or operator shall conduct continuous direct-reading near real-time ambient monitoring of PM₁₀ concentrations pursuant to paragraph (d)(3).
- (2) If the PM₁₀ concentration ~~averaged over two hours~~ exceeds 25 micrograms per cubic meter, as measured pursuant to paragraph (d)(3) and as determined pursuant to paragraph ~~(d)(4)~~ (d)(9), the owner or operator shall cease on-site earth-moving activities, apply dust suppressant to fugitive dust sources, or implement other dust control measures as necessary until the PM₁₀ concentration is equal to or less than 25 micrograms per cubic meter averaged over 30 minutes.
- (A) ~~The owner or operator or designating agency may request an alternative PM₁₀ limit from the Executive Officer provided the exposure to toxic air contaminants from fugitive dust from earth-moving activities at the proposed PM₁₀ concentration level is health protective to the public. The owner or operator or designating agency shall provide the Executive Officer the information specified in subparagraphs (i)(1)(A) through (H) and substantiate its position that an alternative PM₁₀ limit is health protective. Use of an alternative PM₁₀ limit must be submitted and approved by the Executive Officer as specified in subdivision (j).~~

- (3) The owner or operator conducting on-site earth-moving activities shall install PM₁₀ monitors and conduct ambient PM₁₀ monitoring ~~as follows~~:
- (A) In accordance with a U.S. EPA-approved equivalent method for PM₁₀ monitoring or using a Rule 1466 Approved PM₁₀ Monitor~~an alternative method approved by the Executive Officer. The owner or operator or designating agency shall select an alternative PM₁₀ method as specified in Appendix 1. Use of an alternative PM₁₀ method must be submitted and approved by the Executive Officer as specified in subdivision (j);~~
- (B) Using a minimum of ~~one two upwind~~ monitors, placing each monitor as close to the property line as feasible, where:
- (i) ~~the location of the upwind monitor(s) are~~ One or more monitors is in the seasonal prevailing wind direction upwind of the area(s) of on-site earth-moving activity, indicative of background PM₁₀ levels, and not generally influenced by fugitive dust sources from the site; and
- (C) (ii) ~~Using a minimum of one downwind~~ One or more monitors placed is in the seasonal prevailing wind direction downwind of each the area(s) of on-site earth-moving activity and as close to the property line as feasible;
- (D) Using PM₁₀ monitors that are identical in: ~~make and model; settings; calibration; and configuration; and calibration, correction, and correlation factors. and~~
- (E) ~~Operate, maintain, and calibrate~~ Using ambient PM₁₀ monitors that are operated, maintained, and calibrated in accordance with appropriate U.S. EPA-published documents for U.S. EPA-approved equivalent method(s) for PM₁₀ or the alternative method approved by the Executive Officer, and manufacturer's instructions; and
- (4) ~~(F)~~ On and before December 31, 2021, the owner or operator shall collect ambient PM₁₀ data with a data acquisition system (DAS) that is capable of logging direct-reading near real-time data providing the date, time, and PM₁₀ concentration in micrograms per cubic meter every 10 minutes or less.
- (5) On and after January 1, 2022, the owner or operator shall collect ambient PM₁₀ data with a DAS that is capable of logging direct-reading near real-time data providing the date and time, calibrated to Pacific Standard Time (PST), and PM₁₀ concentration in micrograms per cubic meter every 1 minute or less.

- (6) On and after January 1, 2022, the owner or operator shall operate PM₁₀ monitors with the heated sampler inlet on.
- (7) On and after January 1, 2022, prior to conducting any on-site earth-moving activities, and weekly thereafter, the owner operator shall conduct intra-instrument precision tests with the PM₁₀ monitors in accordance with *Appendix 2 – Procedures to Demonstrate Intra-Instrument Precision*, or make available documentation and supporting data certifying that such intra-instrument precision tests were run by an equipment rental company or other third party, that demonstrate an intra-instrument precision of:

 - (A) No more than 25 percent as calculated pursuant to Step 7a in *Appendix 2* when ambient PM₁₀ concentrations are equal to or greater than 15 micrograms per cubic meter; or
 - (B) No more than 5 micrograms per cubic meter as calculated pursuant to Step 7b in *Appendix 2* when ambient PM₁₀ concentrations are less than 15 micrograms per cubic meter.
- (8) On and after January 1, 2022, each day prior to conducting on-site earth-moving activities, the owner or operator shall conduct a passing zero check on each PM₁₀ monitor in accordance with:

 - (A) Steps 4 and 5 of *Appendix 2* that demonstrates an average PM₁₀ concentration of 0 ± 3 micrograms per cubic meter; or
 - (B) Manufacturer’s instructions if a monitor is operated using an auto-zero check procedure that directs filtered particle-free air into the measurement chamber.
- (49) The owner or operator shall calculate the PM₁₀ concentration as a 120-minute rolling average based on the PM₁₀ concentration averaged over two hours, starting at the top of each hour, where:

 - (A) The initial average starts at the commencement of on-site earth-moving activities and ends 120 minutes after the commencement of on-site earth-moving activities;
 - (B) On and before December 31, 2021, the averages subsequent to the initial average specified in subparagraph (d)(9)(A) are to be calculated every 10 minutes and cover the previous 120-minute period;
 - (C) On and after January 1, 2022, the averages subsequent to the initial average specified in subparagraph (d)(9)(A) are to be calculated every 1 minute and cover the previous 120-minute period;

- (AD) ~~The PM₁₀ concentration is the absolute difference between the upwind and~~ calculated by subtracting the results of the upwind monitor(s) from the downwind monitor(s) for the same averaging period;
- (i) If the wind direction is in the seasonal prevailing wind direction, then the monitor(s) described pursuant to clause (d)(3)(B)(i) shall be designated as the upwind monitor(s) and the monitor(s) described pursuant to clause (d)(3)(B)(ii) shall be designated as the downwind monitor(s); and
- (ii) If there is greater than a ± 90 degree change in wind direction from the seasonal prevailing wind direction, then the monitor(s) described pursuant to clause (d)(3)(B)(i) shall be designated as the downwind monitor(s) and the monitor(s) described pursuant to clause (d)(3)(B)(ii) shall be designated as the upwind monitor(s);
- (BE) ~~If there is more than one upwind monitor, the upwind result is the two hour~~ average concentration of all upwind monitors for the same rolling averaging period;
- (CF) ~~If there is more than one downwind monitor, the downwind average result~~ is the maximum two hour average concentration of any of the downwind monitors for the same rolling averaging period; and
- (G) On and before December 31, 2021, when on-site earth-moving activities resume after ceasing pursuant to paragraph (d)(2), the average shall start when on-site earth-moving activities resume and shall end 120 minutes after on-site earth-moving activities resume, and the subsequent averages are to be calculated every 10 minutes and shall cover the previous 120-minute period; and
- (H) On and after January 1, 2022, when on-site earth-moving activities resume after ceasing pursuant to paragraph (d)(2), the average shall start when on-site earth-moving activities resume and shall end 120 minutes after on-site earth-moving activities resume, and the subsequent averages are to be calculated every one minute and shall cover the previous 120-minute period.
- (D) ~~The owner or operator or designating agency may use an alternative calculation methodology if the owner or operator or designating agency provides information to substantiate that all or some the PM₁₀ concentration is the result of another source and not attributed to the earth moving~~

~~activities of the site. Use of an alternative calculation methodology must be submitted and approved by the Executive Officer as specified in subdivision (j).~~

- (10) An owner or operator that elects to move the monitors accordingly when there is a change in wind direction in place of meeting the requirements specified in clauses (d)(3)(B)(i), (d)(3)(B)(ii), (d)(9)(D)(i), and (d)(9)(D)(ii), shall:
- (A) Place a minimum of one upwind monitor in the upwind direction of the area(s) of on-site earth-moving activity, indicative of background PM₁₀ levels, and not generally influenced by fugitive dust sources from the site;
 - (B) Place a minimum of one downwind monitor in the downwind direction of the area(s) of on-site earth-moving activity; and
 - (C) Move the monitor(s) in subparagraph (d)(10)(A) to the new upwind location and the monitor(s) in subparagraph (d)(10)(B) to the new downwind location when there is a change in wind direction.
- (11) In the event that a DAS fails to log ambient PM₁₀ data pursuant to paragraph (d)(5) or that the data management system integrated with the PM₁₀ monitor(s) and DAS(s) fails to calculate PM₁₀ concentrations pursuant to subparagraph (d)(9)(C) due to a technical issue beyond the reasonable control of an owner or operator, including, but not limited to, internet connection disruptions and computer malfunctions, the owner or operator shall:
- (A) Restore the DAS or data management system to working condition as soon as practicable and no later than the start of the next working day; and
 - (B) Manually record the PM₁₀ concentration from the monitor(s) associated with the non-operational DAS once every 10 minutes or less and calculate the PM₁₀ concentration pursuant to the averages specified in subparagraph (d)(9)(B) until the DAS is restored or calculate the PM₁₀ concentration pursuant to the averages specified in subparagraph (d)(9)(B) until the data management system is restored.
- (512) When ~~earth-moving activities occur~~ conducting ambient PM₁₀ monitoring as required in paragraph (d)(1), the owner or operator shall monitor wind direction and speed as specified in U.S. EPA *Quality Assurance Handbook for Air Pollution Measurement Systems, Volume IV: Meteorological Measurements* using a minimum of one stationary anemometer or wind sensor that:
- (A) Is sited over open, level terrain within the project site with minimal obstructions to the wind flow at a minimum height of eight feet above grade;

- (B) Meets the performance criteria of:

 - (i) Wind direction accuracy of ± 7 degrees and resolution of 1 degree; and
 - (ii) Wind speed accuracy of 2 miles per hour (mph) or ± 5 percent of the observed wind speed, whichever is greater, and resolution of 1 mph;
- (C) Has a National Institute of Standards and Technology (NIST) Traceability certification;
- (D) Is equipped with a data logger that records wind direction and speed data once every 1 minute or less and archives the recorded wind direction and speed data, including the date and time, calibrated to PST; and
- (E) Is operated, calibrated, and maintained in accordance with manufacturer's specifications, but no less frequent than once every 6 months of cumulative operation.
- (13) The Executive Officer may approve a PM₁₀ monitor to be added as a Rule 1466 Approved PM₁₀ Monitor if the PM₁₀ monitor meets the specifications listed in Appendix 1 – Rule 1466 Approved PM₁₀ Monitors. The request for a PM₁₀ monitor to be added as a Rule 1466 Approved PM₁₀ Monitor shall:

 - (A) Be submitted to Rule1466ApprovedMonitors@aqmd.gov;
 - (B) Include a description of the PM₁₀ monitor, any accessories, and all monitor specifications; and
 - (C) Include documentation demonstrating compliance with each specification listed in Appendix 1.
- (e) Requirements to Minimize Fugitive Dust Emissions

 - (1) On and before December 31, 2021, aAn owner or operator shall not conduct on-site earth-moving activities unless the area is surrounded with fencing that is a minimum of 6 feet tall and at least as tall as the height of the tallest stockpile, with a windscreen ~~with~~ that has a porosity of 50 ± 5 percent%. A section of the perimeter surrounding an on-site earth-moving activity area may be excluded from this requirement if that section:

 - (A) Has a solid physical barrier, such as a solid wall or other solid feature that minimizes air flow, that is a minimum of 6 feet tall but at least 6 inches taller than the height of the tallest stockpile; or
 - (B) Does not have on-site earth-moving activity occurring within 300 feet from the perimeter of that section.

- (2) On and after January 1, 2022, an owner or operator shall not conduct on-site earth-moving activities unless the area is surrounded with fencing that is a minimum of 6 feet tall but at least 6 inches taller than the height of the tallest stockpile, with a windscreen that has a porosity of 50 ± 5 percent or a mesh windscreen that has a shade value or opacity of 85 ± 5 percent. A section of the perimeter surrounding an on-site earth-moving activity area may be excluded from this requirement if that section meets the conditions as specified in subparagraph (e)(1)(A) or (e)(1)(B).
- (23) An owner or operator conducting on-site earth-moving activities shall:
- (A) Adequately wet to the depth of earth-moving activity and allow time for penetration; and
 - (B) Adequately wet at frequencies to prevent the generation of visible dust plumes.
- (34) An owner or operator that is moving vehicles on, within, or off a site ~~where earth-moving activities are occurring~~ shall:
- (A) Post signs at all entrances of the site to designate the speed limit as ~~15 miles per hour~~ mph;
 - (B) Stabilize the surface of all vehicular traffic and parking areas by applying gravel, paving, chemical stabilizers pursuant to paragraph (e)(13), or dust suppressant;
 - (C) Not allow any track-out outside of the property line to extend beyond that is 25 feet or more in cumulative length of the property line. Remove any track-out at a minimum frequency of once each day using a vacuum equipped with a filter(s) rated by the manufacturer to achieve a 99.97% percent capture-control efficiency for 0.3 micron particles;
 - (D) Clean the soil from the exterior of trucks, trailers, and tires prior to the truck leaving the site, without the use of forced air; and
 - (E) ~~The owner or operator shall u~~Utilize at least one of the following measures ~~listed in clause (e)(3)(E)(i) through (e)(3)(E)(iv)~~ at each vehicle egress from the site to a ~~paved~~ public road:
 - (i) Install a pad consisting of washed gravel (minimum-size: ~~one~~ 1 inch), maintained in a clean condition, to a depth of at least ~~six~~ 6 inches and extending at least 30 feet wide and at least 50 feet long;
 - (ii) Pave the surface extending at least 100 feet from the property line and at least ~~20~~ 30 feet wide;

- (iii) Utilize a wheel shaker/wheel spreading device consisting of raised dividers (rails, pipes, or grates) at least 24 feet long and ~~40~~30 feet wide; or
 - (iv) Install and utilize a wheel washing system to remove soil from tires and vehicle undercarriages.
- (45) An owner or operator conducting on-site earth-moving activities shall ensure that result in the development of stockpiles of ~~with~~ any soil with applicable toxic air contaminant(s) shall be:
- (A) Segregated from non-contaminated stockpiles; ~~from stockpiles with applicable toxic air contaminant(s) and~~
 - (B) Labelled with “South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminant(s) Applicable Soil”;
 - (~~BC~~) Maintained stockpiles to avoid steep sides or faces that exceed the angle of repose;
 - (~~CD~~) Not create a stockpile that is No more than 400 cubic yards of soil; ~~and greater in height than the perimeter fencing and windscreen;~~
 - (~~DE~~) Maintained to minimize fugitive dust emissions containing toxic air contaminants by applying chemical stabilizers pursuant to paragraph (e)(13), Apply applying dust suppressant ~~to stockpiles, or completely covering pursuant to paragraph (e)(14); and~~
 - (~~EF~~) At the end of each working day, e Either chemically stabilized pursuant to paragraph (e)(13) and/or completely covered pursuant to paragraph (e)(14) at all times when earth-moving activities and ambient PM₁₀ monitoring are not occurring. ~~with 10 milliliter thick plastic sheeting that overlaps a minimum of 24 inches. The plastic sheeting shall be anchored and secured so that no portion of the soil is exposed to the atmosphere; and~~
 - (F) Daily, inspect stabilized or covered stockpiles. For a stabilized stockpile, such inspections shall include a demonstration of stabilization by one or more of the applicable test methods contained in SCAQMD Rule 403 Fugitive Dust Implementation Handbook or Volumes I and II of SCAQMD’s Dust Control in the Coachella Valley. For a covered stockpile, such inspections shall include a visual inspection of all seams and plastic cover surfaces. Immediately re-stabilize or repair any holes, tears, or any other potential sources of fugitive toxic air contaminant emissions.

- (56) An owner or operator conducting truck and trailer loading activities of soil containing applicable toxic air contaminant(s) shall:
- (A) Apply dust suppressant to material prior to loading;
 - (B) Empty the loader bucket slowly so that no visible dust plumes are generated;
 - (C) Minimize the drop height from the loader bucket;
 - (D) Maintain at least ~~six~~ 6 inches of space between the soil and the top of the truck bed and trailer while transporting within a site; and
 - (E) Completely ~~tap~~ cover the truck bed and trailer prior to leaving the site.
- (67) An owner or operator conducting truck and trailer unloading activities of soil containing applicable toxic air contaminant(s) shall:
- (A) Apply dust suppressant to material prior to unloading; and
 - (B) Empty the trailer slowly so that no visible dust plumes are generated.
- (78) The owner or operator shall immediately remove any spilled soil ~~containing applicable toxic air contaminant(s)~~.
- (89) The owner or operator shall cease on-site earth-moving activities if the wind speed is greater than 15 ~~miles per hour~~ (mph) averaged over a 15-minute period or the instantaneous wind speeds exceeds 25 mph.
- (910) During on-site earth-moving activities, the owner or operator shall have an on-site dust control supervisor that:
- (A) Is employed by or contracted with the owner or operator;
 - (B) Is located on the site during working hours;
 - (C) Is in a position to expeditiously employ sufficient dust control measures to ensure compliance with all rule requirements;
 - (D) Has completed the South Coast AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class; and
 - (E) Has the following credentials, if asbestos is an applicable toxic air contaminant:
 - (i) Successfully completed the Asbestos Abatement Contractor/Supervisor course pursuant to the Asbestos Hazard Emergency Response Act (AHERA), and obtained and maintained accreditation as an AHERA Asbestos Abatement Contractor/Supervisor; and
 - (ii) Trained on the provisions of 40 CFR Part 61.145, 61.146, 61.147 and 61.152 (Asbestos NESHAP provisions) and Part 763, and ~~have~~ has the means ~~by which~~ to comply with these provisions.

- ~~(1011)~~ If earth-moving activities will not occur for three (3) or more consecutive days, An owner or operator shall apply a chemical stabilizer pursuant to paragraph (e)(13) and/or use a cover pursuant to paragraph (e)(14) to on potential sources of fugitive dust when earth-moving activities are not occurring in the specific location(s) containing the potential source(s) of fugitive dust diluted to the concentration required to maintain a stabilized surface for the period of inactivity; re-stabilize as necessary.
- (12) An owner or operator shall inspect daily, including days when no on-site earth-moving activities are occurring, labeled stockpiles pursuant to subparagraph (e)(5)(B) and stabilized or covered stockpiles pursuant to (e)(5)(F).
- (A) For a stabilized stockpile, such inspections shall include a demonstration of stabilization by one or more of the applicable test methods contained in the most current version of the South Coast AQMD Rule 403 Fugitive Dust Implementation Handbook or Volumes I and II of South Coast AQMD's Dust Control in the Coachella Valley.
- (B) For a covered stockpile, such inspections shall include a visual inspection of all seams and plastic cover surfaces to ensure that no portion of the soil is exposed to the atmosphere.
- (13) When utilizing a chemical stabilizer, an owner or operator shall:
- (A) Ensure the chemical stabilizer meets any specifications, criteria, or tests required by any federal, state, or local agency or any applicable law, rule, or regulation; and
- (B) Unless otherwise indicated, use a sufficient concentration of the chemical stabilizer and an application frequency sufficient to maintain a stabilized surface and no less than what is specified by the manufacturer for the period of inactivity.
- (14) When using a cover for stockpiles, an owner or operator shall ensure the cover:
- (A) Is at least 10 mil thick plastic sheeting that overlaps a minimum of 24 inches; and
- (B) Is anchored and secured so that no portion of the soil is exposed to the atmosphere.
- ~~(1415)~~ An owner or operator that is conducting earth-moving activities of soil with applicable toxic air contaminant(s) at a school, early education center, joint use agreement property, or adjacent athletic area, or at a site that is adjoining a school, joint use agreement property, or adjacent athletic area shall:

- (A) Only conduct earth-moving activities at a school ~~or early education center~~ or at a site that is adjoining a school outside of the hours between 7:30 a.m. and 4:30 p.m. on days when the school ~~or early education center~~ is in session;
- (B) Not conduct earth-moving activities at a school, ~~early education center,~~ joint use agreement property, ~~or adjacent athletic area,~~ or at a site that is adjoining a school, joint use agreement property, or adjacent athletic area if there is a school ~~or early education center~~ sponsored activity or youth organized sports taking place at that site;
- (C) Handle excavated soils with applicable toxic air contaminant(s) by:
 - (i) Immediately placing soil in a leak-tight container whereby any contained solids or liquids are prevented from escaping or spilling out;
 - (ii) Directly loading soil in trucks beds, trailers, and bins for transport, applying chemical stabilizer pursuant to paragraph (e)(13) or dust suppressant, and completely covering prior to transporting; or
 - (iii) Stockpiling pursuant to paragraph ~~(e)(4)~~(e)(5), in a fenced area that is not accessible to the general public, and locked when not in use; and
- (D) Within five ~~(5)~~ days of its excavation, remove all soil with applicable toxic air contaminant(s) from the site.
- ~~(12) With the exception of paragraphs (e)(7) and (e)(11), the owner or operator or designating agency may use alternative dust control measures that meet the objective and effectiveness of the dust control measure it is replacing, where the objective and effectiveness of each category of dust control measures is stated in Appendix 2. Use of alternative dust control measures must be submitted and approved by the Executive Officer as specified under subdivision (j).~~
- (f) Notification Requirements
 - (1) ~~At least 72 hours and no more than 30 days prior to conducting any earth-moving activities on any site meeting the applicability requirements of subdivision (b), the~~ The owner or operator shall electronically ~~notify~~ submit an initial notification to the Executive Officer, using a format approved by the Executive Officer, of the intent to conduct any on-site earth-moving activities.
 - (A) Initial notifications shall be submitted:

- (i) At least 72 hours but no more than 30 days prior to conducting any earth-moving activities on any site meeting the applicability requirements of subdivision (b); or
 - (ii) As soon as the information becomes available but no later than 48 hours after the information becomes available that on-site earth-moving activities of soil with applicable toxic air contaminant(s) exceed 50 cubic yards.
- (B) Initial Notifications notifications shall include the following requirements:
 - (A) Name, address, telephone number, and e-mail address of the owner or operator;
 - (B) Name, telephone number, and e-mail address of the on-site dust control supervisor;
 - (C) Project name and, if applicable, the project identification number from the designating agency;
 - (D) Project location (address and/or coordinates);
 - (E) Identify whether the site is a school, ~~early education center~~, joint use agreement property, ~~or adjacent athletic area~~, or is adjoining a school, joint use agreement property, or adjacent athletic area;
 - (F) A map indicating the specific location(s) of each on-site earth-moving activity and the concentrations of the applicable toxic air contaminant(s) and location of PM₁₀ monitors;
 - (G) A description of the on-site earth-moving activities, estimated volume of soil with applicable toxic air contaminant(s), and a schedule that includes the anticipated start and completion dates of on-site earth-moving activities;
 - (H) Current and/or previous type of operation(s) and use(s) at the site;
 - (I) Applicable exemption(s); and
 - (J) Whether the notice being provided is a revised notification.
- (2) Notification Updates

Initial Notifications notifications pursuant to paragraph (f)(1) shall be updated when any of the following conditions arise:

 - (A) Earlier Start Date

A change in the start date of ~~any on-site~~ earth-moving ~~activity~~ activities to an earlier date shall be reported to the South Coast AQMD no later than 72 hours before any on-site earth-moving activities begin.

- (B) **Later Start Date**
A delay in the start date of ~~any on-site~~ earth-moving ~~activity~~ activities shall be reported to the South Coast AQMD as soon as the information becomes available, but no later than the original start date.
- (C) **Change in Exemption Status**
Any change(s) in exemption status pursuant to subdivision (k) shall be reported to the South Coast AQMD as soon as the information becomes available, but no later than 48 hours after the information becomes available.
- (D) **Completion Date**
The completion date of on-site earth-moving activities shall be reported to the South Coast AQMD no later than 48 hours after on-site earth-moving activities are completed.
- (3) Within 72 hours of an exceedance of the PM₁₀ emission limit specified in ~~subdivision (d) paragraph (d)(2)~~, the owner or operator ~~of a site meeting the applicability requirements of subdivision (b)~~ shall electronically ~~notify~~ submit a notification to the Executive Officer, using a format approved by the Executive Officer, of the exceedance and shall include the following information:
 - (A) Name, address, telephone number, and e-mail address of the owner or operator;
 - (B) Name, telephone number, and e-mail address of the on-site dust control supervisor;
 - (C) Project name and, if applicable, the project identification number from the designating agency;
 - (D) Project location (address and/or coordinates);
 - (E) PM₁₀ monitoring results and wind direction and speed results pursuant to subdivision (d), including location of monitors, result, date and time of exceedance(s), 12 hours before first exceedance, and 12 hours after last exceedance;
 - (F) On-site Earthearth-moving activities occurring at the date and time of exceedance(s); and
 - (G) Dust control measure(s) taken to mitigate fugitive dust.

(g) Signage Requirements

When conducting on-site earth-moving activities, the owner or operator shall install and maintain project signage.

- (1) Unless otherwise approved in writing by the Executive Officer, signage shall:
- (A) Be installed at all entrances and at intervals of 1,000 feet or less along the property line or perimeter of the site, with a minimum of one sign along each side;
 - (B) Be located between 6 and 8 feet above grade from the bottom of the sign;
 - (C) Display lettering at least ~~four~~4 inches tall with text contrasting with the sign background; and
 - (D) Display the following information:
 - (i) Local or toll-free phone number for the site contact or pre-recorded notification center that is accessible 24 hours a day; and
 - (ii) Warning statement:

“THIS SITE CONTAINS SOILS THAT CONTAIN THE
FOLLOWING CHEMICALS: [LIST APPLICABLE TOXIC AIR
CONTAMINANT(S)]
TO REPORT ANY DUST LEAVING THE SITE PLEASE CALL
[FACILITY CONTACT AND PHONE NUMBER] OR THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AT 1-800-CUT-SMOG”.
- (2) ~~(E)~~ If signage pursuant to paragraph (g)(1) exceeds 48 inches by 96 inches, the owner or operator or designating agency ~~must still~~shall include the warning statement referenced in clause (g)(1)(D)(ii), displaying lettering at least ~~four~~4 inches tall with text contrasting with the sign background, but may use 2.5 inch tall lettering to list applicable toxic air contaminant(s). All other signage requirements set forth in paragraph (g)(1) shall remain the same. If signage continues to exceed 48 inches by 96 inches with these parameters, the owner or operator or designating agency may use alternative signage as set forth in paragraph ~~(g)(2)(g)(3)~~.
- (23) The owner or operator or designating agency may use alternative signage approved by the Executive Officer pursuant to subdivision (j). Notwithstanding subdivision (j), the request shall include a visual representation of the alternative sign, including proposed lettering height, and locations and, at a minimum, the alternative signage shall:
- (A) Display text contrasting with the sign background; and

(B) Display the following warning statement:

“THIS SITE CONTAINS SOILS THAT CONTAIN THE FOLLOWING
CHEMICALS: [LIST APPLICABLE TOXIC AIR CONTAMINANT(S)]
TO REPORT ANY DUST LEAVING THE SITE PLEASE CALL
THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT
1-800-CUT-SMOG”.

(4) The owner or operator may be excluded from installing and maintaining project signage pursuant to subparagraph (g)(1)(A) at any entrance(s) or interval(s) along the property line or perimeter of the site that is not visible and not accessible to the public unless the site is a school, joint use agreement property, or adjacent athletic area or the site is adjoining a school, joint use agreement property, or adjacent athletic area.

(h) Recordkeeping Requirements

The owner or operator shall maintain records for a period of not less than ~~three~~ 3 years and shall make such records available to the Executive Officer upon request. At a minimum, records shall be maintained daily and shall include:

- (1) Inspections of all stabilized or covered stockpiles containing soils with applicable toxic air contaminant(s) and all re-stabilization, cover repair, and label maintenance activities, including dates and times the specific activities were conducted;
- (2) Results of wind and PM₁₀ monitoring, including: ambient PM₁₀ data; rolling average PM₁₀ concentrations and calculations; wind direction and speed corresponding to the rolling average PM₁₀ concentrations; movement of monitoring instruments corresponding to wind direction changes; instrument make and model; settings; proof of valid calibration in accordance with manufacturer's recommended schedule; configuration; calibration, correction, and correlation factors; maintenance; operator training; ~~and~~ daily instrument performance check records and manual zero or auto-check results; weekly zero calibration records and intra-instrument precision test data and calculation results; and all instrument logs for all monitoring instruments;
- (3) All instrument maintenance activities, including: zero calibration, cleaning, filter replacement, and performance checks, including dates and times of the specific procedures;
- (4) Documentation of all DAS and data management system failures, including date and time of the failure, date and time of the correction, the technical issue(s) causing

the failure, and activities performed to restore the failed DAS or data management system to working condition;

- (35) On-site Earthearth-moving activities conducted and the corresponding volume of soil with applicable toxic air contaminant(s);
- (46) Names and business addresses of the transporting and receiving facilities, and a copy of the shipping manifest; ~~and~~
- (57) Complaints called in, including the name of complainant and contact information, date and time, on-site earthearth-moving activities occurring at the date and time, complaint, and action taken to mitigate the source of the complaint; ~~and-~~
- (8) A copy of all submitted notifications for the project.

(i) Executive Officer Designated Sites

- (1) The Executive Officer may designate a site if the Executive Officer has evidence that the site contains soil with applicable toxic air contaminant(s) as defined in paragraph ~~(e)(15)(c)(16)~~, after consultation with U.S. EPA, DTSC, the State Water Resources Control Board, ~~or the Regional Water Quality Control Boards~~, and/or local, county, or state ~~health and~~ regulatory agencies, and consideration of the following:
 - (A) Site history, including current and/or previous type(s) of operation(s) and use(s) at the site and regulatory history;
 - (B) Concentration(s) of applicable toxic air contaminant(s) in the soil;
 - (C) Background concentration(s) of applicable toxic air contaminant(s);
 - (D) Volume of soil with applicable toxic air contaminant(s);
 - (E) Distance to a residence, park, ~~or school~~, joint use agreement property, adjacent athletic area, or a site adjoining a school, joint use agreement property, or adjacent athletic area;
 - (F) Meteorological data;
 - (G) Health risk information or other data provided by the owner or operator, if available; and
 - (H) Ambient monitoring data and other applicable data, if available.
- (2) Prior to making a determination, the Executive Officer will notify the owner or operator in writing that the site may be subject to this rule.
 - (A) In the event the owner or operator exercises this opportunity to demonstrate that this rule does not apply, the owner or operator shall submit information to the Executive Officer within 14 days of the notification substantiating why the site should be excluded from this rule.

- (B) Upon final determination, the Executive Officer will notify the owner or operator in writing if the site is subject to this rule.
- (3) During the determination period, the owner or operator shall comply with the provisions of this rule or cease all on-site earth-moving activities until a determination is made.
- (j) Alternative Provisions
 - (1) If requesting an alternative provision pursuant to ~~subparagraphs (d)(2)(A), (d)(3)(A), or (d)(4)(D) or paragraphs (e)(12), (g)(2) (k)(3), or (k)(4)(g)(3)~~, the owner or operator or designating agency shall submit the request in writing at least 30 days prior to conducting any earth-moving activities and include all information to the Executive Officer to substantiate its position.
 - ~~(A) The owner or operator or designating agency that elects to request alternative provisions for the PM₁₀ limit, PM₁₀ monitoring method, signage, or direct loading exemption shall submit the request in writing at least 30 days prior to conducting any earth-moving activities.~~
 - ~~(B) The owner or operator or designating agency that elects to request alternative provisions for the PM₁₀ calculation or dust control measures shall submit the request, in writing, prior to an exceedance of the PM₁₀ concentration requirements set forth in paragraph (d)(2).~~
 - (2) The Executive Officer may request additional information from the owner or operator or designating agency.
 - (3) The owner or operator or designating agency shall submit all requested information within 14 days of the request for additional information.
 - (4) The Executive Officer will review the request for an alternative provision and will approve or reject the data and notify the owner or operator or designating agency in writing. Approved alternative provisions may not be used retroactively.
 - (5) Alternative provisions that were approved and notified in writing by the Executive Officer before [Date of Adoption] shall be deemed compliant with the requirements of the applicable provisions of the rule, shall remain in effect only for the period of time and for the specific project for which they were granted, and shall not be renewed or extended.
- (k) Exemptions
 - (1) The owner or operator may be exempt from one or more provisions of this rule provided there is written confirmation that the designating agency under

subparagraphs (b)(1)(A) through ~~(b)(1)(D)~~ has consulted with the Executive Officer and has determined that the provision(s) are not needed based on information specified in subparagraphs (i)(1)(A) through ~~(i)(1)(H)~~.

- (2) On-site Earthmoving activities performed within an enclosed system vented to South Coast AQMD permitted air pollution control equipment shall be exempt from all requirements except: subparagraphs ~~(e)(3)(C) through (e)(3)(E)~~ (e)(4)(C) through (e)(4)(E), subparagraphs ~~(e)(5)(D) and (e)(5)(E)~~ (e)(6)(D) and (e)(6)(E), and subdivisions (f), (g), and (h).
- (3) Linear trenching for natural gas, power, sewer, and water projects on roadways with soil with applicable toxic air contaminant(s), directly loaded into a truck bed, trailer, or bin for transport, shall be exempt from all requirements except: paragraphs ~~(e)(2) through (e)(8)~~ (e)(3) through (e)(9), paragraphs ~~(e)(11)(e)(13) and (e)(15)~~, and subdivisions (f), (h), and (i). ~~The owner or operator or designating agency may use an alternative to directly load into a truck or bin for transport that meets the objective and effectiveness of directly loading soil, where the objective and effectiveness is stated in Appendix 2. Use of an alternative measure must be submitted and approved by the Executive Officer as specified under subdivision (j).~~
- (4) On-site Earthmoving activities consisting only of excavation activities of soil with applicable toxic air contaminant(s) of less than 500 cubic yards, directly loaded into a truck bed, trailer, or bin for transport, shall be exempt from all requirements except: paragraphs ~~(e)(2) through (e)(8)~~ (e)(3) through (e)(9), paragraphs ~~(e)(11)(e)(13) and (e)(15)~~, and subdivisions (f), (h), and (i). ~~The owner or operator or designating agency may use an alternative to directly load into a truck or bin for transport that meets the objective and effectiveness of directly loading soil, where the objective and effectiveness is stated in Appendix 2. Use of alternative measure must be submitted and approved by the Executive Officer as specified under subdivision (j).~~
- (5) ~~Active operations~~ On-site earth-moving activities conducted during emergency life-threatening situations, or in conjunction with any officially declared disaster or state of emergency as declared by an authorized health officer, agricultural commissioner, fire protection officer, or other authorized agency officer shall be exempt from all requirements. The Executive Officer shall be notified electronically no later than 48 hours following such on-site earth-moving activities. Written notification shall include written emergency declaration from the authorized officer.

- (6) ~~Active operations~~ On-site earth-moving activities conducted by essential service utilities to provide electricity, natural gas, telephone, water, or sewer during periods of service outages and emergency disruptions shall be exempt from all requirements. The Executive Officer shall be notified electronically no later than 48 hours following such on-site earth-moving activities.

Table I – Applicable Toxic Air Contaminants

CAS Number	Substance
7440-38-2 7784-42-1	arsenic and arsenic compounds (inorganic) including, but not limited to: arsenic compounds (inorganic) arsine
1332-21-4	Asbestos
7440-43-9	cadmium and cadmium compounds
57-74-9	chlordanes*
1746-01-6 40321-76-4 39227-28-6 57653-85-7 19408-74-3 35822-46-9 3268-87-9 41903-57-5 36088-22-9 34465-46-8 37871-00-4	dibenzo-p-dioxins (chlorinated)* tetrachlorodibenzo-p-dioxin, 2,3,7,8- pentachlorodibenzo-p-dioxin, 1,2,3,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,4,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,6,7,8- hexachlorodibenzo-p-dioxin, 1,2,3,7,8,9- heptachlorodibenzo-p-dioxin, 1,2,3,4,6,7,8- octachlorodibenzo-p-dioxin, 1,2,3,4,6,7,8,9- total tetrachlorodibenzo-p-dioxin total pentachlorodibenzo-p-dioxin total hexachlorodibenzo-p-dioxin total heptachlorodibenzo-p-dioxin
72-54-8	dichlorodiphenyldichloroethane*
72-55-9	dichlorodiphenyldichloroethylene*
50-29-3	dichlorodiphenyltrichloroethane*
18540-29-9 10294-40-3	chromium (hexavalent) and chromium compounds including, but not limited to: barium chromate

CAS Number	Substance
13765-19-0 7758-97-6 10588-01-9 7789-06-2 13530-65-9	calcium chromate lead chromate sodium dichromate strontium chromate zinc chromate
7439-92-1 301-04-2 7758-97-6 7446-27-7 1335-32-6	lead and lead compounds (inorganic, including elemental lead) including, but not limited to: lead compounds (inorganic) lead acetate lead chromate lead phosphate lead subacetate
7439-97-6 7487-94-7 593-74-8	mercury and mercury compounds (inorganic) including, but not limited to: mercuric chloride methyl mercury
7440-02-0 373-02-4 3333-67-3 13463-39-3 12054-48-7 1313-99-1 12035-72-2 1271-28-9	nickel and nickel compounds including, but not limited to: nickel acetate nickel carbonate nickel carbonyl nickel hydroxide nickel oxide nickel subsulfide nickelocene refinery dust from the pyrometallurgical process
1336-36-3 32598-13-3 70362-50-4	polychlorinated biphenyls (PCBs) 3,3',4,4'-tetrachlorobiphenyl <u>(PCB 77)</u> 3,4,4',5-tetrachlorobiphenyl <u>(PCB 81)</u>

CAS Number	Substance
32598-14-4	2,3,3',4,4'-pentachlorobiphenyl (<u>PCB 105</u>)
74472-37-0	2,3,4,4',5-pentachlorobiphenyl (<u>PCB 114</u>)
31508-00-6	2,3',4,4',5-pentachlorobiphenyl (<u>PCB 118</u>)
65510-44-3	2,3',4,4',5'-pentachlorobiphenyl (<u>PCB 123</u>)
57465-28-8	3,3',4,4',5-pentachlorobiphenyl (<u>PCB 126</u>)
38380-08-4	2,3,3',4,4',5-hexachlorobiphenyl (<u>PCB 156</u>)
69782-90-7	2,3,3',4,4',5'-hexachlorobiphenyl (<u>PCB 157</u>)
52663-72-6	2,3',4,4',5,5'-hexachlorobiphenyl (<u>PCB 167</u>)
32774-16-6	3,3',4,4',5,5'-hexachlorobiphenyl (<u>PCB 169</u>)
39635-31-9	2,3,3'4,4',5,5'-heptachlorobiphenyl (<u>PCB 189</u>)
	<p>polycyclic aromatic hydrocarbons (PAHs)*</p> <p>56-55-3 benzo[a]anthracene</p> <p>50-32-8 benzo[a]pyrene</p> <p>205-99-2 benzo[b]fluoranthene</p> <p>207-08-9 benzo[k]fluoranthene</p> <p>218-01-9 chrysene</p> <p>53-70-3 dibenz[a,h]anthracene</p> <p>193-39-5 indeno[1,2,3-c,d]pyrene</p>

* ~~Effective January 1, 2018~~

Appendix 1 – Executive Officer Rule 1466 Approved PM₁₀ Monitors

The Executive Officer may approve PM₁₀ monitors that meet the following physical and performance requirements.

1. Physical Requirements

- 1.1.** PM₁₀ monitors ~~must~~shall be continuous direct-reading near-real time monitors and shall monitor particulate matter less than 10 microns.
- 1.2.** PM₁₀ monitors ~~must~~shall be equipped with:
 - 1.2.a.** Omni-directional heated sampler inlet;
 - 1.2.b.** Sample pump with active flow control mechanism;
 - 1.2.c.** Volumetric flow controller;
 - 1.2.d.** Enclosure; ~~and~~
 - 1.2.e.** Data logger capable of logging each data point with average concentration, time, date, and data point number; and
 - 1.2.e.** Conductive tubing that minimizes particle loss for any external tubing used to carry sampled air prior to measurement.

2. Performance Requirements

- 2.1.3.** PM₁₀ monitors ~~must~~shall have the following minimum performance standards:
 - 2.1.a.** Range: 0 - 10,000 µg/m³;
 - 2.1.b.** Accuracy, determined through factory testing against a U.S. EPA Federal Reference Method or Federal Equivalent Method, for a minimum of 30 measurements each averaged over 24 hours, to show:
 - 2.1.b.i.** ±5% of reading ± precision; or
 - 2.1.b.ii.** Coefficient of determination (R²) of ≥ 0.95 through simple linear regression;
 - 2.1.c.** Resolution: 1.0 µg/m³;
 - 2.1.d.** Flow control accuracy of ± 5% of factory setpoint; and
 - 2.1.e.** Measurement Cycle: User selectable (30 minute and 2 hour).
- 2.2.** Monitors that have a valid *Monitoring Certification Scheme* certification meeting the latest version of the *Monitoring Certification Scheme (MCERTS): Performance Standard for Indicative Ambient Particulate Monitors* may be exempt from meeting the performance requirements listed above, but shall meet all stated physical requirements.

3. Quality Assurance/Quality Control Requirements

4. In order to ensure the validity of the PM₁₀ measurements performed, there ~~must~~shall be appropriate Quality Assurance/Quality Control (QA/QC). It is the responsibility of the owner or operator to adequately supplement QA/QC Plans to include the following critical features: instrument calibration, instrument maintenance, operator training, and daily instrument performance (~~span~~) checks.

**Appendix 2 — Objectives and Effectiveness of Dust Control Measures Set-Forth in
Subdivision (e)**

Dust Control Measure	Objective	Effectiveness
(e)(1) Fencing and Windscreen Requirement	To minimize off-site fugitive dust emissions containing toxic air contaminants, provide a wind break, act as containment, provide security, and limit access to unauthorized persons.	Any dust control measure that is equally or more effective in minimizing off-site fugitive dust emissions containing toxic air contaminants that may result in exposure to the general public and will limit public access to the site.
(e)(2) Water Application	To minimize fugitive dust emissions containing toxic air contaminants from earth-moving activities.	Any dust control measure that is equally or more effective at preventing the generation of visible dust plumes from earth-moving activities.
(e)(3) Vehicle Movement	To minimize fugitive dust emissions containing toxic air contaminants from on-site vehicles and as vehicles are moving off-site.	Any dust control measure that is equally or more effective at preventing the generation of dust plumes from on-site vehicle movement and any fugitive dust that can be tracked out of the site that can result in exposure to the general public.
(e)(4) Stockpiles	To minimize fugitive dust emissions containing toxic air contaminants from stockpiles.	Any dust control measure that is equally or more effective at minimizing fugitive dust emissions containing toxic air contaminants from stockpiles and that will prevent the generation of dust plumes from stockpiles that can result

Dust Control Measure	Objective	Effectiveness
		in exposure to the general public.
(e)(5) Truck Loading	To minimize fugitive dust emissions containing toxic air contaminants from truck loading and truck movement.	Any dust control measure that is equally or more effective at preventing a dust plume or fugitive dust occurring during the loading of soils containing toxic air contaminants into trailers and physical containment or other mechanisms to minimize fugitive dust from escaping the trailer during transport.
(e)(6) Truck Unloading	To minimize fugitive dust emissions containing toxic air contaminants from truck unloading and truck movement.	Any dust control measure that is equally or more effective at preventing a dust plume or fugitive dust occurring during the unloading of soils containing toxic air contaminants.
(e)(8) Earth Moving Activities at Certain Wind Speeds	To minimize fugitive dust emissions containing toxic air contaminants from high wind events.	Any dust control measure that is equally or more effective at preventing a dust plume or fugitive dust occurring during high wind events.
(e)(9) On-site Dust Control Supervisor	To require the on-site presence of a person that has specific training to ensure compliance with all rule requirements.	Any measure that ensures the on-site presence of a person with training covering the same material as that covered by an SCAQMD Fugitive Dust Control Class and appropriate credentials to handle applicable toxic air contaminants and that can

Dust Control Measure	Objective	Effectiveness
		ensure compliance with all rule requirements.
(e)(10) Application of Chemical Stabilizer During Periods of Inactivity	To minimize a dust plume or fugitive dust emissions containing toxic air contaminants from occurring on-site during periods of inactivity.	Any dust control measure that is equally or more effective at preventing a dust plume or fugitive dust emissions containing toxic air contaminants from occurring on-site during periods of inactivity.
(k)(3)/(k)(4) Direct Load into a Truck or Bin for Transport	To minimize a dust plume or fugitive dust emissions containing toxic air contaminants from truck loading and unloading.	Any dust control measure that is equally or more effective at preventing a dust plume or fugitive dust emissions containing toxic air contaminants from truck loading and unloading.

Appendix 2 – Procedures to Demonstrate Intra-Instrument Precision

An owner or operator shall perform the following procedures to demonstrate the intra-instrument precision of all PM₁₀ monitors as required in paragraph (d)(7).

1. Ensure monitors are identical in make and model, settings, and configuration.
2. Ensure monitor inlets are at the same height and located within 4 meters of each other but no less than 1 meter apart for the duration of the test.
3. Power on the monitors and turn on the heated sampler inlet. Allow the monitors to warm-up per manufacturer’s recommendations or when readings have stabilized.
4. For each monitor, conduct a zero calibration in accordance with manufacturer’s instructions, then conduct a manual zero check by removing any sampling inlet and installing a filter, rated by the manufacturer to achieve a 99.97 percent control efficiency for 0.3 micron particles, on the inlet of the monitor for a minimum of 10 minutes. If the monitors are operated using an auto-zero check procedure that directs filtered particle-free air into the measurement chamber, conduct the zero check in accordance with manufacturer’s instructions.
5. Log the PM₁₀ concentration reading every minute, and calculate and record the average of the readings of the manual zero check. The average of the manual zero check readings shall be 0 ± 3 micrograms per cubic meter before proceeding to Step 6. If conducting an auto-zero check, the monitor shall pass the zero check in accordance with manufacturer’s instructions before proceeding to Step 6. If any monitors fail either the manual zero check or the auto-zero check, the owner or operator shall conduct a zero calibration in accordance with manufacturer’s instructions and/or correct any issue(s) causing the failure, followed by conducting a passing zero check on the PM₁₀ monitor(s) in accordance with Steps 4 and 5.
6. Remove the filter and install the monitor inlet as required. After waiting 10 minutes, operate the monitors simultaneously and log the PM₁₀ concentration reading every minute for a minimum of 60 minutes.
7. Calculate the intra-instrument precision using either of the following equations:
 - a. Intra-instrument precision in relative standard deviation or correlation of variation (%) when ambient PM₁₀ concentrations are greater than or equal to 15 micrograms per cubic meter:

$$P = \frac{S_t}{C_t} \times 100\%$$

where,

$\underline{P} \equiv$ Intra-instrument precision in percent (%);

$\underline{S}_t \equiv$ Standard deviation of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration, to be calculated as:

$$\underline{S}_t = \sqrt{\frac{\sum(x_i - \bar{x})^2}{(n - 1)}}$$

where,

$\underline{x}_i \equiv$ Mean of the PM₁₀ concentration readings for a tested monitor over time t of testing duration,

$\underline{\bar{x}} \equiv$ Mean of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration, and

$\underline{n} \equiv$ Number of tested monitors; and

$\underline{C}_t \equiv$ Mean of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration; or

- b. Intra-instrument precision in absolute value (micrograms per cubic meter) when ambient PM₁₀ concentrations are less than 15 micrograms per cubic meter:

$$\underline{P} = \underline{S}_t$$

where,

$\underline{P} \equiv$ Intra-instrument precision in micrograms per cubic meter, and

$\underline{S}_t \equiv$ Standard deviation of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration.

8. Record the results of the calculations.

ATTACHMENT G

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report

Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants

June 2021

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APPENDIX I: COMMENTS AND RESPONSES

CHAPTER 1: BACKGROUND

INTRODUCTION

REGULATORY BACKGROUND

NEED FOR PROPOSED AMENDED RULE 1466

PUBLIC PROCESS

INTRODUCTION

Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants (Rule 1466) minimizes fugitive dust emissions containing toxic metals, pesticides, herbicides, polychlorinated biphenyls, and other toxic air contaminants from sites that meet the rule’s applicability requirements by establishing dust control measures that can be implemented during earth-moving activities. Applicable sites are those that are determined to have soil that contains one or more applicable toxic air contaminants and designated as cleanup sites by the U.S. Environmental Protection Agency (U.S. EPA), California Department of Toxic Substances Control (DTSC), State Water Resources Control Board (State Water Board), Regional Water Quality Control Board (Regional Water Board), or county, local or state regulatory agency. Additionally, Rule 1466 has a provision for the Executive Officer to identify sites, based on a set of criteria, to be subject to the requirements of the rule. The rule establishes a PM₁₀ ambient dust concentration limit and dust control measures. Notification to the Executive Officer is required prior to beginning earth-moving activities as well as when ambient PM₁₀ dust concentration limits are exceeded. Additional requirements include recordkeeping and signage. Currently, Rule 1466 allows alternative dust control measures, ambient dust concentration limits, signage, and other alternative provisions upon Executive Officer approval.

Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants (PAR 1466) will clarify existing provisions; update requirements for pre-approved monitors, and PM₁₀ monitoring and calculation; enhance dust control measures for vehicles, stockpiling, periods of inactivity, and sites adjoining a school, joint use agreement property, or athletic area; remove alternative provisions for dust control measures, ambient dust concentration limits, and other requirements; streamline provisions for existing fencing and signage; and add additional requirements for notifications and recordkeeping.

REGULATORY BACKGROUND

South Coast AQMD’s regulatory structure for fugitive dust and particulate matter includes rules that address fugitive dust (Rule 403 – Fugitive Dust); volatile organic compounds (VOCs) contaminated soil (Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil); and soil containing toxic air contaminant(s) (Rule 1466).

Rule 1466

Rule 1466 was adopted in July 2017 and filled a regulatory gap in controlling fugitive dust from soil containing non-VOC toxic air contaminants, requiring continuous ambient dust monitoring and implementation of enhanced dust control measures. The rule was amended in December 2017 to expand the list of applicable toxic air contaminants to include pesticides, herbicides, other metals, persistent bioaccumulative toxics, and semi-volatile organic compounds. The amendment also expanded the rule’s applicability to other government designated sites and clarified existing provisions.

Rule 1166

Rule 1166 was adopted in August 1988 and established requirements to control VOC emissions from excavating, grading, handling and treating VOC-contaminated soil as a result of leakages from storage or transfer operations, accidental spillage or other deposition. Although Rule 1166 targets VOC emission reductions, implementation of the rule also results in concurrent reductions in toxic-VOCs such as benzene, toluene, xylene, and ethylbenzene, which are generally associated

with petroleum products. The rule includes provisions for mitigation plans to limit VOC emissions, notification to the South Coast AQMD, and monitoring requirements; as well as measures to reduce VOC emissions during stockpiling and truck loading. Rule 1166 does not apply to sites with soils containing non-VOC toxics, such as metal toxic particulates and the toxic air contaminants covered under Rule 1466.

Rule 403

Rule 403 was adopted on May 7, 1976. The purpose of Rule 403 is to reduce particulate matter entrained in ambient air as a result of man-made fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions. Rule 403 limits particulate matter concentrations, when monitored, and contains control measures to limit fugitive dust. Rule 403 provides a menu of dust control guidance and options for the operator to select. Additional provisions, including more specific dust control measures, are included for large operations (> 50 acres) and for operations where fugitive dust concentrations exceed performance standards. Many sites with toxic air contaminant(s) in the soil are less than 50 acres, and therefore are not required to implement these additional and more specific dust control measures. Also, ambient dust monitoring is not always required under Rule 403. Even when monitoring is required, the $50 \mu\text{g}/\text{m}^3$ PM_{10} ambient dust concentration limit may not be sufficiently health protective for toxic air contaminants. Rule 403 and Rule 1466 have some similar provisions, but there is minimal overlap between the two rules for Rule 403 sites, as only a small number of sites are subject to Rule 1466 as compared to Rule 403. Generally, Rule 1466 has more stringent provisions than Rule 403. Where there is overlap in provisions between ~~Proposed Amended~~ Rule 1466 and Rule 403, the more stringent provision applies.

NEED FOR PROPOSED AMENDED RULE 1466

Clarifications are needed for certain monitoring, fencing, and stockpiling requirements to ensure provisions are enforceable. Enhanced monitoring requirements are needed to align with instrument advances. Instrumentation advances in PM_{10} monitoring methods have demonstrated that PM_{10} concentrations can be calculated on a continuous, real-time basis, which can improve the response to a PM_{10} limit exceedance and maintain fugitive dust mitigation. Between 2019 and 2020, there were 23 notified exceedances of the $25 \mu\text{g}/\text{m}^3$ PM_{10} concentration limit. These exceedances occurred at eight out of approximately seventy sites. Alternative provisions are removed to streamline rule implementation. Rule provisions including the PM_{10} limit, monitoring method, and calculation, dust control measures, signage, and direct loading requirements have been demonstrated to be achievable with few requests for alternative provisions.

PUBLIC PROCESS

PAR 1466 is being developed through a public process. South Coast AQMD has held two ~~Working Group Meetings~~ ~~working group meetings~~ remotely on January 14, 2021 and February 5, 2021, and one Instrument Sub-Committee Working Group Meeting remotely on March 23, 2021. The Working Group and Instrument Sub-Committee are each composed of representatives from businesses, environmental groups, public agencies, and consultants. The purpose of the ~~Working Group Meetings~~ ~~working group meetings~~ ~~is~~ ~~was~~ to discuss the proposed rule amendments and allow stakeholders the opportunity to provide input during the rule development process. Additionally, a Public Workshop was held on March 4, 2021.

CHAPTER 2: SUMMARY OF PROPOSAL

INTRODUCTION

PROPOSED AMENDED RULE 1466

Purpose (Subdivision (a))

Applicability (Subdivision (b))

Definitions (Subdivision (c))

Monitoring Requirements (Subdivision (d))

Requirements to Minimize Fugitive Dust Emissions (Subdivision (e))

Notification Requirements (Subdivision (f))

Signage Requirements (Subdivision (g))

Recordkeeping Requirements (Subdivision (h))

Executive Officer Designated Sites (Subdivision (i))

Alternative Provisions (Subdivision (j))

Exemptions (Subdivision (k))

Table I - Applicable Toxic Air Contaminants

Appendix 1 - Rule 1466 Approved PM₁₀ Monitors

Appendix 2 - Procedures to Demonstrate Intra-Instrument Precision

INTRODUCTION

PAR 1466 will clarify and streamline existing provisions, update monitoring requirements, enhance specific dust control measures, remove alternative provisions for most requirements, and add additional requirements for notifications and recordkeeping.

PROPOSED AMENDED RULE 1466

Purpose (Subdivision (a))

For consistency with the revised definition of “Earth-Moving Activities” in paragraph (c)(7) of the proposed amended rule, additional earth-moving activities of “dredging,” “earth-cutting and filling,” “loading,” “unloading,” and “mechanized land clearing” are added.

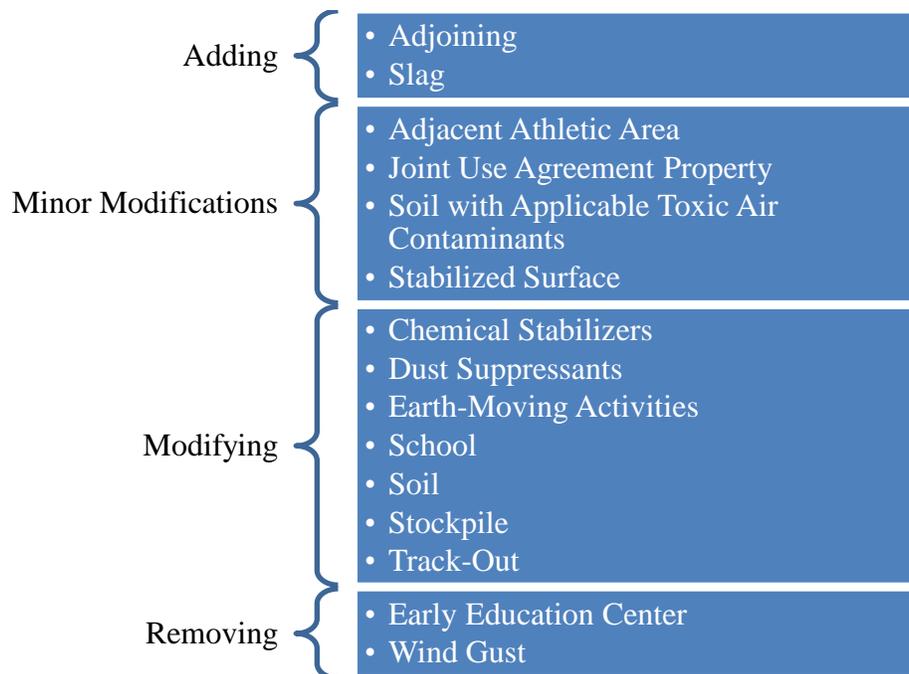
Applicability (Subdivision (b))

In December 2017, Rule 1466 was amended to expand the applicability of the rule to include Hazardous Material Release Sites designated and notified by county, local, or state regulatory agencies. The expanded applicability would be effective January 1, 2018. As this effective date has passed, PAR 1466 will remove this effective date.

Definitions (Subdivision (c))

PAR 1466 includes new, modified, and removed definitions, as listed in Figure 1.

Figure 1: Proposed Definition Revisions



Adjacent Athletic Area and Adjoining Sites (paragraphs (c)(2) and (c)(3))

PAR 1466 paragraph (e)(15) expands the enhanced fugitive dust control measures that currently apply to schools, joint use agreement properties, and adjacent athletic areas, to also include cleanup sites that are adjoining a school, joint use agreement property, or adjacent athletic area. The term

“Adjoining” is added in paragraph (c)(3) and refers to a site that is in physical contact with, or separated solely by, a public roadway or other public right-of-way. An “Adjacent Athletic Area” is now defined in paragraph (c)(2) as any outdoor or athletic field or park where youth organized sports occur that is in physical contact or separated solely by a public roadway or other public right-of-way to a school.

Chemical Stabilizers, Dust Suppressants, and Stabilized Surface (paragraphs (c)(4), (c)(6), and (c)(17))

The definitions for “Chemical Stabilizers” and “Dust Suppressants” are revised to remove circular references. To align with these changes, “Chemical Stabilizers” are incorporated into the definition of “Stabilized Surface” to indicate that a stabilized surface could be achieved through either use of dust suppressants or through chemical stabilization. Due to the proposed amendments to the definitions of chemical stabilizer, dust suppressant, and stabilized surface, all provisions requiring stabilization or a stabilized surface will now allow for the use of chemical stabilizer or dust suppressant to control dust from these sources. Additionally, requirements for how to use chemical stabilizers are removed from the “Chemical Stabilizers” definition and incorporated into paragraph (e)(13).

Earth-Moving Activities (paragraph (c)(7))

The definition for “Earth-Moving Activities” is clarified by removing “but not be limited to” and adding additional earth-moving activities of “dredging,” “handling,” “mechanized land clearing,” “treating,” “transferring,” “removing,” and “vehicular movement by equipment associated with these activities.” This definition also specifies vehicular movement that would not fall under the “Earth-Moving Activities” definition, including delivery vehicles, passenger vehicles transporting personnel to and from the site, vehicles used for administrative purposes, vehicles transporting personnel for the purposes of soil sampling and conducting ambient PM₁₀ monitoring requirements, watering trucks, and equipment used exclusively on an area(s) of the designated site that does not contain soil with applicable toxic air contaminant(s). Vehicular movement associated with activities to prepare the site prior to commencing a cleanup project, such as installing fencing and PM₁₀ monitors, also do not fall under this definition. Fugitive dust generated from vehicular movement or any other activity that is either excluded from or not identified in the “Earth-Moving Activities” definition is still subject to Rule 403. Filling operations with soil that is designated to have applicable toxic air contaminants but has been certified as clean by the designating agency after remediation would not fall under the “Earth-Moving Activities” definition.

Early Education Center and School (formerly paragraph (c)(6) and paragraph (c)(13))

For purposes of achieving consistency with recently adopted and amended South Coast AQMD rules, the definition of “School” is revised. This revised definition incorporates the definition of “Early Education Center” from paragraph (c)(6) in the current rule. As a result, the “Early Education Center” definition is deleted along with all references to “Early Education Center” in the rule provisions as well as in the definitions of “Adjacent Athletic Area” and “Joint Use Agreement Property.”

Slag and Soil (paragraphs (c)(14) and (c)(15))

A definition for “slag” is added in paragraph (c)(14) and is defined as the by-product material separated from metals during smelting or refining of ore. “Slag” was also added to the list of substances describing “Soil” in paragraph (c)(15) to clarify that soil includes this substance.

Stockpile (paragraph (c)(18))

The current definition of “Stockpile” excludes soil which has been covered or stabilized. This impacts the ability to enforce stockpiling requirements. The exclusion has been corrected.

Track-Out (paragraph (c)(19))

The definition of “Track-Out” is amended to clarify that depositions of soil onto a roadway that cannot be removed by a vacuum sweeper are not subject to the track-out provisions.

Wind Gust (formerly paragraph (c)(20))

This definition is removed as the rule’s various provisions for high winds do not reference wind gust.

Monitoring Requirements (Subdivision (d))

PAR 1466 will clarify existing monitoring and concentration calculation provisions to ensure appropriate enforcement of the PM₁₀ limit and enhance monitoring requirements to minimize monitoring data gaps and ensure accurate and precise PM₁₀ measurements.

Rule 1466 currently requires that the two-hour PM₁₀ concentration calculation starts at the top of each hour, despite earth-moving activities not starting at the top of the hour. The intent of the PM₁₀ calculation is to monitor the PM₁₀ concentration during periods of activity, not periods of inactivity. To clarify this intent, the start of the two-hour PM₁₀ concentration calculation is revised to begin when earth-moving activities commence and not at the top of the hour.

Also, as currently written, the PM₁₀ calculation does not reset after an exceedance of the 25 µg/m³ PM₁₀ concentration limit is addressed. After an exceedance is addressed, the two-hour averaging of the PM₁₀ concentration should be reset when earth-moving activities resume. If the cause of exceedance was addressed by applying dust suppressants or other mitigation measures, work could not resume until sufficient time had elapsed to allow the two-hour average to be below the standard. The intent of the PM₁₀ limit is to alert the operator when there is an exceedance of the limit to increase vigilance of implementing dust control measures; once those measure have been implemented, the operator should not be penalized for the previous exceedance in the current rolling average. To clarify this intent, a provision is added requiring that the two-hour averaging of the PM₁₀ concentration be reset when earth-moving activities resume.

Additionally, Rule 1466 currently requires that the PM₁₀ concentration be calculated as an absolute difference of the results between the upwind and downwind monitors at the site, regardless of wind direction. This has led to unnecessary delays or stoppages in earthmoving activities. If concentrations at the upwind monitor are elevated due to activities upwind of the site, the absolute difference methodology could result in an exceedance of the 25 µg/m³ PM₁₀ concentration limit even though the cause of the exceedance is not earth-moving activities on the site. To clarify this intent, provisions are added for designation of upwind monitors and downwind monitors.

Paragraph (d)(2)

PAR 1466 removes the provision which allows use of an alternative PM₁₀ limit. Based on rule implementation over the past three years, the 25 µg/m³ PM₁₀ limit is achievable, and only two sites have requested a higher PM₁₀ limit.

To clarify, PM₁₀ monitoring must continue as the owner or operator implements dust control measures to bring the PM₁₀ concentration below 25 µg/m³.

Paragraph (d)(3)

Paragraph (d)(3), which required that the PM₁₀ monitoring be conducted using a federal approved equivalent method or an alternative method approved by the Executive Officer, now removes the alternative method and specifies that the PM₁₀ monitoring must be conducted using a Rule 1466 Approved PM₁₀ Monitor.

Also, paragraph (d)(3) now specifies the requirements for placement and specifications of the PM₁₀ monitors. The monitors will continue to be placed in the seasonal prevailing wind direction upwind and downwind of the site and as close to the property line as feasible. However, as clarified in the proposed changes to subparagraph (d)(3)(B), the monitors will no longer be referred to as “upwind” and “downwind” monitors to allow for re-designation of the monitors corresponding to the wind direction when the direction of the wind shifts. Requirements for re-designating the monitors based on the wind direction change are also added in subparagraph ~~(d)(4)(D)~~(d)(9)(D) (formerly subparagraph (d)(4)(A)).

Subparagraph (d)(3)(C) (formerly subparagraph (d)(3)(D)) contains the requirement for PM₁₀ monitors to be identical in make and model, settings, calibration, configuration, and calibration, correction, and correlation factors. The term “settings” in subparagraph (d)(3)(C) refers to the run parameters entered into the instrument such as: flow rate, humidity control, conditioning of sample air stream, logging mode and averaging period, run times, zeroing, and correction factor. “Configuration” refers to any of the accessories on the PM₁₀ monitor such as the: inlet (omni directional, heated, cyclone, etc.), water trap, zero module, pump, and filter. The phrase “calibration, correction, and correlation factors” refers to any value that scales the concentration output. At the same time, subparagraph (d)(3)(D) (formerly subparagraph (d)(3)(E)) will require that each PM₁₀ monitor be operated, maintained, and calibrated in accordance with EPA documents for federal equivalent methods for PM₁₀ or manufacturer’s instructions, which may actually result in different calibration, correction, and correlation factors for each monitor. To avoid this contradictory result and to ensure that these factors determined pursuant to subparagraph (d)(3)(D) are applied as determined individually for each monitor, it is proposed that the term “calibration” and the phrase “calibration, correction, and correlation factors” be removed from subparagraph (d)(3)(C).

Paragraphs (d)(4) and (d)(5)

To align with the change of the two-hour average from a ten-minute rolling average to a one-minute rolling average, paragraph (d)(5) will require a data acquisition system (DAS) capable of logging direct-reading near real-time data every minute. Additionally, the date and time will need to be calibrated to Pacific Standard Time. Subparagraph (d)(3)(F), which currently requires a DAS capable of logging data every 10 minutes, is now moved to paragraph (d)(4). In order to allow time for stakeholders to prepare for implementation of the new DAS requirement, paragraph (d)(5) will become effective January 1, 2022.

Paragraph (d)(6)

Paragraph (d)(6) is added, which will require monitors to be operated with the heated sampler inlet on. This ensures that humidity will not affect the results of the PM₁₀ reading and that all instruments on-site are operating in the same manner, producing results that are as accurate as possible. In order to allow time for stakeholders to prepare for implementation of the heated sampler inlet requirement, paragraph (d)(6) will become effective January 1, 2022.

Paragraphs (d)(7) and (d)(8)

Two additional provisions are proposed to ensure accuracy and precision of the PM₁₀ measurements, which include an intra-instrument precision test (paragraph (d)(7)) and a manual zero check (paragraph (d)(8)). Before the monitors can be operated on the site to fulfill the monitoring requirements and proceed with earth-moving activity, the monitors must pass the weekly intra-instrument precision tests and daily zero checks. Prior to conducting the project and on a weekly basis thereafter for the duration of the project, the monitors need to be zero-calibrated then demonstrate an intra-instrument precision of no more than 25 percent when ambient PM₁₀ concentrations are 15 µg/m³ or greater, or no more than 5 µg/m³ when ambient PM₁₀ concentrations are less than 15 µg/m³. Prior to conducting earth-moving activities for the day, on a daily basis for the duration of the project, the monitors need to pass a manual zero test by demonstrating an average zero reading with a precision $\pm 3 \mu\text{g}/\text{m}^3$. If the monitors have an auto-zero check procedure that directs filtered particle-free air into the measurement chamber, a passing zero check in accordance with manufacturer's instructions can be conducted in lieu of conducting a manual zero check.

Procedures for conducting the intra-instrument test, including the equations to calculate the intra-instrument precision, are provided in PAR 1466 Appendix 2 - Procedures to Demonstrate Intra-Instrument Precision. Intra-instrument precision tests will ensure precise results. Using monitors that demonstrate an acceptable level of "precision," or degree of variation, is important to ensure accurate measurements and objective enforcement of the Rule 1466 PM₁₀ limit. The proposed 25 percent limit for intra-instrument precision is 15 percent higher than the acceptable relative standard deviation (10 percent) required in 40 CFR Part 53 – Appendix A Subpart C Table C-4¹ for measuring precision for PM₁₀ candidate equivalent methods. Staff has proposed, and instrument manufacturers agreed, that the proposed precision requirement is reasonable since these are not U.S. EPA Federal Equivalent Method (FEM) instruments and cannot be expected to meet the same specifications.

When ambient PM₁₀ concentrations are low, calculations to achieve a 25 percent precision are difficult and, therefore, an absolute value precision is needed. The *Monitoring Certification Scheme (MCERTS): Performance Standard for Indicative Ambient Particulate Monitors*², which is a reference used to develop the instrument requirements for this rule, contains a performance standard for intra-instrument uncertainty for PM₁₀ monitors in absolute value. The MCERTS intra-instrument uncertainty standard for a candidate PM₁₀ monitoring method, or a method being considered by the certification body, is $\leq 5 \mu\text{g}/\text{m}^3$ for all PM₁₀ concentration ranges of less than and greater than or equal to 30 µg/m³. The proposed 5 µg/m³ limit for intra-instrument precision is based on this intra-instrument uncertainty.

A lower limit value for ambient PM₁₀ concentrations is needed to determine if the intra-instrument precision should be calculated as a percent or an absolute value. The lower limit value for low-volume PM₁₀ samplers is $\geq 3 \mu\text{g}/\text{m}^3$ and the lower limit value for high-volume PM₁₀ samplers is $\geq 15 \mu\text{g}/\text{m}^3$ for measuring uncertainty of collocated samples required by 40 CFR Part 58 -

¹ "Test Specifications for PM₁₀, PM_{2.5} and PM_{10-2.5} Candidate Equivalent Methods." *Code of Federal Regulations* Title 40, Part 53, Appendix A, Subpart C, Table C-4.

² MCERTS (U.K. Environmental Agency Monitoring Certificate Scheme): performance standard for indicative ambient particulate monitors:
<https://www.gov.uk/government/publications/mcerts-performance-standard-for-indicative-ambient-particulate-monitors>

Appendix A Section 4.c.4³. Because staff expects the ambient concentrations will always meet or exceed the PM₁₀ concentration lower limit value of $\geq 3 \mu\text{g}/\text{m}^3$ staff has proposed a lower limit value of $15 \mu\text{g}/\text{m}^3$ to determine whether to demonstrate the 25 percent limit or the $5 \mu\text{g}/\text{m}^3$ limit.

Procedures for conducting the zero calibration and manual zero check are provided in Steps 4 and 5 of Appendix 2. Zero calibrations will ensure that the instrument corrects for measurement drift that occurs over time due to various factors by adjusting an internal instrument setting. Some particulate monitoring instruments allow the operator to perform a manual zero check where a HEPA or zero air filter is manually installed on the inlet of the instruments and the manual zero check confirms that the instrument is reading at or near “0” when clean (zero) air is introduced into the measurement chamber during normal operation. No adjustments are made during manual zero checks. The criteria for passing a manual zero check is demonstrating an average zero reading with a precision $\pm 3 \mu\text{g}/\text{m}^3$ over 10 minutes, which is above the instrument noise and indicates the air flow through the inlet is clean (near zero). Some particulate monitoring instruments are capable of performing auto-zero checks where the instrument can be programmed to redirect the sample air flow through an internal HEPA or zero air filter and the filtered air is then directed into the measurement chamber. If the monitors have this auto-zero capability, then passing the zero check in accordance with manufacturer’s instructions can be conducted in lieu of conducting a manual zero check. If a monitor fails a manual zero or auto-zero check, a zero calibration must be performed again and/or any issue(s) causing the zero check failure corrected, then a passing manual zero or auto-zero check be conducted before proceeding with monitoring.

Either a site operator, equipment rental company supplying the monitors, or other third party can conduct the intra-instrument precision tests. If an equipment rental company or other third party conducts the intra-instrument precision tests, the company must provide the site operator documentation with supporting data, to be made available to the Executive Officer upon request, certifying that these tests were conducted and demonstrated a passing intra-instrument precision pursuant to the limits specified in subparagraphs (d)(7)(A) or (d)(7)(B).

In order to allow time for stakeholders to prepare for implementation of these new provisions, paragraphs (d)(7) and (d)(8) will become effective January 1, 2022.

Paragraph (d)(9)

The calculation methodology currently used to determine the 120-minute rolling average PM₁₀ concentration is found in paragraph (d)(9). The average is now proposed to begin as work commences instead of at the top of the hour (subparagraph (d)(9)(A)) to ensure monitoring of PM₁₀ is conducted during periods of activity and minimize gaps in monitoring data.

Until December 31, 2021, the average will continue to be calculated every ten minutes (subparagraph (d)(9)(B)). Beginning January 1, 2022, subparagraph (d)(9)(C) requires that the average be calculated each minute covering the previous 120-minute period. Changing the two-hour average from a ten-minute rolling average to a one-minute rolling average updates the requirements to reflect current instrument technology capabilities. This delay in implementation is intended to provide stakeholders with sufficient time to prepare for implementation of the new provisions.

³ “Quality Assurance Requirements for Monitors Used in Evaluations of National Ambient Air Quality Standards.” *Code of Federal Regulations* Title 40, Part 58, Appendix A.

Currently, to calculate the PM₁₀ concentration, Rule 1466 uses the absolute difference between the two monitors. PAR 1466 proposes to designate a monitor(s) as the “upwind” monitor(s) while the other monitor(s) will be designated as the “downwind” monitor(s) depending on the wind direction. The concentration will be determined by subtracting the results of the upwind monitor(s) from the downwind monitor(s). Once the wind direction shifts to greater than ± 90 degrees from the seasonal prevailing wind direction, then the designation of monitors change and upwind becomes downwind and downwind becomes upwind (subparagraph (d)(9)(D)). Current Rule 1466 requires PM₁₀ to be calculated using absolute value, but that may trigger a PM₁₀ exceedance if there are activities upwind of the site elevating upwind concentrations. Removing the absolute value would better characterize PM₁₀ exceedances at the site.

New subparagraphs (d)(9)(G) and (d)(9)(H) will allow the rolling average to restart once work recommences after having ceased because of an exceedance. Specifically, the rolling average will restart after ceasing operations and applying dust suppressant or implementing other dust control measures until the ~~PM₁₀~~ PM₁₀ concentration falls to or below 25 $\mu\text{g}/\text{m}^3$ averaged over 30 minutes. The intent of the PM₁₀ limit is to alert the operator when there is an exceedance of the limit to increase vigilance of implementing dust control measures; once those measure have been implemented, the operator should not be penalized for the previous exceedance in the current rolling average.

PAR 1466 removes the provision which allows use of an alternative PM₁₀ concentration calculation method (previously subparagraph (d)(4)(D)). Based on rule implementation over the past three years, no sites have requested an alternative calculation method.

Paragraph (d)(10)

PAR 1466 adds a new provision to address operators that move the PM₁₀ monitors when there is a change in wind direction. Instead of placing a monitor(s) in the upwind location and a monitor(s) in the downwind location based on the seasonal prevailing wind direction as required in subparagraph (d)(3)(B) and re-designating the “upwind” and “downwind” monitors following a wind direction change greater than ± 90 degrees as required in subparagraph (d)(9)(D), the operator can now elect to place at least one monitor in the upwind direction and one monitor in the downwind direction of the site of earth-moving activity and move the monitors accordingly when there is a change in wind direction. Unless the site has additional upwind and downwind monitors that are not being moved, operators must stop earth-moving activities during monitor movement.

Paragraph (d)(11)

If a DAS fails to log ambient PM₁₀ data or the data management system fails to calculate PM₁₀ concentrations due to circumstances beyond the reasonable control of the owner or operator, such as internet issues or computer malfunctions, earth-moving activities may continue provided that the PM₁₀ concentration at each monitor is manually recorded once every ten minutes and the PM₁₀ concentration is calculated manually once every 10 minutes. As soon as practicable but no later than the start of the next working day, the owner or operator must correct the failure and restore the DAS or data management system to working condition.

Paragraph (d)(12)

Currently, Rule 1466 requires wind direction and speed to be monitored as specified in *U.S. EPA Quality Assurance Handbook for Air Pollution Measurement Systems, Volume IV: Meteorological Measurements*. Instrument manufacturers and site operators have commented, and staff agrees, that the high standard of wind monitoring specified in the U.S. EPA handbook may not be feasible,

particularly for small-scale and short-term projects. Therefore, to implement a more feasible standard of wind monitoring, PAR 1466 proposes that wind direction and speed be monitored using a stationary anemometer or wind sensor that is positioned over open, level terrain within the site at a height of at least eight feet from the ground, and the wind monitoring data logged using a data logger. The data logger must record the wind monitoring data at least once every minute and archive the data, including the date and time, calibrated to Pacific Standard Time. The anemometer or wind sensor must be capable of sampling wind direction to an accuracy of seven degrees at a resolution of \leq one degree, and sampling wind speed to an accuracy of \pm two mph or \pm five percent of the observed wind speed, whichever is greater, at a resolution of \leq one mph. Wind speed and direction performance criteria can be verified in the published literature for the anemometer or wind sensor. To ensure that the anemometer or wind sensor performance is accurate and precise, the anemometer or wind sensor must have National Institute of Standards and Technology (NIST) Traceability certification, which certifies that an unbroken chain of calibrations to NIST-maintained standards are established for the particular instrument⁴. Wind sensors that are integrated with the PM₁₀ monitor are acceptable if the sensors meet the wind speed and wind direction performance criteria and have NIST-Traceability certification. Use of handheld anemometers cannot be used to monitor the wind direction and speed required in this provision. The wind monitoring equipment must be operated, calibrated, and maintained in accordance with manufacturer's instructions, but no less frequent than once every six months of cumulative operation.

Paragraph (d)(13)

A request to be added as a Rule 1466 Approved PM₁₀ Monitor shall be submitted to Rule1466ApprovedMonitors@aqmd.gov and must include a description of the monitor, any accessories, and all monitor specifications and include documentation demonstrating compliance with each specification listed in *Appendix 1 - Rule 1466 Approved PM₁₀ Monitors* of the rule.

Requirements to Minimize Fugitive Dust Emissions (Subdivision (e))

The control measures to minimize fugitive dust are contained in subdivision (e) and include requirements for fencing, dust suppression, vehicular movement, stockpiles, truck loading, and others.

Paragraph (e)(1)

PAR 1466 incorporates a fencing provision which excludes the fencing requirement for sections of the perimeter that either have a solid physical barrier or have earth-moving activities occurring far away from fence line. The first proposed fencing provision (subparagraph (e)(1)(A)) allows a section of the perimeter to be excluded from fencing if that section has a solid physical barrier with the same height requirements as the fencing requirement. A solid physical barrier is a solid feature that minimizes air flow, such as a wall, metal or fiberglass panel, or storage or transport container. Commercial, industrial, or residential buildings with occupants and windows, trees, and vegetation are not considered solid physical barriers. Having a solid physical barrier with the same height requirements as the fencing will be as effective as installing fencing meeting the specified windscreen porosity of 50 ± 5 percent or mesh windscreen meeting the specified shade value or opacity of 85 ± 5 percent (paragraph (e)(2)) in minimizing dust crossing the property line. Subparagraph (e)(1)(B) allows a section of the perimeter to be excluded from fencing if that section is more than 300 feet away from any earth-moving activity. If the property line is far enough away

⁴ NIST Policy on Metrological Traceability: <https://www.nist.gov/calibrations/traceability>

from the earth-moving activities, then it is less likely that fugitive dust will cross the property line. These are exclusions from the fencing requirement and do not exclude any other provisions in the rule.

Paragraph (e)(2)

Currently, Rule 1466 requires fencing that consists of a windscreen with a porosity of 50 ± 5 percent. A windscreen with a porosity of 50 percent has been shown to provide optimum windbreak efficiency^{5,6}. In relation to particulate emissions, a 50% porosity windscreen of the same height of the material pile and same length as the base of the pile demonstrated emission reduction up to 97%⁷. Throughout implementation of Rule 1466, site operators have commented that it is difficult to find commercially available windscreens that state a porosity specification. Staff has identified only one windscreen manufacturer that states porosity specifications, but the windscreens offered are for permanent installation. Commercially available windscreens for temporary installation typically have a shade value or opacity specification, which is a measure of visibility that is blocked through the screen. Windbreak efficiency data is unavailable for shade value or opacity. However, fencing manufacturers providing shade value or opacity specified windscreen material have recommended to staff that a windscreen of 80-90% shade value or opacity is ideal for wind protection and dust control. Therefore, to address the availability of windscreens that can comply with Rule 1466, PAR 1466 proposes, effective January 1, 2022, to add a windscreen specification option of 85 ± 5 percent shade value or opacity. The proposed rule also adds “mesh” windscreens to add clarity to the shade value or opacity windscreen specification that the rule allows. Additionally, the height of the fencing must now be at least six inches taller than the height of the tallest stockpile.

Paragraph (e)(4)

Currently, Rule 1466 does not allow track-out to extend beyond 25 feet of the property line and requires track-out to be cleaned with a vacuum equipped with a filter rated to achieve 99.97 percent capture efficiency for 0.3 micron particles. PAR 1466 proposes to revise the provision to not allow track-out that is 25 feet or more in cumulative length instead of continuous length, in an effort to more closely align the provision with Rule 403 and further minimize total track-out from the site. The proposal also clarifies the frequency of track-out removal to be at a minimum once each day. Additionally, the proposal will correct the language regarding the filter efficiency to require 99.97 percent “control” efficiency, as opposed to “capture” efficiency; “control” efficiency refers to the percentage of particles in the air stream that can be trapped by the filter at a minimum particle size whereas “capture” efficiency refers to the percentage of particles in the air stream that can reach the filter.

Subparagraph (e)(4)(D) adds language to clarify that forced air cannot be used to clean soil from the exterior of trucks, trailers, and tires prior to the truck leaving the site as the use of forced air will create fugitive dust emissions. For the vehicle egress measures in subparagraph (e)(4)(E), PAR 1466 increases the width requirement of paving and wheel shaker/wheel spreading device to be 30 feet wide to align with the width requirement of the gravel pad.

⁵ U.S. EPA. 1985. Handbook for Dust Control at Hazardous Waste Sites. Prepared by PEI Associates Inc. Contract No. 68-02-3512.

⁶ U.S. EPA. 1986. Field Evaluation of Windscreens as a Fugitive Dust Control Measure for Material Storage Piles. Prepared by PEI Associates Inc. Contract No. 68-02-3995.

⁷ U.S. EPA. 1985. Windbreak Effectiveness for Storage-Pile Fugitive-Dust Control: A Wind Tunnel Study. Project Summary. Prepared by Billman BJ and Arya SPS.

Paragraph (e)(5)

PAR 1466 clarifications and enhancements related to stockpiles with soil containing applicable toxic air contaminant(s) are currently included in paragraph (e)(5). New subparagraph (e)(5)(B) is separated from subparagraph (e)(5)(A) to clarify that labeling only applies to stockpiles containing soils with toxic air contaminants. Subparagraph (e)(5)(D) (formerly subparagraph (e)(5)(c)) removes the height requirement for a stockpile. This provision is no longer needed since paragraphs (e)(1) and (e)(2) have a fencing height requirement based on the height of the tallest stockpile.

Due to the proposed amendments to the definitions of chemical stabilizer and dust suppressant, subparagraph (e)(5)(E) will now allow for the use of chemical stabilizer or dust suppressant to control dust from a stockpile. Subparagraph (e)(5)(E) will also allow an additional option to use a cover to control dust from a stockpile.

To minimize fugitive dust emissions to the surrounding community, subparagraph (e)(5)(F) now specifies that the provisions to stabilize and/or cover stockpiles apply whenever both earth-moving and ambient monitoring are not occurring. The stockpiles do not have to be completely covered or stabilized during periods of inactivity (breaks, lunch, etc.) if ambient monitoring continues. The requirements for daily stockpile inspection and stockpile covers in subparagraph (e)(5)(F) are moved to paragraphs (e)(12) and (e)(14), respectively.

Paragraphs (e)(6) and (e)(7)

For consistency and clarity, PAR 1466 will include the truck bed and trailer for truck loading and unloading activities.

Paragraph (e)(8)

PAR 1466 will remove the reference to “soil containing applicable toxic air contaminants” for removal of any spilled soil. Staff was concerned that referencing “soil containing applicable toxic air contaminants” implies operators would need to analyze spilled soil. The revision clarifies that any spilled soil will be required to be removed, which will ensure fugitive dust emissions will be minimized.

Paragraph (e)(11)

Instead of stabilizing sources of fugitive dust when there are no earth-moving activities occurring for three or more consecutive days, sources of fugitive dust must be stabilized whenever earth-moving activities are not occurring in the specific location(s) where there is a fugitive dust source. For example, if the owner or operator completes earth-moving activities at one or more locations containing a potential source of fugitive dust, and there are earth-moving activities occurring or will occur in other parts of the site, the owner or operator must stabilize or cover the fugitive dust sources even though earth-moving activity is still occurring on the site. This provision will minimize exposure of soil with toxic air contaminants to the surrounding community during all non-working hours instead of only when there are no earth-moving activities occurring for three or more consecutive days.

Paragraph (e)(12)

The daily inspection provision for stabilized and covered stockpiles is now moved from subparagraph (e)(5)(F) to this paragraph. Daily inspections are clarified to include days when no earth-moving activities are occurring, which is consistent with the original intent of the provision.

For stabilized stockpiles, daily inspections must include demonstration that stabilized stockpiles are stabilized pursuant to one or more South Coast AQMD dust control test methods. For covered stockpiles, daily inspection must include visual examination that stockpile covers are in good condition with no soil exposed to the atmosphere. Additionally, inspection includes verifying that labeling on contaminated stockpiles is accurate, affixed properly, and legible. Lastly, language that implied that re-stabilizing stockpiles or repairing holes or tears in covers is only necessary after inspections is now removed.

Paragraph (e)(13)

The specifications for use of a chemical stabilizer that were previously contained in the definition of the term “chemical stabilizer” are now included as requirements set forth in paragraph (e)(13) to ensure stockpiles and potential sources of fugitive dust are stabilized at all times when there is no earth-moving activity and ambient monitoring occurring.

Paragraph (e)(14)

Requirements for stockpile covers that were contained in subparagraph (e)(5)(F) are now included as requirements set forth in paragraph (e)(14). The unit of measurement for cover thickness is corrected to say “mil” not “millimeter”. Language is also added to allow covers thicker than 10 mil.

Paragraph (e)(15)

PAR 1466 expands the enhanced fugitive dust control measures that apply to schools, joint use agreement properties, and adjacent athletic areas, to sites that are adjoining a school, joint use agreement property, or adjacent athletic area. This will further protect children from a cleanup operation that is adjoining a school-related property. To be consistent with the changes in paragraphs (e)(6) and (e)(7) and with paragraphs (k)(3) and (k)(4), the direct soil loading into trucks is clarified to specify direct loading into truck beds or trailers.

Former Paragraph (e)(12)

PAR 1466 removes the general provision to allow use of alternative dust control measures. Alternatives previously identified over the past three years of rule implementation are instead included within the language of the rule where appropriate.

Notification Requirements (Subdivision (f))

Operators have provided input to staff about the lack of a provision addressing notifications of earth-moving activities of soils with applicable toxic air contaminant(s) that exceed 50 cubic yards after the activities have started. Staff has also requested that a notification be provided when earth-moving operations have concluded for the project.

Paragraph (f)(1)

PAR 1466 includes notification requirements for sites that exceed 50 cubic yards after the activities have started in clause (f)(1)(A)(ii). Those sites will be required to notify South Coast AQMD as soon as the information becomes available, but no later than 48 hours after the 50 cubic yard threshold has been exceeded. To be consistent with the enhanced provisions at properties adjoining schools, joint use agreement properties, and adjacent athletic areas, clause (f)(1)(B)(v) now includes notification if the site is adjoining a school, joint use agreement property, or adjacent athletic area.

Paragraph (f)(2)

PAR 1466 subparagraph (f)(2)(D) is added to require notification when the project's earth-moving activities are completed. Cleanup is deemed complete when there will be no further earth-moving activities and not necessarily when the designating agency removes the designation from the site. Notifying staff of project completion assists staff in inspection planning and complaint investigations.

Paragraph (f)(3)

When an exceedance occurs, subparagraph (f)(3)(E) will now require that the wind direction and speed and location of the PM₁₀ monitors be provided as part of the notification. This will ensure that the monitors are appropriately being designated as upwind and downwind.

Signage Requirements (Subdivision (g))

Signage is required to inform the community that the site may contain soils with toxic air contaminants. PAR 1466 retains the provision to allow requests for alternative signage, and several alternative provisions are proposed to be incorporated into this subdivision.

Paragraph (g)(1)

Clause (g)(1)(D)(ii) clarifies that on the signage, in addition to the facility contact, the phone number of the site operator or pre-recorded notification center specified in clause (g)(1)(D)(i) is required. PAR 1466 also separates paragraph (g)(1) into several parts. The provision allowing smaller lettering to list applicable toxic air contaminant(s) if the signage exceeds 48 inches by 96 inches is moved to paragraph (g)(2). Finally, the requirement for Executive Officer approval for alternative signage that was in paragraph (g)(2) is now moved to paragraph (g)(3).

Paragraph (g)(4)

PAR 1466 paragraph (g)(4) includes an exclusion for signage that would not require Executive Officer approval. Signage is not required along any section of the perimeter that is not visible and not accessible to the public. This exclusion does not apply to a perimeter that is a school, joint use agreement property, or adjacent athletic area or to a perimeter that is adjoining a school, joint use agreement property, or adjacent athletic area.

Recordkeeping Requirements (Subdivision (h))

Records are required to assist in the enforcement of the provisions of the rule.

Paragraph (h)(1)

Additional records are required to note that re-stabilization, cover repair, and label maintenance have been conducted.

Paragraph (h)(2)

Ambient PM₁₀ data, rolling average concentrations and calculations, wind direction and speed, movement of monitoring instruments corresponding to wind direction changes, proof of valid calibration of the monitors per manufacturer's recommended schedule (e.g. log inside the instrument firmware, manufacturer sticker on the instrument, manufacturer-issued certificate), manual zero or auto-zero check results, zero calibration records, intra-instrument precision test results, and instrument logs will be required.

Paragraph (h)(3)

Records of all instrument maintenance activities, including the dates and times of these activities, will be required. Instrument maintenance activities include zero calibration when there is zero drift

in the monitor readings, instrument cleaning and filter replacement after high particulate emission events (e.g. smoke from wildfires, high wind dust events), and instrument performance checks.

Paragraph (h)(4)

Documentation of all DAS and data management system failures will be required. The documentation should include the date and time of the failure, the date and time of the correction of the failure, the technical issue causing the failure, and steps taken to correct the failure and restore the failed DAS or data management system to working condition.

Paragraph (h)(8)

Copies of all submitted notifications for the project, either maintained on paper or electronic form, will be required.

Executive Officer Designated Sites (Subdivision (i))

For consistency and to further protect children from a cleanup operation that is adjoining a school-related property, PAR 1466 adds that distance to a joint use agreement property, adjacent athletic area, or a site adjoining a school, joint use agreement property, or adjacent athletic area be considered by the Executive Officer when designating a site.

Alternative Provisions (Subdivision (j))

Currently, Rule 1466 allows alternative dust control measures, ambient dust concentration limits, signage, and other alternative provisions upon Executive Officer approval. Alternative provisions were originally included when the rule was newly adopted to allow for flexibility to meet the rule requirements, ensuring the requirements were feasible and not disruptive to cleanup operations. Review of alternative provisions requests is resource intensive as the Executive Officer must evaluate that the alternative measure meets the same objectives and effectiveness as the provision the alternative is replacing. Over the three-year implementation period, no alternative measures were requested for a number of these provisions. PAR 1466 will incorporate additional measures as appropriate into the applicable provisions and remove alternative provisions for dust control measures, ambient dust concentration limits, and other requirements to streamline requirements. Alternative provision requests for signage requirements are retained and incorporated within the language of the rule. To align with the removal of alternative provisions for dust control measures, *Appendix 2 - Objectives and Effectiveness of Dust Control Measures Set Forth in Subdivision (e)* is proposed to be deleted. Proposed paragraph (j)(5) allows projects that currently have approved alternative provisions to continue using those provisions until their expiration dates, which will not be allowed to be renewed or extended.

Exemptions (Subdivision (k))

Exemptions provide regulatory flexibility for smaller or specialized cleanup operations. Currently, exemptions are provided for operations vented to air pollution control, linear trenching, excavations of less than 500 cubic yards, emergencies, and utility outages.

Paragraphs (k)(3) and (k)(4)

The alternative provisions for direct truck loading have been removed. Over the three-year implementation period, no alternative measures were requested for these provisions. To be consistent with the changes in paragraphs (e)(6) and (e)(7), direct soil loading into a truck is clarified to specify direct loading into a truck bed or trailer. Additionally, the requirements of stockpile inspections in paragraph (e)(12) and stockpile covering in paragraph (e)(14) are removed

as these requirements will no longer be applicable due to the removal of alternative provisions for these two exemptions.

Paragraphs (k)(5) and (k)(6)

“Active operations” is replaced with “on-site earth-moving activities” for consistency with the applicability of the rule to earth-moving activities on cleanup sites.

Table I - Applicable Toxic Air Contaminants

Table I lists the substances that applicable to Rule 1466. For clarification, congener names of the polychlorinated biphenyls (PCBs) listed in Table I - Applicable Toxic Air Contaminants are added. To clarify questions regarding whether or not Aroclors are included in Table I, the PCB with Chemical Abstract Service (CAS) Number 1336-36-3 does include Aroclors. In December 2017, Rule 1466 was amended to expand the list of applicable toxic air contaminants to include pesticides, herbicides, other metals, and persistent bioaccumulative toxics commonly found at contaminated sites above background levels. The expanded list became effective January 1, 2018. As this effective date has passed, PAR 1466 will remove reference to this effective date.

Appendix 1 - Rule 1466 Approved PM₁₀ Monitors

Rule 1466 Appendix 1 currently provides alternative Executive Officer approved PM₁₀ monitor requirements. PAR 1466 Appendix 1, now titled “Rule 1466 Approved PM₁₀ Monitors,” separates current requirements into physical and performance requirements for monitor approval.

Physical Requirements

The requirement for volumetric flow controller is removed and replaced with the requirement for a sample pump with an active flow control mechanism. The requirement for a volumetric flow controller excludes instruments with different flow control mechanisms (e.g. mass) from being pre-approved. This clarifies the requirement that monitors need to be equipped with a flow control mechanism and excludes monitors with no flow control mechanism and passive sampling devices. A requirement for conductive tubing that minimizes particle loss to be used for any external tubing used to carry sampled air, is added.

Performance Requirements

Throughout implementation of the Rule 1466 monitor approval requirements, staff has observed that manufacturers establish accuracy differently and some do not include accuracy in their instrument specification materials. “Accuracy” is the difference between the instrument measured value and a true value obtained by a reference method. To standardize the accuracy performance requirement for Rule 1466 approved monitors, PAR 1466 clarifies that accuracy be determined through factory testing against a U.S. EPA Federal Reference Method or Federal Equivalent Method, and the accuracy limit be demonstrated for a minimum of 30 measurements, each averaged over 24 hours. The minimum of 30 measurements is prescribed in Table C-4 of 40 CFR Part 53 Subpart C⁸ for measuring accuracy for PM₁₀ candidate equivalent methods. PAR 1466 also adds a statistical parameter, a coefficient of determination (R²) value of ≥ 0.95 obtained from simple linear regression, as an option to demonstrate accuracy. A requirement for the flow control accuracy of ± 5 percent of factory setpoint for the active flow sample pump is added. Additionally, a provision is added and allows monitors that have a valid Monitoring Certification Scheme certification meeting the latest version of *Monitoring Certification Scheme (MCERTS)*:

⁸ “Test Specifications for PM₁₀, PM_{2.5} and PM_{10-2.5} Candidate Equivalent Methods” *Code of Federal Regulations* Title 40, Part 53, Subpart C, Table C-4.

Performance Standard for Indicative Ambient Particulate Monitors to be exempt from meeting the performance requirements. These performance standards were used as a reference to develop the instrument requirements for this rule. Additionally, MCERTS certification is widely used by manufacturers to demonstrate instrument performance and reliability.

Quality Assurance/Quality Control Requirements

“Span” was removed from the language regarding daily instrument performance checks as span checks are typically with gas and vapor direct-reading instruments. Additional recordkeeping to demonstrate compliance with the quality assurance/quality control requirements for the monitors are added into subdivision (h).

Appendix 2 - Procedures to Demonstrate Intra-Instrument Precision

Appendix 2 includes the procedures and calculations necessary to demonstrate intra-instrument precision as required by paragraph (d)(7) as well as procedures necessary to conduct the manual zero check as required by paragraph (d)(8).

Steps 1 through 3 set up the PM₁₀ monitors for testing and ensure variables that contribute to differences in ambient measurement such as inlet height, monitor location, and instrument performance are consistent for the purpose of testing intra-instrument precision. All monitors to be tested must be:

1. The same in make and model, settings, and configuration;
2. Collocated such that the sampling inlets are the same height and between one and four meters apart; and
3. Powered on with the heated sampler inlet and fully warmed-up or have stabilized readings.

Steps 4 and 5 are the last preparation steps to ensure measurement errors are minimized before starting the intra-instrument precision test. Step 4 requires zero-calibrating each monitor in accordance with manufacturer’s instructions, then confirming the validity of each zero calibration by performing a manual zero check. Zero calibration is a procedure to correct an instrument for measurement drift and ensure the instrument is clean and there are no interferences. A zero check indicates that the instrument is reading “0” when measuring clean (zero particle) air. To conduct the manual zero check, the sampling inlet is removed and a HEPA or zero air filter is installed on the inlet of the monitor. If the monitors have an auto-zero check feature that directs filtered particle-free air into the measurement chamber, a passing zero check in accordance with manufacturer’s instructions can be conducted in lieu of conducting the manual zero check. Step 5 requires logging of the PM₁₀ readings every minute for at least 10 minutes while the HEPA or zero air filter is installed on the inlet and demonstrating an average of zero $\pm 3 \mu\text{g}/\text{m}^3$ from the logged PM₁₀ readings for each monitor as required by paragraph (d)(8). If the average PM₁₀ readings do not result in zero $\pm 3 \mu\text{g}/\text{m}^3$ or the auto-zero check fails for any of the monitors, then the monitor must be zero-calibrated again and/or corrected for any issue(s) causing the zero check failure and pass another manual zero check. After each monitor passes the manual zero or auto-zero check, the intra-instrument precision test can begin.

Steps 6 through 8 contain the actual intra-instrument precision test including the equations necessary to calculate the intra-instrument precision pursuant to paragraph (d)(7). This requires placing any sampling inlet that was removed back on the monitor and after 10 minutes of waiting, running the monitors simultaneously and logging the PM₁₀ readings every minute for at least 60 minutes. Step 7 specifies the equations to be used to calculate the intra-instrument precision. If the

logged PM₁₀ readings in Step 6 are $\geq 15 \mu\text{g}/\text{m}^3$, then the intra-instrument precision must be calculated pursuant to Step 7a. Step 7a contains the calculations corresponding to the 25 percent intra-instrument precision limit as specified in subparagraph (d)(7)(A) as a percent relative standard deviation or correlation of variation among the averaged PM₁₀ readings calculated for each tested monitor from the data logged during Step 6. If the logged PM₁₀ readings in Step 6 are $< 15 \mu\text{g}/\text{m}^3$, then the intra-instrument precision must be calculated pursuant to Step 7b. Step 7b contains the calculations corresponding to the $5 \mu\text{g}/\text{m}^3$ intra-instrument precision limit as specified in subparagraph (d)(7)(B) as a standard deviation among the among the averaged PM₁₀ readings calculated for each tested monitor from the data logged during Step 6. Step 8 requires recording the results of the calculations performed in Step 7.

CHAPTER 3: IMPACT ASSESSMENT

POTENTIALLY IMPACTED SITES

COMPLIANCE COSTS

SOCIOECONOMIC IMPACT ASSESSMENT

CALIFORNIA ENVIRONMENTAL QUALITY ACT

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE
SECTION 40727**

COMPARATIVE ANALYSIS

POTENTIALLY IMPACTED SITES

A review of Rule 1466 initial notifications submitted between 2019 and 2020 indicate approximately 32 sites per year have been subject to Rule 1466. Many of the initial notifications were submitted for multiple projects stemming from the Exide cleanup site. The number of applicable sites can fluctuate based on sites that meet the applicability provisions. The proposed amendments in PAR 1466 will not increase the number of affected sites.

COMPLIANCE COSTS

Proposed additional requirements for PM₁₀ monitoring, stabilization of soil, and dust control measures for sites adjoining schools, joint use agreement properties, and adjacent athletic areas will add some compliance costs to owners or operators. The costs are estimated using actual costs provided by facilities, instrument vendors, and cost estimates from previous rulemaking efforts for Rule 1466.

The requirement to have the heated inlet on at all times when operating the PM₁₀ monitors will increase power usage by approximately 200 watts per hour. While the electricity usage and cost is negligible, some sites may have to provide an electrical connection or additional solar panels. The cost to provide the electrical connection is estimated to be \$500 and the cost of additional solar panels is estimated to be \$1,000 to \$2,000 per site. In sum, the additional cost to have the heated inlet on at all times when operating the monitors will be between \$16,000 to \$64,000 per year.

The data management system needed to calculate and log the rolling 120-minute average will cost approximately \$2,100 for the system and data plan per site. Conservatively estimating that all of the sites will require an electrical connection and a data management system, the total annual cost increase will be approximately \$83,200.

Increasing the frequency of stabilizing the soil daily rather than when activity stops for three or more days will add approximately \$500 for water and dust suppressants per site. The estimated annual cost increase is \$16,000.

An estimated one site per year will be adjoining a school and be required to meet more stringent standards. From the Socioeconomic Assessment in June 2017 Final Staff Report for Proposed Rule 1466, the site adjoining a school-related property is expected to increase the use of water and dust suppressants and plastic sheeting to minimize fugitive dust from directly loaded soils prior to transport and install additional fencing for stockpiles. The estimated annual cost increase for these additional measures is \$4,200 per year.

The annual total cost increase resulting from PAR 1466 is estimated to be between \$3,600 and \$5,100 per typical site and between \$7,800 and \$9,300 per site adjoining a school, joint use agreement property, or adjacent athletic area. These annual total cost increases do not include the annualization of one-time costs of the electrical connection or additional solar panels for the heated inlet sampler and the data management system using a capital recovery factor based on the expected equipment life.

SOCIOECONOMIC IMPACT ASSESSMENT

California Health & Safety Code §40440.8 requires a socioeconomic impact assessment for proposed and amended rules resulting in significant impacts to air quality or emission limitations.

This assessment shall include affected industries, range of probable costs, cost effectiveness of control alternatives, and emission reduction potential. Proposed Amended Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants (PAR 1466) would require affected facilities to purchase additional equipment and increase power usage to meet the PM₁₀ monitoring requirements, as well as incur additional costs for fugitive dust suppression and soil stabilization.

Affected Facilities and Industries

PAR 1466 is expected to potentially affect a total of 32 sites per year, based on initial notifications received between 2019 and 2020. Many of the initial notifications were related to the Exide facility cleanup site, and the actual number of notifications can fluctuate based on sites that meet Rule 1466 applicability. About 40 percent of the affected facilities belong to the sector of lessors of real estate (North American Industrial Classification System [NAICS] code 5311). As presented in Table 3-1, 75 percent of the potentially affected sites are in Los Angeles County, while the remaining 25 percent are located in Orange, Riverside, and San Bernardino counties.

Table 3-1: PAR 1466 Affected Number of Facilities by County (2019 - 2020)

County	Affected Facilities
Los Angeles	24
Orange	5
Riverside	2
San Bernardino	1
Total	32

Costs

PAR 1466 would require affected facilities to install and purchase equipment to meet PM₁₀ monitoring requirements and dust minimization provisions. The enhanced monitoring provisions require the purchase of data management systems, and electrical installations to allow for calculating 120-minute rolling PM₁₀ concentration averages. In addition, PAR 1466 requires additional soil stabilization for affected facilities. The cost estimates were based on actual data provided by facility operators, instrument vendors, and cost estimates from previous rulemaking efforts for Rule 1466. All estimated 32 sites are expected to incur an equal share of the PAR 1466 compliance costs, except for one potential site that is adjoining a school that is expected to incur additional costs to meet the enhanced fugitive dust minimization requirements for sites adjoining schools, joint use agreement properties, or adjacent athletic areas.

Data Management Systems

Effective January 1, 2022, PAR 1466 would require Data Acquisition Systems to log 120-minute average PM₁₀ concentrations, calculated on a rolling basis every minute. Integration of the Data Acquisition System to a data management system with a data plan may be needed to conduct the new PM₁₀ calculation requirements. The data management system is expected to cost about \$1,300 per site (one-time), and the data plan for the data management system is expected to cost about \$825 per year. Projects subject to Rule 1466 can last longer or shorter than a year.

Electricity

The use of PM₁₀ monitors with heated inlets for PM₁₀ monitoring will require additional power to run the heated inlet at all times, which can be provided through electrical connection or solar

panels. An additional electrical connection is estimated at \$500 per site (one-time cost). Additional solar panels to power the heated inlet is expected to range from \$1,000 to \$2,000 per site (one-time). Increased power usage on the heated inlets for PM₁₀ monitors required by PAR 1466 is expected to be about 200 watts per hour. Assuming a rate of \$0.15 per kw/h, increased annual electrical costs will be about \$500 per site assuming a minimum of two monitors operating on the site (\$250 per monitor), or \$16,800 across all sites.

Dust Control and Soil Stabilization

Dust suppression requirements in PAR 1466 would require increased water and/or dust suppressant usage to reduce fugitive dust. An estimated cost of \$500 per site is expected to comply with this requirement. It is estimated that one site may be classified as a site that is adjoining a school. The site adjoining a school will be required to use additional dust minimization measures including additional water and dust suppressants, stockpile fencing, and plastic sheeting for directly loaded soils prior to transport at an estimated annual cost of \$4,200.

Cost Summary

One-time costs were annualized using a capital recovery factor based on the expected life of the equipment. Recurring costs were calculated as annual costs and are expected to reoccur throughout the use of the associated equipment. In total, the annual cost of all PAR 1466 expected compliance costs is about \$67,000 across all facilities. Table 3-2 below shows the breakdown of costs by industry. Lessors of real estate (NAICS 5311) account for about 44 percent of the total affected universe under PAR 1466, and account for over 47 percent of the total share of costs.

Table 3-2: PAR 1466 Annual Compliance Costs by Industry

6-digit NAICS	NAICS Industry Description	Number of Sites Potentially Affected by PAR 1466	Annual Cost to Industry	Percent of Total Cost
221122	Electric Power Distribution	2	\$3,913	5.9%
423930	Recyclable Material Merchant Wholesalers	1	\$1,956	2.9%
482111	Line-Haul Railroads	1	\$1,956	2.9%
485113	Bus and Other Motor Vehicle Transit Systems	1	\$1,956	2.9%
488310	Port and Harbor Operations	1	\$1,956	2.9%
531110	Lessors of Residential Buildings and Dwellings*	7	\$17,914	26.8%
531120	Lessors of Nonresidential Buildings (except Mini-warehouses)	7	\$13,694	20.5%
611110	Elementary and Secondary Schools	1	\$1,956	2.9%
621498	All Other Outpatient Care Centers	1	\$1,956	2.9%
622110	General Medical and Surgical Hospitals	1	\$1,956	2.9%
924110	Administration of Air and Water Resource and Solid Waste Management Programs	5	\$9,781	14.6%
925110	Administration of Housing Programs	1	\$1,956	2.9%
925120	Administration of Urban Planning and Community and Rural Development	1	\$1,956	2.9%
562212	Solid Waste Landfill	2	\$3,913	5.9%
Total		32	\$66,821	100%

* One site within this category incurs additional cost for additional dust minimization requirements as it is adjoining a school.

Regional Macroeconomic Impacts

South Coast AQMD does not estimate regional macroeconomic impacts when the total annual compliance cost is less than one million current U.S. dollars as the Regional Economic Models Inc. (REMI)'s Policy Insight Plus Model is not able to reliably evaluate impacts that are so small relative to the baseline regional economy.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption ~~will be~~ has been prepared pursuant to CEQA Guidelines Section 15062. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notice/ceqa-notice/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727

Requirements to Make Findings

California Health and Safety Code Sections 40727 and 40001(c) require that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference, and the problem alleviated, respectively, based on relevant information presented at the public hearing, and in the staff report in the rulemaking record and presented at the hearing.

Necessity

Proposed Amended Rule 1466 is needed clarify, update, and enhance provisions addressing monitoring, PM₁₀ calculation, dust control measures, signage, and notifications to ensure the provisions are enforceable, eliminate areas of confusion, and further minimize fugitive dust emissions to the surrounding community.

Authority

The South Coast AQMD Governing Board has authority to adopt amendments to Rule 1466 pursuant to the California Health and Safety Code Sections 39002, 39650 et. seq., 40000, 40001, 40440, 40441, 40702, 40725 through 40728, 41508, 41511, 41700, and 41706.

Clarity

Proposed Amended Rule 1466 is written or displayed so that its meaning can be easily understood by the persons directly affected by it.

Consistency

Proposed Amended Rule 1466 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

Non-Duplication

Proposed Amended Rule 1466 will not impose the same requirements as any existing state or federal regulations. The proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD. South Coast AQMD Rule 403

has some similar provisions but there is minimal overlap between the two rules for Rule 403 sites, of which only a small subset are also subject to Rule 1466. Generally Rule 1466 has more stringent provisions than Rule 403. Where there is overlap in provisions between Proposed Amended Rule 1466 and Rule 403, the more stringent provision applies.

Reference

By adopting Proposed Amended Rule 1466, the South Coast AQMD Governing Board will be implementing, interpreting or making specific the provisions of the California Health and Safety Code Section 41700 (nuisance), and Federal Clean Air Act Section 112 (Hazardous Air Pollutants), and Section 116 (Retention of State authority).

Rule Adoption Relative to Cost-Effectiveness

On October 14, 1994, the Governing Board adopted a resolution that requires staff to address whether rules being proposed for amendment are considered in the order of cost-effectiveness. The 2016 Air Quality Management Plan (AQMP) ranked, in the order of cost-effectiveness, all of the control measures for which costs were quantified. It is generally recommended that the most cost-effective actions be taken first. Although TXM-04 is a control measure that was included in the 2016 AQMP, Proposed Amended Rule 1466 was included in the 2016 AQMP as a toxic control measure and was not ranked relative to other criteria pollutant control measures in the 2016 AQMP.

Incremental Cost-effectivenessEffectiveness

Health and Safety Code Section 40920.6 requires an incremental cost effectiveness analysis for Best Available Retrofit Control Technology (BARCT) rules or emission reduction strategies when there is more than one control option which would achieve the emission reduction objective of the proposed amendments, relative to ozone, carbon monoxide, sulfur oxides, oxides of nitrogen, and their precursors. Since Proposed Amended Rule 1466 is a toxic rule that is designed to reduce toxic air contaminants, the incremental cost effectiveness analysis requirement does not apply.

COMPARATIVE ANALYSIS

Health and Safety Code Section 40727.2 requires a comparative analysis of the proposed amended rule with any Federal or District rules and regulations applicable to the same source. There are no applicable Federal rules.

	Proposed Amended Rule 1466	Rule 403	Rule 1166	Rule 1157	Rule 1403	Rule 1156
Purpose	Control fugitive toxic air contaminant emissions during earth-moving activities	Reduce anthropogenic fugitive dust	Control of VOC emissions (including toxic VOCs) from earth-moving activities	Control PM ₁₀ emissions from aggregate activities	Limit asbestos emissions	Reduce particulate matter (PM) and hexavalent chromium (Cr ⁶⁺) emissions
Applicability	Designated cleanup sites with specified toxic air contaminants; Executive Officer designated cleanup sites based on a set of criteria	Any activity or anthropogenic condition capable of generating dust	VOC contaminated soils	Sand, gravel, quarried rock operations	Building demolition and renovation activities	Cement manufacturing operations and the property
Monitoring	120-minute rolling average 25 µg/m ³ differential limit for PM ₁₀ emission; Meteorological monitoring	If monitored, five-hour 50 µg/m ³ differential limit for PM ₁₀ emission	15-minute monitoring of VOC emissions	None	None	Monitoring of: Cr ⁶⁺ , wind, and PM ₁₀ if owner/operator accrues three or more notices of violation for Rule 403 exceedance within 36-month period

	Proposed Amended Rule 1466	Rule 403	Rule 1166	Rule 1157	Rule 1403	Rule 1156
General Controls	Perimeter fencing and windscreen	Perimeter fencing and windscreen	None	None	Removal procedures	None
	Application of chemical stabilizers or dust suppressants during earth-moving activities	Adequately wet during earth-moving activities	Water or vapor suppressants for VOC concentrations > 1000 ppmv	None	Handling procedures	Application of dust suppressants
	Cease earth-moving operations during high wind conditions	During high wind conditions some requirements do not apply	None	None	None	Cease open handling of clinker material during high wind conditions
	Onsite compliance supervisor	Onsite compliance supervisor (large sites only)	None	None	Onsite compliance supervisor	None
	Earth-moving not allowed during hours of operation or facility-sponsored activities when conducted on or adjacent to school, early education center, or joint use agreement properties	None	None	None	None	None
	Vehicle Controls	Vehicle speed limit	Vehicle speed limit (large sites only)	None	Vehicle speed limit	Vehicle marking
Stabilize road and parking surfaces		Stabilize road and parking surfaces	None	Stabilize road and parking surfaces	None	Stabilize or apply gravel pad to roads
Clean departing vehicles		None	None	None	None	Truck cleaning on site
Limited track out		Limited track out	None	Limited track out	None	No track out
Vehicle egress		Vehicle egress	None	Vehicle egress	None	Vehicle egress
No internal paved road sweeping provision		None	None	None	None	Sweep internal paved roads

	Proposed Amended Rule 1466	Rule 403	Rule 1166	Rule 1157	Rule 1403	Rule 1156
Stockpile Controls	Limited size	None	None	Limited size	Leak-tight containers	None
	Adequately wet or chemically stabilized	Adequately wet or chemically stabilized	Wet or apply vapor suppressant	Adequately wet or chemically stabilized	None	Apply chemical dust suppressant
	Covered during inactivity	None	Covered during inactivity	Apply chemical stabilizer during inactivity	None	Covered
	Daily inspection	None	Daily inspection	None	None	Records of status of inactive clinker stockpiles
	Segregate	None	Segregate	None	None	None
	Limited at or adjacent to schools, early education centers and joint use agreement properties	None	None	None	None	None
	No freeboard requirement	None	None	None	None	Freeboard requirements
	No wind fence	None	None	None	None	Wind fence
Loading, Unloading and Transferring Controls	Adequately wet	Adequately wet	Moisten with additional water for VOC concentrations > 1000 ppmv	None	None	Apply dust suppressants as necessary
	Loading techniques	Loading techniques	Loading as soon as possible for VOC concentrations > 1000 ppmv	None	None	Minimize height of drop
	Stabilize and cover loads	Cover loads (contingency only)	Cover loads	None	None	Close cement truck hatches
	No requirement for enclosed system	None	None	None	None	Conduct in enclosed system vented to South Coast AQMD permitted air pollution control device
	No requirement for enclosed conveying systems and transfer points	None	None	None	None	Cover or enclose all conveying systems and enclose all transfer points
	No requirement for belt conveying system	None	None	None	None	Dust curtains, shrouds, belt scrapers, and gaskets along belt conveying system

	Proposed Amended Rule 1466	Rule 403	Rule 1166	Rule 1157	Rule 1403	Rule 1156
Notification	Prior to commencing and at the end of earth-moving activities	Prior to commencing earth-moving activities (large sites only)	Prior to commencing earth-moving activities	None	Prior to commencing asbestos handling	None
	Exceedances of PM ₁₀ limit	None	None	None	Changes in quantity or schedule	Exceedance of Cr ⁶⁺ , failing source testing compliance limits
	No advisory flyer requirement	None	None	None	None	Fugitive Dust Advisory flyer
Signage	Entrances and along perimeter	Entrances and along perimeter (large sites only)	None	None	Entrances and along perimeter	None
Recordkeeping	Monitoring results, dust control actions taken, stockpile inspections, volume of soil removed, transport information, complaints, intra-instrument precision testing and zero calibration, instrument maintenance and logs	Dust control actions taken (large sites only)	VOC concentration readings; stockpile inspections, transport information	Dust control actions, transport information	Control actions, survey data, notifications, training information, transport information	Dust control and cleaning activities, operation and production records, test reports, equipment records, material handling, monitoring data, maintenance activities, clinker pile reclamation, vehicle traffic

APPENDIX I: COMMENTS AND RESPONSES

Comment Letter 1

Aeroqual – March 11, 2021

Aeroqual feedback on Proposed Amended Rule 1466 (cont.) (Amended December 1, 2017)
PAR 1466 - 25

11th March 2021

Section d

- (3) (H) On and after January 1, 2022, prior to conducting any on-site earth-moving activities, and ~~weekly-monthly~~ thereafter, run intra-instrument precision tests with the PM10 monitors in accordance with Appendix 2 – Procedures to Demonstrate Intra-Instrument Precision, demonstrating an intra-instrument precision of no more than ~~±~~ 2 micrograms per cubic meter or ~~an intra-instrument relative precision of less than ±~~ 5 percent; and
- (3) (I) On and after January 1, 2022, ~~each day prior to conducting on-site earth-moving activities~~, perform a manual or automatic zero test ~~daily~~ on each PM10 monitor in accordance with manufacturer’s instructions.
- (6) When on-site earth-moving activities occur, the owner or operator shall monitor wind direction and speed as specified in U.S. EPA *Quality Assurance Handbook for Air Pollution Measurement Systems, Volume IV: Meteorological Measurements*.

Geoff Henshaw
Weekly is very onerous. Drift rates are such that monthly should be sufficient.] 1-1

Geoff Henshaw
A daily test makes sense but restricting the timing of it to the start of the day seems unduly onerous without a clear benefit.] 1-2

Geoff Henshaw
This is very high standard of measurement for wind speed and direction. Do you expect a site operator to install a 10 m met tower? Alternatively the rule could require a wind sensor to be fitted to one of the PM10 monitors or the site operator could rely on publicly available wind data.] 1-3

Appendix 1 – Executive Officer Rule 1466 Approved PM10 Monitors

The Executive Officer may approve PM10 monitors that meet the following physical and performance requirements, ~~Monitors that have a valid Monitoring Certification Scheme certification meeting the latest version of the Monitoring Certification Scheme (MCERTS): Performance Standard for Indicative Ambient Particulate Monitors may be exempt from meeting the requirements listed below.~~

Geoff Henshaw
We suggest this is moved to the top of the page and that MCERTS approved monitors may be exempt from both the physical and performance requirements since MCERTS approval is a comprehensive and robust test method.] 1-4

1. Physical Requirements

- 1.1. PM10 monitors must shall be continuous direct-reading near-real time monitors and shall monitor particulate matter less than 10 microns.
- 1.2. PM10 monitors must shall be equipped with:
 - 1.2.a. Omni-directional heated sampler inlet;
 - 1.2.b. Sample pump with active flow control mechanism and stated flow control accuracy of ±5 percent of factory setpoint;
 - 1.2.c. Enclosure; and
 - 1.2.d. Data logger capable of logging each data point with average concentration, time/date, and data point number; and
 - 1.2.e. For any external tubing used to carry sampled air prior to measurement, conductive tubing to minimize particle loss.

2. Performance Requirements

- 2.1. PM10 monitors must shall have the following minimum performance standards:
 - 2.1.a. Range: 0 - 10,000 µg/m3;
 - 2.1.b. Accuracy: ±5% percent of reading ± precision;
 - 2.1.c. Resolution: 1.0 µg/m3; and
 - 2.1.d. Measurement Cycle: User selectable (30 thirty minute and 2 two hour).
- 2.2. ~~Monitors that have a valid Monitoring Certification Scheme certification meeting the latest version of the Monitoring Certification Scheme (MCERTS): Performance Standard for Indicative Ambient Particulate Monitors may be exempt from meeting the performance requirements listed above, but shall meet all stated physical requirements.~~

] 1-5

3. Quality Assurance/Quality Control Requirements

In order to ensure the validity of the PM10 measurements performed, there shall be appropriate Quality Assurance/Quality Control (QA/QC). It is the responsibility of the owner or operator to adequately supplement QA/QC Plans to include the following critical features: instrument calibration, instrument maintenance, operator training, and daily instrument performance ~~span~~ checks.

Jason Thongplang
"Spanning" typically refers to supplying a known concentration of gas (at the 'span' concentration of around 75 to 80 per cent of the full scale range) and altering the instrument response to read the correct concentration. How would a site operator perform daily span checks on a PM instrument?] 1-6

Appendix 2 –Procedures to Demonstrate Intra-Instrument Precision

An owner or operator shall perform the following procedures to demonstrate the intra-instrument precision of all PM10 monitors as required in subparagraph (d)(3)(H):

- 1.Ensure monitors are identical in make and model, settings, and configuration.
- 2.Ensure monitor inlets are at the same height and located within four meters of each other but no less than one meter apart for the duration of the test.

3. Power on the monitors and turn on the heated sampler inlet. Allow the monitors to warm-up per manufacturer's recommendations or when readings have stabilized.

4. For each monitor, perform a manual zero test by removing any size-selective sampling inlet and installing a filter, rated by the manufacturer to achieve a 99.97 percent control efficiency for 0.3 micron particles, on the inlet of the monitor for a minimum of ten minutes.

5. Log the PM10 concentration reading every minute and calculate and record the average of the readings of the zero test. The average of the zero test readings shall be noted and used to correct for instrument bias for the readings obtained during the intra-instrument precision test.

6. Remove the filter and install the monitor inlet as required. For each instrument, wait 10 minutes, then log the PM10 reading every minute for the next 30 readings and calculate the average. Operate the monitors simultaneously for a minimum of 30 minutes.

7. Calculate the intra-instrument precision using either of the following equations:

a. Intra-instrument precision in relative percent (%):

$$P_r = St/Ct \times 100\%$$

where,

P_r = Intra-instrument precision in relative percent (%)

St = Standard deviation of the averaged PM10 concentration readings from all tested monitors over the time t of testing duration, and

Ct = Average of the averaged PM10 concentration readings from all tested monitors over the time t of testing duration, and

b. Intra-instrument precision in absolute value (micrograms per cubic meter):

$$P = St$$

Where

P = Intra-instrument precision in micrograms per cubic meter

1-7

1-8

Geoff Henshaw
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GH Geoff Henshaw
The standard deviation calculation should be stated

$$eg\ St = \sqrt{\frac{\sum (x - \bar{x})^2}{(n-1)}} \quad \text{where } x = \text{monitor averaged reading and } \bar{x} \text{ is mean of monitor averaged readings, } n = \text{number of monitors}$$

1-9

Response to Comment 1-1

Typically earth-moving activities for a project are conducted on a Monday to Friday schedule, with weekends being nonworking days. Since monitors would most likely not be operating on the weekends, staff believes weekly intra-instrument precision tests are needed to ensure measurements are continuously precise. A weekly intra-instrument precision test will also ensure measurements are accurate and precise for instances when projects have a duration of a month or less, another monitor(s) has to be introduced to the site, or a monitor(s) has to be replaced.

Response to Comment 1-2

Staff has revised this proposed language to require monitors pass a daily manual zero or auto-zero check prior to conducting earth-moving activities. Normally the daily schedule of earth-moving activities follow a typical workday (i.e. begin activity in the morning and end activity in the afternoon or evening), and therefore, monitoring would stop after the end of the workday and begin again on the next workday. Conducting a zero check prior to earth-moving activities confirms that the zero calibration on the instrument is still valid and ensures that measurement errors continue to be minimized before monitoring begins. Furthermore, time needed to conduct the zero check (a few minutes up to 10 minutes) is small.

Response to Comment 1-3

Staff has revised this provision to require the operator conduct wind monitoring using a minimum of one anemometer or wind sensor that meets the requirements set forth in PAR 1466 paragraph (d)(12).

Response to Comment 1-4

Staff has retained the MCERTS certification option in the Performance Requirements section and the language allowing MCERTS certification to be used to fulfill only the performance standards in lieu of demonstrating these standards. The Physical Requirements are unique to Rule 1466 and are not prescribed in *MCERTS: Performance Standard for Indicative Ambient Particulate Monitors*.

Response to Comment 1-5

To ensure that Rule 1466 approved monitors are highly accurate in measurement and robust in operation, staff has retained the 10,000 $\mu\text{g}/\text{m}^3$ maximum measurement for PM_{10} concentration range standard to exclude instruments that do not have an optics chamber for mass concentration measurement or cannot handle high particulate emissions (e.g. low-cost particulate sensors).

Response to Comment 1-6

Staff has corrected this language by removing “span.”

Response to Comment 1-7

Thank you for your comment. Staff has included the suggested language in the proposed amended rule.

Response to Comment 1-8

Thank you for your comment. Staff has included the suggested language in the proposed amended rule.

Response to Comment 1-9

Thank you for your comment. Staff has included the suggested standard deviation equation and language in the proposed amended rule.

ATTACHMENT H



South Coast Air Quality Management District

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1466 – CONTROL OF PARTICULATE EMISSIONS FROM SOILS WITH TOXIC AIR CONTAMINANTS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal which, upon posting, may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Planning and Research - State Clearinghouse
1400 Tenth St, Suite 222
Sacramento, CA 95814-5502

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Rule 1466 is designed to minimize the amount of off-site fugitive dust emissions by establishing dust control measure that can be implemented during earth-moving activities at applicable sites with soils containing one or more toxic air contaminants and designated as cleanup sites by the U.S. Environmental Protection Agency (U.S. EPA), California Department of Toxics Substances Control (DTSC), State Water Resources Control Board (State Water Board), Regional Water Quality Control Board (Regional Water Board), or county, local or state regulatory agency. The following amendments to Rule 1466 are proposed so as to further minimize fugitive dust emissions to the surrounding community and clarify and streamline existing provisions: 1) expand the types of earth-moving activities to include dredging, earth-cutting and filling, and mechanized land clearing; 2) enhance dust control measures for vehicles, stockpiling, periods of inactivity, and sites adjacent to schools, joint use agreement properties, and athletic areas; 3) remove alternative provisions for dust control measures, ambient dust concentration limits, and other requirements; 4) clarify and revise monitoring, PM10 calculation methodologies, and dust control measures; 5) add additional requirements for notifications and recordkeeping; and 6) streamline provisions for existing fencing and signage.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status: CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project is designed to enhance ongoing efforts to minimize off-site fugitive dust emissions occurring during earth-moving activities of soil containing toxic air contaminants which can be achieved without involving construction activities, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Hearing: June 4, 2021

CEQA Contact Person: Kendra Reif	Phone Number: (909) 396-3479	Email: kreif@aqmd.gov	Fax: (909) 396-3982
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Rule Contact Person: Charlene Nguyen	Phone Number: (909) 396-2648	Email: cnguyen@aqmd.gov	Fax: (909) 396-3982
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Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*

Barbara Radlein
Program Supervisor, CEQA
Planning, Rule Development, and Area Sources



Proposed Amended Rule 1466

Control of Particulate
Emissions from Soils with
Toxic Air Contaminants



Board Meeting
June 4, 2021

Background

- Rule 1466 was adopted July 7, 2017 and amended December 1, 2017
- Applies to earth-moving activities of soil containing toxic air contaminants at sites designated by a federal, state, county, or local regulatory agency
- Requires PM₁₀ ambient monitoring during earth moving activities and implementation of measures to minimize fugitive dust emissions
- Proposed Amended Rule 1466 (PAR 1466) will:
 - Update monitoring requirements
 - Enhance dust control provisions
 - Clarify existing provisions and streamline rule implementation



Monitoring



Updated monitor approval requirements

Added additional monitoring requirements and QA/QC procedures

Revised PM₁₀ calculation methodology

Revised wind monitoring requirements

Dust Control Measures



Extended enhanced dust control measures to sites adjoining school-related properties

Increased frequency of stabilization or covering of stockpiles and dust sources during periods of inactivity

Clarified requirement for operators to inspect stockpiles daily, including weekends

Added additional options for windscreen specifications to include more widely used standards

PAR 1466 Impacts to Sites

- PAR 1466 will potentially impact approximately 30 sites per year
- Estimated cost increase for each site is less than \$5,100 per year
- Estimated cost increase for each site adjoining a school-related property is less than \$9,300 per year



Summary and Recommended Actions

- PAR 1466 needed to clarify existing provisions and enhance key requirements
- Staff is not aware of any key issues
- Recommendation is to adopt the Resolution:
 - Determining that proposed amendments to Rule 1466 are exempt from California Environmental Quality Act; and
 - Amending Rule 1466



BOARD MEETING DATE: June 4, 2021

AGENDA NO. 33

PROPOSAL: Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-Hour Ozone Standard

SYNOPSIS: South Coast Air Basin and Coachella Valley are designated as Extreme and Severe nonattainment areas, respectively, for the 2015 8-hour ozone standard. For these nonattainment areas, U.S. EPA requires submittal of a nonattainment new source review (NSR) plan or plan revision. South Coast AQMD's existing SIP-approved nonattainment NSR program, which covers both the South Coast Air Basin and Coachella Valley and applies to new major stationary sources or major modifications to existing sources, satisfies this requirement. Therefore, no changes to the existing NSR program are needed to comply with the 2015 ozone standard nonattainment NSR requirements. For Extreme ozone nonattainment areas, the Clean Air Act also requires the use of clean fuels or advanced control technologies for electric utility and industrial and commercial boilers that emit more than 25 tons of NO_x per year. This requirement is fulfilled through South Coast AQMD's existing rules which regulate NO_x emissions from existing, new or modified boilers.

COMMITTEE: Stationary Source, May 21, 2021, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Certifying the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-Hour Ozone Standard; and
2. Directing staff to forward the Certification to CARB for approval and subsequent submission to U.S. EPA for inclusion in the SIP.

Wayne Nastri
Executive Officer

Background

In 2015, U.S. EPA strengthened the National Ambient Air Quality Standard (NAAQS or standard) for 8-hour ozone from 75 ppb to 70 ppb. Effective August 3, 2018, the South Coast Air Basin (Basin) and the Coachella Valley are classified as Extreme and Severe nonattainment areas, respectively, for the 2015 8-hour Ozone NAAQS. The federal Clean Air Act (CAA) requires that nonattainment areas submit a nonattainment new source review (NSR) plan or plan revision. Nonattainment NSR is a pre-construction review permit program for new or modified major stationary sources located in a nonattainment area. All nonattainment NSR programs have to require: 1) installation of the lowest achievable emission rate (LAER), 2) emission offsets and 3) opportunity for public involvement.

South Coast AQMD's existing NSR program implements the federal regulatory requirements for NSR and ensures that construction and operation of new, relocated, and modified stationary sources do not interfere with progress towards attainment of the NAAQS. In addition, for Extreme nonattainment areas, the use of clean fuels or advanced control technologies are required for electric utility and industrial and commercial boilers, as set forth in § 182(e)(3) of the CAA (Clean Fuels for Boilers). Specifically, each new, modified, and existing electric utility and industrial and commercial boiler emitting more than 25 tons per year of NO_x must either burn as its primary fuel¹ natural gas, methanol, or ethanol (or a comparably low polluting fuel) or use advance control technology (such as catalytic control technology or other comparably effective control methods) for reduction of NO_x emissions. According to U.S. EPA's 2018 final rule detailing the nonattainment area State Implementation Plan (SIP) implementation requirements for the 2015 ozone NAAQS², the SIP submittal addressing these two requirements must be submitted to U.S. EPA no later than August 3, 2021.

Proposal

Nonattainment NSR

The federal nonattainment NSR requirements for the 2015 ozone standard are addressed by South Coast AQMD's SIP-approved nonattainment NSR program, which is implemented through NSR rules (Regulation XIII), permit requirements (Regulation II), and the NSR requirements under the RECLAIM program (Regulation XX, Rules 2000, 2002 and 2005). South Coast AQMD's NSR rules (Regulation XIII) were first adopted in 1979, significantly amended in 1990, and again amended in 1995. U.S. EPA approved the 1995 amendments of the NSR rules into the SIP in December 1996. In that approval, U.S. EPA concluded that South Coast AQMD's NSR program meets the requirements of the CAA with regard to NSR for nonattainment areas of 1979 1-hour ozone NAAQS.

¹ For purposes of this subsection, the term "primary fuel" means the fuel which is used 90 percent or more of the operating time. This paragraph shall not apply during any natural gas supply emergency (as defined in title III of the Natural Gas Policy Act of 1978 [15 U.S.C. 3361 et seq.]).

² 83 FR 62998.

In 2017, South Coast AQMD submitted a certification of the nonattainment NSR program demonstrating that South Coast's NSR program met the nonattainment NSR requirements for the 2008 ozone NAAQS, which U.S. EPA subsequently approved in 2018. As specified in U.S. EPA's final implementation rule for the 2015 ozone standard, nonattainment areas must submit "a nonattainment NSR plan or plan revision for the 2015 ozone NAAQS." Staff evaluated the requirements in South Coast AQMD's existing NSR program compared to those in the federal nonattainment NSR regulations. Based on staff's analysis, the existing South Coast AQMD's nonattainment NSR program for the Basin and the Coachella Valley nonattainment areas is at least as stringent as the nonattainment NSR requirements for ozone and its precursors for the 2015 ozone standard. That analysis is included in Attachment B - Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard.

With respect to the interpollutant trading (IPT) provision of the NSR Program, the 2018 Implementation Rule for the 2015 Ozone Standard³ allows the voluntary use of IPT for emissions offsets. South Coast AQMD Rule 1309 (Emission Reduction Credits) allows the use of IPT for emissions offset contingent upon U.S. EPA's review and approval on a case by case basis. A recent court decision⁴ ruled that the IPT program violates the CAA. This ruling specifies that increases of VOC must be offset by VOC reductions so there can be no trading with NOx reductions. Therefore, the provisions allowing IPT for ozone precursors in U.S. EPA's nonattainment NSR regulations are vacated. As a result of this court decision, U.S. EPA will no longer approve any IPT as part of nonattainment NSR. Because the IPT provision in Rule 1309 would only be used if approved by U.S. EPA, the IPT provision in Rule 1309 satisfies the recent court decision for the 2015 ozone standard. This provision has seldomly been used in South Coast AQMD NSR program, and so as a practical matter, the recent court decision does not impact the program. South Coast AQMD therefore certifies that the IPT provision in Rule 1309 will not be used to issue an NSR permit for a major source of an ozone precursor. South Coast AQMD further commits to remove the IPT provision from Rule 1309 as it relates to ozone and its precursors in a future rule amendment, subject to Board approval.

In light of the above, no changes are necessary to South Coast AQMD's existing nonattainment NSR program to comply with the 2015 ozone standard nonattainment NSR requirements.

Clean Fuels for Boilers

Staff evaluated the requirements in South Coast AQMD existing rules regulating emissions from electric utility and industrial and commercial boilers. Based on staff's analysis, the requirements for Clean Fuels for Boilers are addressed through South Coast AQMD SIP-approved Rule 1146 (Emissions of NOx from Industrial,

³ 83 FR 62998.

⁴ Sierra Club, et al. v. EPA, No. 15-14654 (D.C. Cir. Jan. 29, 2021).

Institutional, and Commercial Boilers, Steam Generators, and Process Heaters), Rule 2002 (Allocations for NO_x and SO_x), Rule 2004 (Requirements for RECLAIM), and Rule 1303 (Requirements for NSR), which requires the use of clean fuel or advanced control technologies from existing, new or modified boilers. The requirements in Rules 1146, 2002, 2004, and 1303 are at least as stringent as those described in section 182(e)(3) of the CAA and no changes are needed to comply with the clean fuels for boilers requirements for the 2015 ozone standard. Details of staff's analysis are included in Attachment B.

In summary, the attached Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration fulfills the CAA requirements for the 2015 ozone NAAQS for the Basin and Coachella Valley.

Public Process

A draft Certification of Nonattainment NSR and Clean Fuels of Boilers Compliance Demonstration for 2015 8-hour Ozone Standard was released on April 7, 2021 for public review. No public comments were received as of April 26, 2021. A 30-day notice was published before holding the public hearing on the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard. The compliance demonstration was presented to the AQMP Advisory Group on May 18, 2021 and to the Stationary Source Committee on May 21, 2021.

Resource Impacts

The Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard has nominal additional impact on South Coast AQMD resources for a future rule amendment to address IPT. Staff is committed to prepare any additional adjustments to South Coast AQMD rules, if required by U.S. EPA, subsequent to SIP submittal.

AQMP and Legal Mandates

The Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard is required by the federal CAA and 40 CFR 51.165. Compliance with nonattainment NSR and clean fuels for boilers requirements for ozone nonattainment areas is part of the SIP (2022 AQMP) being developed to address the attainment of the 2015 ozone standard.

Attachments

- A. Resolution
- B. Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard
- C. Board Meeting Presentation

ATTACHMENT A

RESOLUTION NO. 21-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) certifying the Nonattainment New Source Review (NSR) and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard for the South Coast Air Basin (Basin) and the Coachella Valley.

A Resolution of the South Coast AQMD Governing Board directing staff to forward the Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard to CARB for its approval and subsequent submission to U.S. EPA for inclusion in the State Implementation Plan (SIP).

WHEREAS, in 2015, U.S. EPA strengthened the National Ambient Air Quality Standard (NAAQS or standard) for 8-hour ozone from 75 parts per billion (ppb) to 70 ppb; and

WHEREAS, effective August 3, 2018, the Basin is classified as an Extreme nonattainment area and the Coachella Valley is classified as a Severe nonattainment area with respect to the 2015 8-hour ozone NAAQS (83 FR 25776); and

WHEREAS, the federal Clean Air Act (CAA) requires nonattainment areas to submit a nonattainment NSR plan or plan revision for the 2015 ozone NAAQS; and

WHEREAS, for Extreme nonattainment areas, the use of clean fuels or advanced control technologies are required for electric utility and industrial and commercial boilers emitting more than 25 tons of NO_x per year, as set forth in § 182(e)(3) of the CAA; and

WHEREAS, according to U.S. EPA's 2018 final rule detailing the nonattainment SIP implementation requirements for the 2015 ozone NAAQS (83 FR 62998), the SIP submittal addressing the nonattainment NSR and clean fuels for boilers requirements must be submitted to U.S. EPA no later than August 3, 2021; and

WHEREAS, the South Coast AQMD Governing Board finds it necessary to certify the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard and submit it to U.S. EPA for inclusion in the SIP; and

WHEREAS, the South Coast AQMD's current SIP-approved nonattainment NSR program (Regulation II – Permits, Regulation XIII – New Source Review, and Regulation XX – Regional Clean Air Incentives Market (RECLAIM)), which covers both the Basin and the Coachella Valley, is at least as stringent as the

requirements at the Code of Federal Regulations Title 40 Section 51.165 (40 CFR 51.165) for ozone and its precursors. Therefore, no changes are necessary to South Coast AQMD's nonattainment NSR program to comply with the 2015 ozone standard nonattainment NSR requirements; and

WHEREAS, the clean fuels for boilers requirements set forth in the CAA are fulfilled through South Coast AQMD's SIP-approved Rule 1146 (Emissions of NOx from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters), Rule 2002 (Allocations for NOx and SOx), Rule 2004 (Requirements for RECLAIM), and Rule 1303 (Requirements for NSR), which regulate NOx emissions from existing, new or modified boilers; and

WHEREAS, the Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard satisfies the requirements for addressing the 2015 8-hour ozone NAAQS; and

WHEREAS, the draft Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard was released on April 7, 2021 for public review with comment period ending April 26, 2021; and

WHEREAS, the draft final Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard was released on May 4, 2021; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions regarding notice of submittal to the State Implementation Plan in 40 CFR 51.102; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing to consider Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies the manager of the Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration as the custodian of the documents or other materials which constitute the record of proceedings upon which the approval is based, which is located at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765; and

NOW, THEREFORE, BE IT RESOLVED, that the South Coast AQMD Governing Board finds that the Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration fulfills the CAA requirements for the 2015 8-hour Ozone Standard for the Basin and the Coachella Valley; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board certifies that South Coast AQMD will not use the interpollutant trading provision in Rule 1309(h) to issue an NSR permit for a major source of an ozone precursor; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board commits to amend Rule 1309 in a future rulemaking to remove the interpollutant trading provision as it relates to ozone and its precursors; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and the Certification of Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard to CARB for its approval and subsequent submittal to U.S. EPA for inclusion in the SIP.

DATE: _____

Clerk of the Boards

ATTACHMENT B

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Draft Final Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard

MAY 2021

Deputy Executive Officer

Planning, Rule Development, and Area Sources
Sarah L. Rees, Ph.D.

Assistant Deputy Executive Officer

Planning, Rule Development, and Area Sources
Ian MacMillan

Planning and Rules Manager

Planning, Rule Development, and Area Sources
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George Illes, Supervising Air Quality Engineer, South Coast AQMD

Reviewed by: Barbara Baird, Chief Deputy Counsel, South Coast AQMD
Susan Nakamura, Assistant Deputy Executive Officer, South Coast AQMD

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD**

Chairman: BEN BENOIT
Mayor Pro Tem, Wildomar
Cities of Riverside County

Vice Chairman: VANESSA DELGADO
Senate Rules Committee Appointee

MEMBERS:

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County of Orange

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JOE BUSCAINO
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City of Los Angeles Representative

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Mayor Pro Tem, South Pasadena
Cities of Los Angeles County/Eastern Region

GIDEON KRACOV
Governor's Appointee

SHEILA KUEHL
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County of Los Angeles

LARRY MCCALLON
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Cities of San Bernardino County

V. MANUEL PEREZ
Supervisor, Fourth District
County of Riverside

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Vice Mayor, City of Long Beach
Cities of Los Angeles County/Western Region

CARLOS RODRIGUEZ
Mayor Pro Tem, Yorba Linda
Cities of Orange County

JANICE RUTHERFORD
Supervisor, Second District
County of San Bernardino

EXECUTIVE OFFICER:
WAYNE NASTRI

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Background

In 2015, U.S. EPA strengthened the National Ambient Air Quality Standard (NAAQS or standard) for 8-hour ozone from 75 parts per billion (ppb) to 70 ppb. Effective August 3, 2018, the South Coast Air Basin (Basin) is classified as an Extreme nonattainment area and the Coachella Valley is classified as a Severe-15 nonattainment area for the 2015 ozone standard (83 Federal Register (FR) 25776). The Clean Air Act (CAA) requires that nonattainment areas submit a nonattainment new source review (NSR) plan or plan revision. Nonattainment NSR is a pre-construction review permit program for new or modified sources located in a nonattainment area. The requirements for nonattainment NSR for the ozone NAAQS are included in Code of Federal Regulations (CFR) § 51.165. In summary, all nonattainment NSR programs have to require (1) installation of the lowest achievable emission rate (LAER), (2) emission offsets and (3) opportunity for public involvement. In addition, for Extreme nonattainment areas, the use of clean fuels or advanced control technologies are required for electric utility and industrial and commercial boilers emitting more than 25 tons per year of NO_x, as set forth in § 182(e)(3) of the CAA (the requirement is herein referred as Clean Fuels for Boilers). According to the U.S. EPA's 2018 final rule detailing the nonattainment area State Implementation Plan (SIP) implementation requirements for the 2015 ozone NAAQS (83 FR 62998), the SIP submittal addressing these two requirements must be submitted to the U.S. EPA no later than August 3, 2021.

This document is developed to certify that South Coast AQMD's existing SIP-approved rules and regulations meet the requirements for nonattainment NSR and clean fuels for boilers. This document consists of two demonstrations: (1) Nonattainment NSR Compliance Demonstration for the South Coast Air Basin and the Coachella Valley and (2) Clean Fuels for Boilers Compliance Demonstration for the South Coast Air Basin.

Nonattainment New Source Review Compliance Demonstration

Nonattainment NSR SIP Provisions

South Coast AQMD's existing NSR program implements the federal statutory and regulatory requirements for NSR and ensures that construction and operation of new, relocated, and modified stationary sources do not interfere with progress towards attainment of the national ambient air quality standards. South Coast AQMD's NSR rules (Regulation XIII) were first adopted in 1979, significantly amended in 1990, and again amended in 1995 and subsequent years. The U.S. EPA approved the 1995 amendments of the NSR rules in the SIP in December 1996 (61 FR 64291). The U.S. EPA's approval concluded that the South Coast AQMD's NSR program met the requirements of the CAA with regard to NSR for nonattainment areas of NAAQS. In 2017, South Coast AQMD submitted a certification of the nonattainment NSR program demonstrating that the NSR regulations met the nonattainment NSR requirements for the 2008 ozone NAAQS. The U.S. EPA subsequently approved this certification in 2018 (83 FR 64026).

As specified in the U.S. EPA's final implementation rule for the 2015 ozone standard (83 FR 62998), nonattainment areas must submit "a nonattainment NSR plan or plan revision for the 2015 ozone NAAQS." The South Coast AQMD is certifying that the existing South Coast AQMD's nonattainment NSR program, covering the South Coast Air Basin and the Coachella Valley nonattainment areas, is at least as stringent as the requirements at 40 CFR 51.165 for ozone and its precursors, as amended by the final rule titled *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998). The certification includes an analysis of the South Coast AQMD's NSR rules (Regulation XIII), Permit requirements (Regulation II), and the NSR requirements under the South Coast AQMD's RECLAIM (REgional CLean Air Incentives Market) program (Regulation XX).

Table 1 is a checklist of ozone nonattainment NSR plan requirements and the corresponding South Coast AQMD's NSR rules that satisfy these requirements with respect to the 2015 ozone NAAQS.

Table 1
2015 Ozone NAAQS Nonattainment NSR SIP Requirements

40 CFR 51.165 Checklist		Compliance Demonstration South Coast AQMD Regulations II, XIII, and XX¹
1.	(a)(1)(iv)(A)(1)(i)-(iv) and (2): Major source thresholds for ozone – VOC and NOx	Rule 1302(p), and Rule 2000(c)(45)
2.	(a)(1)(iv)(A)(3): Change constitutes a major source by itself	Rule 1302(s), Rule 1303(a)(1) & (b)(2), Rule 2000(c)(48), and Rule 2005 (b) & (c)
3.	(a)(1)(v)(E): Significant net emissions increase of NOx is significant for ozone	Rule 1302(s), (u) & (aa), Rule 1303(a)(1) & (b)(2), and Rule 2005
4.	(a)(1)(v)(F): Any emissions change of VOC in Extreme area triggers NNSR	Rule 1302(o), (u) & (aa), and Rule 1303(a)(1) & (b)(2)
5.	(a)(1)(x)(A)-(C) and (E): Significant emissions rates for VOC and NOx as ozone precursors	Rule 1302(o), Rule 1303(a)(1), Rule 2000(c)(44), and Rule 2005
6.	(a)(3)(ii)(C)(1)-(2): Provisions for emissions reduction credits	Rule 1309, Rule 2002, and 2016 AQMP Appendix III
7.	(a)(8): Requirements for VOC apply to NOx as ozone precursors	1302(u) & (aa), and Rule 1303
8.	(a)(9)(ii)-(iv)²: Offset ratios for VOC and NOx for ozone nonattainment areas	Rule 1303(b)(2)(A), Rule 1315, and Rule 2005(b), (c), & (f)
9.	(i): Public participation requirements	Rule 212(g)

¹ The references in this table refer to SIP-approved versions of the rules, which can be found at the following U.S. EPA's webpage. <https://www.epa.gov/sips-ca/epa-approved-south-coast-air-district-regulations-california-sip>.

² Please note that subparagraphs (a)(9)(i)-(iii) were changed to (a)(9)(ii)-(iv) when the U.S. EPA added new subparagraph (a)(9)(i) under the 2008 PM2.5 Implementation Rule.

As outlined in Table 1, the requirements at 40 CFR 51.165 for ozone and its precursors are addressed in the South Coast AQMD's NSR (Regulation XIII, Regulation XX and Regulation II) program.

The section below describes the provisions that demonstrate how the South Coast AQMD's existing NSR program satisfies the requirements with respect to the 2015 ozone NAAQS.

1. 40 CFR 51.165 (a)(1)(iv)(A)(1)(i)-(iv) and (2) provide the definitions of "major stationary source" for ozone. In any extreme ozone nonattainment area, a stationary source that emits, or has the potential to emit, 10 tons per year of VOC or NO_x is considered a major stationary source. For severe ozone nonattainment areas, the thresholds are set at 25 tons per year of VOC or NO_x.

South Coast AQMD Rule 1302 (Definitions) consists of the definitions for all terms relating to pre-construction review requirements for new and modified sources in the South Coast AQMD's NSR program. For the South Coast Air Basin as an Extreme nonattainment area, Rule 1302 defines "major polluting facility" as any facility in the Basin that emits or has the potential to emit 10 tons per year or more of NO_x or VOC. For the Coachella Valley, as a Severe nonattainment area for the 2015 ozone standard, the SIP-approved version of Rule 1302 defines "major polluting facility" as any facility that emits or has the potential to emit 25 tons per year or more of NO_x or VOC. In July 2019, the Coachella Valley was reclassified from Severe to Extreme nonattainment for the 1997 8-hour ozone standard. As a consequence, Rule 1302 was amended on December 4, 2020 to change the definition of Major Polluting Facility for Coachella Valley as any facility that emits or has potential to emit 10 tons per year or more of NO_x or VOC. The 2020 version of Rule 1302 has been submitted to the U.S. EPA for inclusion in the SIP. Major Stationary Source under the South Coast AQMD's RECLAIM program³ is defined under Rule 2000(c)(45) as any facility which emits or has the potential to emit 10 tons per year or more of NO_x. These thresholds are at least as stringent as the requirements in 40 CFR 51.165.

2. 40 CFR 51.165 (a)(1)(iv)(A)(3) provides additional definition of "major stationary source", stating that it also includes "Any physical change that would occur at a stationary source not qualifying under paragraphs (a)(1)(iv)(A)(1) or (2) of this section as a major stationary source, if the change would constitute a major stationary source by itself."

South Coast AQMD's Rule 1303 (Requirements) requires the Executive Officer or designee to "deny the Permit to Construct for any relocation or for any new or *modified* source which results in an emission increase of any nonattainment air contaminant, any ozone depleting compound, or ammonia, unless Best Available Control Technology (BACT) is employed for the new or relocated source or for the actual modification to an existing source" (Rule 1303(a)(1); emphasis added).

³ RECLAIM is an emissions cap and trade program that was developed to reduce NO_x and SO_x emissions in South Coast AQMD.

BACT is defined to be at least as stringent as LAER for major sources (Rules 1303(a) and 1302(f)). It also requires that facilities with a net increase in emissions of any pollutant offset their emissions for that pollutant, unless the new or modified facility has a potential to emit less than 4 tons per year of NO_x or VOC (Rule 1304(d)). South Coast AQMD Rule 1302 (Definitions) defines “modification” as “any physical change in equipment, change in method of operation, or an addition to an existing facility, which may cause the issuance of air contaminants” (Rule 1302(s)). Thus, the applicability of the South Coast AQMD NSR program goes beyond the definition of “major stationary source” in 40 CFR 51.165.⁴

South Coast AQMD Rule 2005 (New Source Review for RECLAIM) sets forth pre-construction review requirements for new facilities subject to the RECLAIM program, for modifications to RECLAIM facilities, and for facilities which increase their allocation to a level greater than their starting Allocation plus non-tradable credits (Rule 2005(b) and (c)). Rule 2000(c)(48) defines “modification” as “any physical change or change in the method of operation of a source.” As such, the NSR requirements for the RECLAIM program satisfy 40 CFR 51.165 (a)(1)(iv)(A)(3).

3. 40 CFR 51.165 (a)(1)(v) concerns “major modifications” in an NSR program. Part (E) of this section requires that for purposes of “applying the requirements of (a)(8) of this section to modifications at major stationary sources of nitrogen oxides located in ozone nonattainment areas or in ozone transport regions, whether or not subject to subpart 2, part D, title I of the Act, any significant net emissions increase of nitrogen oxides is considered significant for ozone.”⁵

South Coast AQMD’s NSR program requires that any relocation, new, or modified source resulting in an emission increase of any nonattainment air contaminant apply BACT (Rule 1303(a)(1)). BACT is defined as at least as stringent as LAER for major sources (see Rules 1303 and 1302). It also requires that facilities with a net increase in emissions of any nonattainment air contaminant offset their emissions for that pollutant (Rule 1303(b)(2)). South Coast AQMD Rule 1302 defines “modification” as “any physical change in equipment, change in method of operation, or an addition to an existing facility, which may cause the issuance of air contaminants” (Rule 1302(s)). Rule 1302 defines the term “nonattainment air contaminant” to include “any air contaminant for which there is a national or state ambient air quality standard, or precursor to such air contaminant” (Rule 1302(u)). VOC and NO_x are identified as precursors of ozone in the NSR program (Rule 1302(aa)). As such, any net emissions increase of nitrogen oxides is subject to NSR, not just “significant” levels. (See Item 5 below.)

⁴ Sources using the Priority Reserve and other exempt sources are discussed under Item 8.

⁵ Section (a)(8) referenced above states that “the requirements of this section applicable to major stationary sources and major modifications of volatile organic compounds shall apply to nitrogen oxides emissions from major stationary sources and major modifications of nitrogen oxides in an ozone transport region or in any ozone nonattainment area, except in ozone nonattainment areas or in portions of an ozone transport region where the Administrator has granted a NO_x waiver”

RECLAIM facilities are subject to South Coast AQMD Rule 2005 (New Source Review for RECLAIM). Facilities that were included in RECLAIM with new or modified equipment prior to October 14, 1993 were required to hold RTCs for the annual increase at the potential to emit for the first year. Any new facility that is permitted after October 14, 1993 that enters RECLAIM after October 14, 1993 must hold RTCs for the annual potential emissions increase at the commencement of each compliance year. Sources causing emissions increases must be equipped with BACT (Rule 2005(b)(1)(A), (c)(1)(A), and (c)(4)).

4. 40 CFR 51.165 (a)(1)(v) concerns “major modifications” in an NSR program. Part (F) of this section requires that “Any physical change in, or change in the method of operation of, a major stationary source of volatile organic compounds that results in any increase in emissions of volatile organic compounds from any discrete operation, emissions unit, or other pollutant emitting activity at the source shall be considered a significant net emissions increase and a major modification for ozone, if the major stationary source is located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title I of the Act.”

South Coast AQMD’s NSR program requires that any relocation, new, or modified source resulting an emission increase of any nonattainment air contaminant apply BACT (Rule 1303(a)(1)). It also requires that facilities with a net increase in emissions of any pollutant offset their emissions for that pollutant (Rule 1303(b)(2)). South Coast AQMD Rule 1302 defines “modification” as “any physical change in equipment, change in method of operation, or an addition to an existing facility, which may cause the issuance of air contaminants.” Rule 1302 defines the term “major modification” to include any physical change in equipment, change in method of operation, or an addition to an existing facility that will cause an increase of one pound per day or more, of the facility’s potential to emit NO_x and VOC, provided the facility is located in the South Coast Air Basin (Rule 1302(o)(1)). For an existing major polluting facility located in the Coachella Valley, the SIP-approved version of Rule 1302 defines major modification as any modification that will cause an increase of 25 tons per year or more, of the facility’s potential to emit NO_x or VOC. On December 4, 2020, Rule 1302 was amended to change the definition of Major Modification for Coachella Valley as an increase of one pound per day or more, of the facility’s potential to emit NO_x or VOC. The 2020 version of Rule 1302 has been submitted to U.S. EPA for inclusion in the SIP. Rule 1302 defines the term “nonattainment air contaminant” to include “any air contaminant for which there is a national or state ambient air quality standard, or precursor to such air contaminant” (Rule 1302(u)). VOC are identified as precursors of ozone (Rule 1302(aa)). As such, any relocation, new, or modified source resulting an emission increase of VOC triggers nonattainment NSR, including BACT and offsets, in the South Coast Air Basin.

5. 40 CFR 51.165 (a)(1)(x) addresses what it means to be a “significant” net emissions increase in an NSR program. The significant emission rate outlined in § 51.165 (a)(1)(x)(A) for ozone is 40 tons per year of VOC or NO_x pollutant.

Notwithstanding the rate discussed above, per (a)(1)(x)(B), significant means “any increase in actual emissions of volatile organic compounds that would result from any physical change in, or change in the method of operation of, a major stationary source locating in a serious or severe ozone nonattainment area ... if such emissions increase of volatile organic compounds exceeds 25 tons per year.”

Section (a)(1)(x)(C) states that for the purposes of applying the requirements of paragraph (a)(8) to modifications at major stationary sources of nitrogen oxides, “the significant emission rates and other requirements for volatile organic compounds ... shall apply to nitrogen oxides emissions.”

Finally, per section (a)(1)(x)(E), notwithstanding the significant emissions rates for ozone discussed above, “any increase in actual emissions of volatile organic compounds from any emissions unit at a major stationary source of volatile organic compounds ... shall be considered a significant net emissions increase.”

In the South Coast AQMD’s NSR program, any new or modified source which results in an emission increase of any nonattainment air contaminant (i.e., NO_x or VOC) is subject to the BACT and offset (except for Priority Reserve and exempt sources, discussed below in Item 8) requirements, thus the threshold is anything greater than zero (Rule 1303(a)(1)). The SIP-approved version of Rule 1302 defines the term “major modification” to include any physical change in equipment, change in method of operation, or an addition to an existing facility that will cause an increase of one pound per day or more, of the facility’s potential to emit NO_x and VOC, provided the facility is located in the South Coast Air Basin (Rule 1302(o)(1)). For an existing major polluting facility located in Coachella Valley, the SIP-approved version of Rule 1302 defines major modification as any modification that will cause an increase of 25 tons per year or more, of the facility’s potential to emit NO_x or VOC (Rule 1302(o)).⁶

For the RECLAIM NSR program, “major modification” is defined under the SIP-approved version of Rule 2000(c)(44) as any modification at an existing major polluting facility that will cause an increase of one or more pounds per day in the facility’s potential to emit NO_x or VOC, provided the facility is located in the South Coast Air Basin; or any modification that will cause an increase of 25 tons per year or more, in the facility’s potential to emit NO_x or VOC, provided the facility is located in the Coachella Valley.⁷

Overall, the thresholds of “major modification” in Rule 1302 and Rule 2000 are equal to or lower than those listed in § 51.165 (a)(1)(x)(A). South Coast AQMD’s NSR program (Regulation XIII

⁶ On December 4, 2020, Rule 1302 was amended to change the definition of Major Modification for Coachella Valley as an increase of one pound per day or more, of the facility’s potential to emit NO_x or VOC. The 2020 version of Rule 1302 has been submitted to U.S. EPA for inclusion in the SIP.

⁷ On December 4, 2020, Rule 2000 was amended to change the definition of Major Modification for Coachella Valley as any modification at an existing major polluting facility that will cause an increase of one pound per day or more of the facility’s potential to emit NO_x. The 2020 version of Rule 2000 has been submitted to the U.S. EPA for inclusion in the SIP.

and Rule 2005) applies to any new or modified source which results in an emission increase of NO_x or VOC. Thus, the requirements in § 51.165 (a)(1)(x)(B), (C), and (E) are satisfied.

6. 40 CFR 51.165 (a)(3)(ii)(C)(1)-(2) describes provisions for emissions reduction credits.

Section (a)(3)(ii)(C)(1) provides that the SIP shall provide that emissions reductions achieved by shutting down an existing emission unit or curtailing production or operating hours may be credited for offsets if they meet the following requirements:

- Such reductions are surplus, permanent, quantifiable, and federally enforceable;
- The shutdown or curtailment occurred after the last day of the base year for the SIP planning process. A reviewing authority may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year “if the projected emissions inventory used to develop the attainment demonstration explicitly includes the emissions from such previously shutdown or curtailed emission units.”

Section (a)(3)(ii)(C)(2) provides that the emissions reductions that do not meet the requirements in paragraph (a)(3)(ii)(C)(1)(i) may be generally credited only if:

- The shutdown or curtailment occurred on or after the date the construction permit application is filed; or
- The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions achieved by the shutdown or curtailment met the requirements of paragraph (a)(3)(ii)(C)(1)(i).

South Coast AQMD Rule 1309 (Emission Reduction Credits) addresses the application, eligibility, registration, use, and transfer of Emission Reduction Credits (ERCs) that are used as offsets for emission increases at new or modified facilities subject to Rule 1303(b)(2). Under Rule 1309, all stationary and mobile source reductions must be demonstrated to be: (A) real; (B) quantifiable; (C) permanent; (D) federally enforceable, and (E) not greater than the equipment would have achieved if operating with current BACT to be eligible as ERCs (i.e., surplus) (Rule 1309 (b)(4)(A)-(E)). Thus, the provisions in Rule 1309 satisfy the federal statutory requirements for emission reduction credits in an NSR program. Details on the basis for calculating the applicability of NSR as it relates to the determination of ERCs could be found in Rule 1306 (Emission Calculations).

Evaluation of the pre-base year offsets is found in the 2016 Air Quality Management Plan (2016 AQMP Appendix III, Page III-2-74⁸). Shutdowns and curtailments that occurred prior to the last day of the base year are explicitly included in the projected emissions inventory as growth. The

⁸ <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/appendix-iii.pdf?sfvrsn=6>.

growth of point and area sources subject to NSR offset requirements necessarily comes from pre-base year offsets that were shut down before the base year. This is because emissions offsets derived from sources that shutdown after the base year are accounted for in the baseline inventory. When those sources shut down, the most their offsets can do is replace the emissions from that shutdown source. Any growth above that base year is therefore supported from the offsets derived from the pre-base year reductions. Appendix III of the 2016 AQMP (Table III-2-20) shows that the growth projection for sources subject to NSR consists of emissions from pre-base year shutdowns. South Coast AQMD's NSR program is thus consistent with the requirements of 40 CFR 51.165 (a)(3)(i)(C)(1)-(2).

South Coast AQMD Rule 2002 (Allocations for Oxides of Nitrogen (NO_x) and Oxides of Sulfur (SO_x)) addresses the treatment of emissions reduction credits for the RECLAIM program. For NO_x RECLAIM facility shutdowns, RTCs are reduced to the equivalent of the average emissions of the highest 2 years from the previous 5 years of operation, less the emissions that would have occurred if the most stringent Best Available Retrofit Control Technology (BARCT) were applied. This requirement is applicable to NO_x RECLAIM facilities identified in Table 7 and Table 8 of Rule 2002. More details regarding applicability and RTC availability upon facility shutdowns can be found in Rule 2002(i).

7. 40 CFR 51.165 (a)(8) states that requirements applicable to “major stationary sources and major modifications of volatile organic compounds shall apply to nitrogen oxides emissions from major stationary sources and major modifications of nitrogen oxides.”

Nonattainment air contaminants, including NO_x and VOC as ozone precursors, are subject to South Coast AQMD Rule 1303 (Requirements) provisions (Rule 1302(u) and (aa)). RECLAIM facilities are subject to RECLAIM NSR (Rule 2005). Thus, the NSR requirements applicable to major stationary sources and major modifications specified in Rules 1302, 1303 and 2005 apply to both VOC and NO_x emissions, as applicable.

8. 40 CFR 51.165 (a)(9)(ii)-(iv) describes the requirements of offset ratios for VOC and NO_x for ozone nonattainment areas. For severe and extreme nonattainment areas, § 51.165 (a)(9)(ii) requires the offset ratio to be “at least 1.2:1 if the approved plan also requires all existing major sources in such nonattainment area to use BACT for the control of VOC”. § 51.165 (a)(9)(ii)(D) and (E).

The offset ratios for the South Coast AQMD's NSR program are described in Rule 1303(b)(2). Unless a source is exempt from the offset requirements, it must offset its emission increase by either (1) ERCs (Rule 1309); or (2) allocations from the South Coast AQMD's Internal Bank (Rule 1303(b)(2)). Offset ratios must be 1.2-to-1.0 for ERCs, and 1.0-to-1.0 for allocations from South Coast AQMD's Internal Bank. South Coast AQMD requires that all existing major sources employ BARCT, which is defined similarly to federal BACT (Health & Safety Code § 40406), therefore,

sources within the South Coast AQMD can use a 1.2-to-1.0 offset ratio for ozone precursors (i.e., NO_x and VOC).

With respect to sources that are exempt from the South Coast AQMD's offset requirements pursuant to Rule 1304 or qualify for offsets from the South Coast AQMD's Internal Bank, which has an emission offset ratio of 1.0-to-1.0, SIP-approved Rule 1315 (Federal New Source Review Tracking System) maintains the South Coast AQMD's ability to issue permits to these sources (77 FR 31200). The South Coast AQMD's computerized emission tracking system is utilized to demonstrate equivalence with federal offset requirements on an aggregate basis. Each year, a status report⁹ is prepared by the South Coast AQMD staff to demonstrate compliance with federal NSR requirements by establishing aggregate equivalence with federal offset requirements for sources that were not exempt from federal offset requirements, but were either exempt by the South Coast AQMD from offsets or obtained their offsets from the South Coast AQMD's Internal Bank. Federal debits and credits accounting for South Coast AQMD's offset accounts are conducted pursuant to the same procedures previously agreed to by the U.S. EPA and as delineated in Rule 1315. For federal equivalency demonstrations, an offset ratio of 1.2-to-1.0 is used for extreme nonattainment air pollutants (ozone and ozone precursors, i.e., VOC and NO_x). That is, 1.2 pounds are deducted from South Coast AQMD's Internal Bank for each pound of maximum allowable permitted potential to emit VOC or NO_x increase at a federal source. More details about the debit and credit accounting, as well as the detailed listing of actual final withdrawals, deposits, and sum of withdrawals and deposits can be found in the yearly Status Report on Regulation XIII (New Source Review).¹⁰ Overall, South Coast AQMD's NSR program is considered to provide equivalent or greater offsets of emissions as required by federal requirements for each subject pollutant provided the balance of offsets left in the South Coast AQMD's federal offset account for each pollutant remains positive, indicating that there were adequate offsets available.

South Coast AQMD Rule 2005 (New Source Review for RECLAIM), implements the NSR requirements in the context of a cap and trade program. There are three requirements for RECLAIM that provide NSR programmatic equivalency. First, RECLAIM facilities must provide (hold), prior to the start of operation, sufficient RECLAIM Trading Credits to offset the annual increase in potential emissions for the first year of operation at a 1.0-to-1.0 ratio (Rule 2005(b)(2)(A) and (c)(2)). All new RECLAIM facilities that received all South Coast AQMD Permits to Construct on or after October 15, 1993, as well as all other RECLAIM facilities that increase their annual allocations above the level of their starting allocations plus non-tradable/non-usable credits, must provide sufficient RTCs to offset the annual potential emissions increase from new or modified source(s) at a 1.0-to-1.0 ratio at the commencement of each compliance year after the start of operation of the new or modified source(s) (Rule 2005(c)(4)(B) and (f)). Second, the

⁹ South Coast AQMD demonstrates compliance through two reports (Preliminary Determination of Equivalency and Final Determination of Equivalency) for a single reporting period.

¹⁰ The most recent Status Report on Regulation XIII (New Source Review) can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-feb5-016.pdf?sfvrsn=2>.

facility must demonstrate by modeling that the operation will not result in a significant increase in the air quality concentration of NO_x if the facility's total emissions exceed its 1994 starting allocation plus non-tradable credits (Rule 2005(b)(1)(B) and (c)(1)(B)). Third, sources causing emissions increases must be equipped with BACT (Rule 2005(b)(1)(A), (c)(1)(A), and (c)(4)). Although RECLAIM allows a 1-to-1 offset ratio for emissions increases, RECLAIM complies with the federal 1.2-to-1 offset requirement for NO_x on an aggregate basis. If aggregate RECLAIM emissions do not exceed aggregate allocations, all unused allocations are available to provide offsets beyond the 1-to-1 ratio for NSR emission increases. Each year, an annual program audit report is provided to assess NSR permitting activities to verify that programmatic compliance of RECLAIM with federal and state NSR requirements has been maintained. In the most recent Annual RECLAIM Audit Report for Compliance Year 2019, RECLAIM demonstrated federal equivalency with a programmatic NO_x offset ratio of 1,504-to-1 based on the compliance year's total unused allocations and total NSR emission increases for NO_x.¹¹ Overall, RECLAIM complies with the federal 1.2-to-1 offset requirement for NO_x on an aggregate basis, as verified yearly through the Annual RECLAIM Audit Report.

9. 40 CFR 51.165 (i) states that the reviewing authority shall notify the public of a draft permit by a method described in either paragraph (i)(1) or (2) of this section. The selected method, known as the "consistent noticing method," shall comply with the public participation procedural requirements of § 51.161 of this chapter and be used for all permits issued under this section 51.165 and may, when appropriate, be supplemented by other noticing methods on individual permits.

South Coast AQMD's SIP-approved version of Rule 212 (Standards for Approving Permits) requires the process for public notification and comment for new or modified sources subject to Regulation XX, RECLAIM facilities, or Outer Continental Shelf Facilities located within 25 miles of the State's seaward boundary and for which the South Coast AQMD has been designated as the corresponding onshore area, which undergo construction or modifications resulting in an emissions increase exceeding the daily maximums (30 pounds of VOC per day or 40 pounds of NO_x per day). The process for public notification and comment shall include all of the applicable provisions of 40 CFR 51.161(b) and 40 CFR 124.10. The federal public notice and comment procedures, as described in Rule 212(g), require that the public notice be distributed to the broadest possible scope of interested parties, and include, at a minimum, the following:

- (1) Availability of information submitted by the owner or operator, and of South Coast AQMD's analyses of the effect on air quality for public inspection in at least one location in the area effected;

¹¹ Annual RECLAIM Audit Report for 2019 Compliance Year.
<http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-mar5-033.pdf?sfvrsn=2>.

- (2) Notice by prominent advertisement in the area affected of the location of the source information and the South Coast AQMD’s analyses of the effect on air quality;
- (3) Mailing a copy of the notice required in paragraph (2) to the following persons: The applicant the Administrator of U. S. EPA through Region 9, the Air Resources Board, affected local air pollution control districts, the chief executives of the city and county or the onshore area that is geographically closest to where the major stationary source or major modification would be located, any comprehensive regional land use planning agency, and State, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the regulated activity; and
- (4) A 30-day period for submittal of public comments.

As such, South Coast AQMD Rule 212 satisfies the public participation requirements, as set forth in 40 CFR 51.165 (i).

Nonattainment NSR SIP Optional Provisions

In addition to the mandatory requirements described in the section above, the nonattainment NSR SIP may include discretionary programs allowing the use of project emissions accounting. Table 2 is a checklist of Nonattainment NSR optional SIP requirements for the 2015 8-hour ozone NAAQS.

Table 2
2015 Ozone NAAQS Nonattainment NSR SIP Optional Provisions

40 CFR 51.165 Checklist		Compliance Demonstration South Coast AQMD Regulation XIII
1.	(a)(2)(ii)(G): Allows use of Project Emissions Accounting	Not Applicable

- 1. 40 CFR 51.165 (a)(2)(ii)(G) requires that the “sum of the difference” as used in paragraphs (C), (D) and (F) of this section shall include both increases and decreases in emissions calculated in accordance with those paragraphs.

The basis for determining applicability of South Coast AQMD NSR program is defined in Rule 1306 (Emission Calculations). South Coast AQMD’s existing NSR program does not implement the optional provision of project emission accounting for NSR applicability determination.

Nonattainment NSR – Interpollutant Trading for Emissions Offsets

The 2018 Implementation Rule for the 2015 ozone standard (83 FR 62998) allows the use of interpollutant trading for offset. 40 CFR 51.165 (a)(11) describes provisions for the use of interpollutant offsetting, or interpollutant trading or interprecursor trading or interprecursor offset substitution for ozone. South Coast AQMD Rule 1309 (Emission Reduction Credits) addresses the application, eligibility, registration, use and transfer of emission reduction credits. Rule 1309(h) provides a provision that allows the use of interpollutant offset for ozone, contingent upon the U.S. EPA’s review and approval on a case by case basis:

For the use of interpollutant offsets, stating that the Executive Officer or designee may approve interpollutant offsets on a case-by-case basis, provided that the trade results in an equivalent or greater offset of the new, modified, or relocated source’s nonattainment pollutants; and that the applicant demonstrates, to the satisfaction of the Executive Officer or designee, that the emissions from the new or modified source will not cause or significantly contribute to the violation of an ambient air quality standard as specified in Table A-2. All interpollutant trading shall be subject to EPA’s review and approval.

As described above, Rule 1309(h) allows for interpollutant offset trades on a case-by-case basis, and all trading are subject to the U.S. EPA’s review and approval. However, due to the extensive resources and modeling involved with the interpollutant trading process, the interpollutant trading (IPT) provision has seldomly been utilized in the South Coast AQMD’s NSR program.

On January 29, 2021, the D.C. Circuit Court of Appeals¹² ruled that the IPT program violates the Clean Air Act which specifies that increases of VOC must be offset by VOC reductions so there can be no trading with NOx reductions, thereby vacating the provisions allowing IPT for ozone precursors in the U.S. EPA’s nonattainment NSR regulations. As a result of this court decision, the U.S. EPA will no longer approve any interpollutant trading. Given that Rule 1309 already requires the U.S. EPA’s review and approval of all interpollutant trading, the IPT provision in Rule 1309 satisfies the recent court decision for the 2015 ozone standard. Nevertheless, in light of the D.C. Circuit Court of Appeals January 29, 2021 decision vacating the IPT provision for ozone precursors, South Coast AQMD certifies that the IPT provision in Rule 1309(h) will not be used to issue an NSR permit for a major source of an ozone precursor. South Coast AQMD also commits to remove the IPT provision from Rule 1309 as it relates to ozone and its precursors in the future rule amendment. Currently, South Coast AQMD’s NSR program is going through a rulemaking process to address the NSR requirements related to the transition of RECLAIM facilities from a cap-and-trade program to a command-and-control regulatory structure. As part of the NSR amendment for the RECLAIM transition, the IPT provision in Rule 1309 will be removed to be

¹² Sierra Club, et al. v. EPA, No. 15-14654 (D.C. Cir. Jan. 29, 2021).

consistent with the recent court ruling. As such, we conclude that Rule 1309 meets the nonattainment NSR requirements for the 2015 ozone standard.

Clean Fuel for Boilers Compliance Demonstration

The South Coast Air Basin is classified as an Extreme ozone nonattainment area for the 2015 ozone standard. For Extreme nonattainment areas, section 182(e)(3) of the CAA requires the use of clean fuels or advanced control technologies for electric utility and industrial and commercial boilers. Specifically, each new, modified, and existing electric utility and industrial and commercial boiler which emits more than 25 tons per year of NO_x must either (A) burn as its primary fuel¹³ natural gas, methanol, or ethanol (or a comparably low polluting fuel), or (B) use advance control technology (such as catalytic control technology or other comparably effective control methods) for reduction of NO_x emissions.

Currently, within the South Coast Air Basin, boilers that are subject to the requirements of CAA section 182(e)(3) fall into two broad categories: (1) boilers subject to the RECLAIM Program (Regulation XX) and (2) boilers subject to Rule 1146. As to the boilers subject to the RECLAIM program, Rule 2004 (Requirements) of Regulation XX requires that each new, modified and existing electric utility and industrial and commercial boiler emitting more than 25 tons of NO_x per year (1) burn clean fuel (i.e., burn as their primary fuel, natural gas, methanol, or ethanol (or a comparably low polluting fuel), or (2) use advanced control technology. In addition, Rule 2002 (Allocations for NO_x and SO_x) establishes the methodology for calculating facility allocations and adjustments to RTC holdings for NO_x and SO_x. The RTC allocation is updated periodically to reflect the implementation of BARCT for equipment in the RECLAIM program. As to the boilers that are not subject to RECLAIM, the requirements of CAA section 182(e)(3) are fulfilled through implementation of South Coast AQMD's Rule 1146 (Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers Steam Generators, and Process Heaters) for existing boilers and through implementation of Rule 1303 (Requirements) for new or modified boilers. Below is a brief description of the SIP approved version of each rule.

- Rule 2002 (Allocations for NO_x and SO_x)

Rule 2002 (amended October 7, 2016) was approved in the SIP on September 14, 2017 (82 FR 43176). Rule 2002 establishes the methodology for calculating facility allocations and adjustments to RTC holdings for NO_x and SO_x. The RTC allocation is updated periodically to reflect the implementation of BARCT for equipment in the RECLAIM program.

- Rule 2004 (Requirements for RECLAIM)

Rule 2004 (adopted April 6, 2007) was approved in the SIP in July 3, 2008 (73 FR 38122), and establishes the requirements for operating under the RECLAIM program, including

¹³ For purposes of this subsection, the term "primary fuel" means the fuel which is used 90 percent or more of the operating time. This paragraph shall not apply during any natural gas supply emergency (as defined in title III of the Natural Gas Policy Act of 1978 [15 U.S.C. 3361 et seq.]).

provisions pertaining to permits, allocations, reporting, variances, and breakdowns. Rule 2004 requires, effective November 15, 1998, that each new, modified and existing electric utility and industrial and commercial boiler emitting more than 25 tons of NO_x per year (1) burn clean fuel (i.e., burn as their primary fuel, natural gas, methanol, or ethanol (or a comparably low polluting fuel), or (2) use advanced control technology.

- Rule 1146 (Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters)

Rule 1146 (adopted in November 1, 2013) was approved in the SIP in September 25, 2014 (79 FR 57442), and applies to boilers, steam generators, and process heaters of equal to or greater than 5 million British thermal unit (Btu) per hour rated heat input capacity used in all industrial, institutional, and commercial operations. It regulates large boilers not covered in the RECLAIM program. NO_x emission limits range from 5 to 30 ppm depending on equipment size, fuel, and type of burner. Rule 1146 requires that Group I boilers, using natural gas equal to or greater than 75 million Btu per hour, have a NO_x limit of 5 ppm. Group II boilers, using natural gas equal to or greater than 20 but lower than 75 million Btu per hour, are required to have a NO_x limit of 9 ppm depending on compliance schedule. Group III boilers, using natural gas equal to or greater than 5 million Btu per hour but lower than 20 million Btu per hour are required a NO_x limit of 9 ppm. Rule 1146 allows for combustion of fuel that may not necessarily be natural gas, methanol, ethanol or other comparably low polluting fuel. The emission limits for these other fuels, including units fired on digester or landfill gas, are 15 ppm and 25 ppm, respectively. According to the South Coast AQMD's most recent Annual Emissions Reports, aside from the refinery boilers currently regulated under the RECLAIM program, there was only one boiler emitting more than 25 tons per year of NO_x using other fuels. This boiler is located in the Los Angeles County Sanitation District Landfill in Puente Hills, which combusts recovered landfill gas as the primary fuel and is equipped with flue gas recirculation, which is a highly effective technique used for lowering NO_x emissions from burners. The boiler is subject to the 25 ppm NO_x emission limits for landfill gas-fired units. It should however be noted that on February 5, 2021, Rule 1150.3 (Emissions of Oxides of Nitrogen from Combustion Equipment at Landfills) was adopted to regulate NO_x emissions from combustion equipment at municipal solid waste landfills and landfill gas to energy facilities. A BARCT assessment was conducted as part of the rulemaking effort. The analysis revealed that considering technological and economic feasibilities, the emission limit of 25 ppm reflects BARCT for boilers using landfill gas in the Basin. This NO_x emission limit is consistent with Rule 1146. Based on the cost-effectiveness analysis, a lower NO_x limit of 9 ppm was also established with a compliance date of January 1, 2031.

- Rule 1303 (Requirements for NSR)

Rule 1303 (amended in May 10, 1996) was approved in the SIP in December 4, 1996 (61 FR 64291). Under Rule 1303, a new or modified boiler is required to employ BACT, which must be at least as stringent as the LAER as defined in CAA section 171(3) for major sources (Rules 1303(a) and 1302(f)). Rule 1303 requires the Executive Officer or designee to “deny the Permit to Construct for any relocation or for any new or modified source which results in an emission increase of any nonattainment air contaminant, any ozone depleting compound, or ammonia, unless Best Available Control Technology (BACT) is employed for the new or relocated source or for the actual modification to an existing source” (Rule 1303(a)(1)). As such, new or modified boilers are subject to BACT which by definition requires the use of the Best Available Control Technology. For example, the BACT emissions limits for boilers using natural gas equal to or greater than 75 million Btu per hour is 5 ppm, which would require the use of advanced control technology such as Selective Catalytic Reduction (SCR).¹⁴

Given the information above, the requirements in the Rules 1146, 2002, 2004, and 1303 (and recently Board approved Rule 1150.3) are at least as stringent as those described in section 182(e)(3) of the CAA.

¹⁴ The latest amendments to South Coast AQMD BACT Guidelines. <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-feb5-025.pdf?sfvrsn=2>.

Summary and Conclusions

The South Coast Air Basin and the Coachella Valley are designated as Extreme and Severe nonattainment areas, respectively, for the 2015 8-hour ozone standard. For these nonattainment areas, the U.S. EPA requires submittal of a nonattainment NSR plan or plan revision. As described in the Nonattainment NSR Compliance Demonstration, South Coast AQMD's current SIP-approved Nonattainment NSR program, which covers both the South Coast Air Basin and the Coachella Valley, applies to new major stationary sources or major modifications to existing sources, and is at least as stringent as the requirements at the Code of Federal Regulations (40 CFR 51.165) for ozone and its precursors. Therefore, no changes are necessary to comply with the 2015 ozone standard nonattainment NSR requirements. For Extreme nonattainment areas, the CAA requires the use of clean fuels or advanced control technologies for large electric utility, industrial, and commercial boilers. This requirement is fulfilled through South Coast AQMD's Rule 1146, Rule 2002, Rule 2004, and Rule 1303, which regulate NO_x emissions from existing, new or modified boilers. As such, the South Coast AQMD is hereby certifying that the current SIP-approved NSR rules satisfy the 2015 ozone standard nonattainment NSR requirements, and that the current SIP-approved Rules 1146, 2002, 2004, and 1303 satisfy the 2015 ozone standard requirements for the use of clean fuels or advanced control technology for new, modified and existing boilers.



ATTACHMENT C

Certification of Nonattainment New Source Review and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard

Board Meeting

June 4, 2021



Background – 2015 8-hour Ozone Standard

- In 2015, U.S. EPA strengthened the National Ambient Air Quality Standards (NAAQS) for ozone to 70 parts per billion (ppb)
- Nonattainment classifications for South Coast Air Basin and Coachella Valley

Standard	Level	South Coast Classification	Coachella Valley Classification	Attainment Date
2015 8-hour Ozone	70 ppb	Extreme	Severe	August 3, 2038 (South Coast) August 3, 2033 (Coachella Valley)
2008 8-hour Ozone	75 ppb	Extreme	Severe	July 20, 2032 (South Coast) July 20, 2027 (Coachella Valley)
1997 8-hour Ozone	80 ppb	Extreme	Extreme	June 15, 2024 (both South Coast and Coachella Valley)
1979 1-hour Ozone	120 ppb	Extreme	Attainment	February 6, 2023 (South Coast)



Key SIP Elements and Due Dates for Severe and Extreme Nonattainment Areas

	8/3/2020	8/3/2021	8/3/2022	8/3/2028
Severe and Extreme Areas	Baseline Year Emissions Inventory	Nonattainment New Source Review (NSR)	Attainment Demonstration	Section 185 Fee Program (Failure to attain)
	Emissions Statement		Reasonably Available Control Measures	
	Reasonably Available Control Technology Demonstration		Reasonable Further Progress	
	Vehicle Miles Traveled Offset		Conformity	
Extreme Area Only		Clean Fuels for Boilers	Contingency Measures	
			Enhanced Inspection and Maintenance Program	



Nonattainment NSR - Background

- **Nonattainment New Source Review (NSR) Requirements**
 - ❑ **Pre-construction review permit program for new or modified sources located in a nonattainment area (*40 CFR § 51.165*)**
 - ❑ **Requirements**
 - **Installation of the lowest achievable emission rate (LAER)**
 - **Offset emissions increase from new or modified sources**
 - **Public participation in permitting process**
 - ❑ **Prior certification for 2008 ozone standard**
 - **In 2017, a certification of Nonattainment NSR Compliance Demonstration for 2008 Ozone NAAQS was submitted and approved by U.S. EPA in 2018 (83 FR 64026)**





Nonattainment NSR – South Coast AQMD NSR Regulations

- **South Coast AQMD's Existing Nonattainment NSR Program**
 - ❑ Implements the federal regulatory requirements for NSR
 - ❑ Covers both South Coast Air Basin and Coachella Valley
- **Requirements in Reg XIII (NSR), Reg XX (RECLAIM), and Reg II (Permits) consistent with Clean Air Act requirements**
 - ❑ Cover ozone precursors (VOC and NOx)
 - ❑ Definitions for major stationary source, major modification, and significant emissions
 - ❑ Provisions for emission reduction credits and offset ratios
 - ❑ Public participation



Nonattainment NSR – Interpollutant Trading Provisions for Emission Offsets

- **Interpollutant Trading (IPT)**
 - ❑ A voluntary program that allows the use of reductions of one pollutant to offset emission increases of another pollutant (PM and ozone)
- **Rule 1309 (Emission Reduction Credits)**
 - ❑ Allows the use of IPT for emissions offset contingent on U.S. EPA's review and approval on a case by case basis
- **Recent Court Decision Vacated IPT (January 2021)**
 - ❑ IPT violates Clean Air Act
 - ❑ Increases of VOC must be offset by VOC reductions so there can be no trading with NOx reductions

South Coast AQMD certifies not to use the IPT provision in the NSR program and also commits to remove the IPT provision from Rule 1309 in the future



Clean Fuels for Boilers – Extreme Ozone Nonattainment Areas

- Clean Air Act requires the use of clean fuels or advanced control technologies for electric utility and industrial and commercial boilers emitting more than 25 tons per year of NO_x
- In South Coast AQMD, boilers are required to use clean fuel or advanced control technologies through
 - ❑ Rule 1146 (NO_x Emissions from Industrial and Commercial Boilers)
 - ❑ Rule 2002 (Allocations for NO_x and SO_x)
 - ❑ Rule 2004 (Requirements)
 - ❑ Rule 1303 (Requirements for NSR)





Certification for 2015 Ozone Standard

- **Certifying that South Coast AQMD rules and regulations meet the Clean Air Act requirements for nonattainment NSR and clean fuels for boilers for the 2015 ozone standard**
- **No changes are necessary to comply with the 2015 ozone standard NSR/clean fuels requirements**
 - ❑ **South Coast AQMD commits to amend Rule 1309 in a future rulemaking to remove the IPT provision**



Public Process and Next Steps





Recommended Board Action

- **Adopt the Resolution**
 - Certifying the Nonattainment NSR and Clean Fuels for Boilers Compliance Demonstration for 2015 8-hour Ozone Standard**
 - Directing staff to forward the Certification to CARB for approval and subsequent submission to U.S. EPA for inclusion in the State Implementation Plan**

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 34

PROPOSAL: Determine That 2021 PM10 Maintenance Plan for the South Coast Air Basin Is Exempt From CEQA and Approve the 2021 PM10 Maintenance Plan for the South Coast Air Basin

SYNOPSIS: The South Coast Air Basin was designated as attainment for the 24-hour average PM10 National Ambient Air Quality Standard (NAAQS) by U.S. EPA in July 2013. A PM10 maintenance plan was submitted to U.S. EPA on April 28, 2010, which was approved as part of the redesignation. The Clean Air Act requires that the State submit a subsequent maintenance plan eight years after an attainment redesignation to provide for maintenance of the NAAQS for the next 10 years after the period covered by the first maintenance plan (2023-2033). This 2021 PM10 Maintenance Plan includes a maintenance demonstration that the South Coast Air Basin will continue to attain the standard, verification of continued attainment, a commitment to a future monitoring network, a contingency plan, and provisions for contingency plan implementation. This plan also includes a description of PM10 sources, concentration trends, and emissions controls and an analysis of past NAAQS exceedances during the first maintenance period.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and
2. Approving the 2021 PM10 Maintenance Plan for the South Coast Air Basin and directing staff to forward the Maintenance Plan to CARB for approval and submission to U.S. EPA for inclusion in the State Implementation Plan.

Wayne Nastri
Executive Officer

Background

The South Coast Air Basin (SCAB) was designated as an attainment area for the 1987 24-hour average PM10 National Ambient Air Quality Standard (NAAQS) by U.S. EPA in July 2013. As part of the requirements of section 107(d)(3)(E) of the federal Clean Air Act, which specifies the requirements for redesignation, South Coast AQMD submitted a maintenance plan for PM10. This maintenance plan was approved by U.S. EPA effective July 26, 2013. The purpose of the maintenance plan is to provide for the maintenance of the 24-hour PM10 NAAQS for at least 10 years after redesignation. The PM10 maintenance plan approved in 2013 covers the period from July 2013 through July 2023. Section 175A of the federal Clean Air Act requires that the State submit a second maintenance plan as a State Implementation Plan (SIP) revision eight years after redesignation as attainment to provide for the maintenance of the NAAQS for the next 10 years after the period covered by the first maintenance plan. As such, the second maintenance plan for the 24-hour PM10 standard is due to the U.S EPA in July 2021.

Proposal

The 2021 PM10 Maintenance Plan for the SCAB has been developed to maintain attainment of the 1987 24-hour PM10 NAAQS for the 12-year period (July 2023 to 2035) beginning at the end of the period covered by the first maintenance plan. The 2021 PM10 Maintenance Plan meets the requirements specified in federal Clean Air Act section 175A and guidance provided by U.S. EPA. The following are key elements of the 2021 PM10 Maintenance Plan:

- An analysis of past exceedances of the 24-hour PM10 NAAQS to demonstrate that the SCAB has continued to attain the NAAQS during the first maintenance plan period after removing data that was influenced by exceptional events;
- The emissions inventory for the period covered by the maintenance plan (2023 to 2035) was updated using the latest data and planning assumptions;
- Continued attainment of the 24-hour PM10 NAAQS through 2035 was demonstrated based on PM10 and its precursors emissions inventory and PM10 design values measured during the period covered by the first maintenance plan;
- A commitment to continue to maintain a PM10 monitoring network in the SCAB to verify continued attainment of the NAAQS;
- A commitment to verify continued attainment of the PM10 NAAQS by reviewing inputs and assumptions used for the emission inventory when new information to update the emission inventory becomes available; and
- A contingency plan that commits South Coast AQMD to a series of strategies to further reduce particulate emissions if the SCAB exceeds the PM10 24-hour standard.

The maintenance demonstration shows that projected emissions of PM10 and precursors in the future maintenance target and interim years are significantly lower than the

attainment inventory approved by U.S. EPA on July 26, 2013. The maintenance demonstration also shows that projected emissions of PM10 precursors are expected to decline from 2018 to 2035 and that the increase in PM10 emissions from 2018 to 2035 is de minimis relative to the PM10 design values over the first maintenance period. Therefore, this marginal increase of PM10 emissions will not interfere with the continued attainment of the PM10 NAAQS.

The contingency plan establishes a trigger to implement a contingency action. If the number of 24-hour average PM10 exceedances recorded at a monitor averaged over three consecutive years exceeds the level of the 24-hour PM10 NAAQS in the SCAB then South Coast AQMD will trigger the contingency actions specified in the 2021 PM10 Maintenance Plan.¹ South Coast AQMD will consider the emission sources that may have contributed to the exceedance when evaluating whether the contingency actions will effectively mitigate the cause of the exceedance. The contingency actions below will be taken in the order listed, and only actions necessary to reduce emissions will be taken:

1. Consult with the regulated industry to determine if voluntary or incentive-based control measures could reduce emissions, if feasible;
2. Evaluate whether improved education and training for mitigating fugitive dust emissions could reduce emissions;
3. Evaluate whether changes to enforcement of existing rules could reduce emissions;
4. Evaluate amending Rules 403, 444, 1157, 1158 and 1186 to further strengthen prohibitions on particulate emissions; and
5. Propose new rules to reduce particulate emissions.

A schedule to evaluate the contingency plan trigger based on measured PM10 concentrations is specified in the 2021 PM10 Maintenance Plan. A commitment to complete the contingency actions within 18 months of triggering the contingency plan is also specified.

Public Process

The Draft 2021 PM10 Maintenance Plan was released on April 8, 2021 and a public consultation meeting was held on April 15, 2021 via video conference and telephone to solicit information, comments, and suggestions from the public, affected businesses and stakeholders. No comments were received and the Draft Final 2021 PM10 Maintenance Plan was released on May 4, 2021. A 30-day public hearing notice was published for the 2021 PM10 Maintenance Plan for the SCAB.

Resource Impacts

¹ Excluding exceptional events.

The 2021 PM10 Maintenance Plan will have nominal additional impact on South Coast AQMD resources.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment C to this Board letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor’s Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD’s webpage which can be accessed via the following weblink:

<http://www.aqmd.gov/nav/about/publicnotices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom’s Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

AQMP and Legal Mandates

The 2021 PM10 Maintenance Plan for the South Coast Air Basin is required as a SIP revision to address the federal Clean Air Act requirements.

Attachments

- A. Resolution
- B. Draft Final 2021 PM10 Maintenance Plan for the South Coast Air Basin
- C. Notice of Exemption from CEQA
- D. Board Meeting Presentation

ATTACHMENT A

RESOLUTION NO. 21-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board approving the 2021 PM10 Maintenance Plan for the South Coast Air Basin and directing staff to forward the Maintenance Plan to California Air Resources Board (CARB) for approval and submission to United States Environmental Protection Agency (U.S. EPA) for inclusion in the State Implementation Plan (SIP).

WHEREAS, the South Coast AQMD Governing Board finds and determines that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, because the proposed project relies on the continued implementation of existing regulations and programs by the South Coast AQMD and CARB to reduce emissions without proposing new requirements that would involve physical changes, it can be seen with certainty that there is no possibility that the proposed project may have any significant adverse effects on the environment, and is therefore exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment, because the proposed project is designed to further protect or enhance the environment; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemption

apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions; and

WHEREAS, South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin and other supporting documentation, including but not limited to the Notice of Exemption, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, and has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, effective July 26, 2013, U.S. EPA approved an initial PM10 Maintenance Plan for the South Coast Air Basin that provides for maintenance of the 1987 24-hour PM10 National Ambient Air Quality Standard (NAAQS) for the 10-year period from July 2013 to July 2023; and

WHEREAS, the South Coast AQMD is required to submit a revision of the SIP to the U.S. EPA through CARB to provide for maintenance of the PM10 NAAQS for a further 10 years after the period covered by the first PM10 maintenance plan to address the federal Clean Air Act requirements; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin has been developed to address planning requirements of the SIP revision. Key elements include an analysis of exceedances of the 24-hour PM10 standard in the South Coast Air Basin during the period covered by the initial PM10 Maintenance Plan approved by U.S. EPA in 2013, trends of 24-hour PM10 design values in the South Coast Air Basin during the period covered by the initial PM10 Maintenance Plan, emissions inventory, a maintenance demonstration, motor vehicle emissions budget, a commitment to maintain a future PM10 monitoring network, a commitment to verify continued attainment of the 24-hour PM10 standard, contingency plan measures, and a contingency plan trigger; and

WHEREAS, the 2021 PM10 Maintenance Plan for the South Coast Air Basin demonstrates that the South Coast Air Basin will continue to attain the PM10 NAAQS through 2035; and

WHEREAS, a draft 2021 PM10 Maintenance Plan for the South Coast Air Basin was released on April 8, 2021 with a comment period from April 8, 2021 to April 26, 2021; and

WHEREAS, a Public Consultation Meeting was held on April 15, 2021 to solicit information, comments, and suggestions from the public, affected businesses and stakeholders; and

WHEREAS, the Draft final 2021 PM10 Maintenance Plan for the South Coast Air Basin was released on May 4, 2021; and

WHEREAS, the South Coast AQMD Governing Board has determined that a Socioeconomic Impact Assessment is not required, pursuant to Health and Safety Code Section 40440.8 or 40728.5, because these sections apply only to rules; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions regarding notice of revisions to the SIP in the Code of Federal Regulations Title 40, Section 51.102; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies that the Health Effects Officer of the South Coast AQMD is the custodian of the documents or other materials that constitute the record of proceedings upon which the adoption of the 2021 PM10 Maintenance Plan for the South Coast Air Basin is based, which are located at the South Coast AQMD, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption and CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment. No exceptions to the application of the categorical exemption set forth in CEQA Guidelines Section 15300.2 – Exceptions, including the “unusual circumstances” exception, apply to the proposed project. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered and approved the information therein prior to acting on the 2021 PM10 Maintenance Plan for the South Coast Air Basin; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby approve, pursuant to the authority granted by law, the 2021 PM10 Maintenance Plan for the South Coast Air Basin as set forth in the attached, and incorporated herein by this reference; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and the 2021 PM10 Maintenance Plan for the South

Coast Air Basin to CARB for approval and subsequent submittal to the U.S. EPA for inclusion into the SIP.

DATE: _____

Clerk of the Boards

Attachment B

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Draft Final 2021 PM10 Maintenance Plan for the South Coast Air Basin

~~APRIL~~ MAY 2021

Deputy Executive Officer

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Health Effects Officer

Planning, Rule Development and Area Sources
Jo Kay Ghosh, Ph.D.

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD**

Chairman: BEN BENOIT
Mayor Pro Tem, Wildomar
Cities of Riverside County

Vice Chair: VANESSA DELGADO
Senate Rules Committee Appointee

MEMBERS:

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County of Orange

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MICHAEL A. CACCIOTTI
Mayor Pro Tem, South Pasadena
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1. Introduction

The South Coast Air Basin (SCAB) was designated as an attainment area for the 24-hour average PM10 National Ambient Air Quality Standard (NAAQS) by the U.S. EPA in June 2013. Pursuant to section 107(d)(3)(E) of the Clean Air Act (CAA)¹, which specifies the requirements for redesignation, South Coast Air Quality Management District (South Coast AQMD) adopted the 2009 PM10 Redesignation Request and Maintenance Plan for the South Coast Air Basin (SCAB) on January 8, 2010. South Coast AQMD then forwarded the plan to California Air Resources Board (CARB) on January 15, 2010; it was submitted to EPA on April 28, 2010 and approved effective July 26, 2013. The purpose of the maintenance plan is to ensure the basin remains in attainment with the 24-hour PM10 NAAQS for at least ten years after redesignation. The PM10 Maintenance Plan approved in 2013 covers the time period from July 2013 through July 2023. Section 175A of the CAA² requires that the State submit a subsequent maintenance plan 8 years after redesignation as attainment to provide for the maintenance of the NAAQS for a further 10 years after the period covered by the first maintenance plan. As such, the second maintenance plan for the 24-hour PM10 standard is due to the U.S EPA in July 2021. This document provides the proposed second maintenance plan, referred to as the maintenance plan or the Plan from this point on in this document, for 24-hour average PM10 NAAQS.

1.1. Maintenance Plan

The maintenance plan covers the 12-year period (July 2023 to 2035) beginning at the end of the period covered by the first maintenance plan. Although the second maintenance plan is required to cover through 2033, which is 10 years after the first maintenance period, the new maintenance horizon year was chosen to be 2035, adding two extra years beyond the required period³. The maintenance plan requires a maintenance demonstration, a commitment to a future monitoring network, verification of continued attainment, a contingency plan, and provisions for contingency plan implementation⁴. The maintenance plan also includes an analysis of past exceedances of the NAAQS. The purpose of these elements and their locations in the maintenance plan are summarized next.

First, we analyzed past exceedances of the NAAQS to demonstrate that the South Coast Air Basin has continued to attain the standard during the first maintenance plan period after removing data that was influenced by exceptional events. This analysis is included in Section 2.3. The maintenance demonstration uses future emission projections, comparison of the future inventory with the attainment emissions inventory, and comparison of the relative change of projected emissions with the PM10 design values over the first maintenance plan period to show that the NAAQS will not be exceeded. In Section 3, to demonstrate maintenance of the NAAQS, the emissions inventory for the period covered by the maintenance plan (July 2023 to 2035) is updated from that used in the first maintenance plan to include the latest data and planning assumptions. Transportation conformity

¹ 42 U.S.C. §7407. Available at: <https://www.gpo.gov/fdsys/pkg/USCODE-2013-title42/html/USCODE-2013-title42-chap85-subchapl-partD-subpart1-sec7505a.htm>

² 42 U.S.C. §7505a. Available at: <https://www.govinfo.gov/content/pkg/USCODE-2013-title42/html/USCODE-2013-title42-chap85-subchapl-partD-subpart1-sec7505a.htm>

³ The reason for using 2035 as the horizon year is explained in section 3.1

⁴ United States Environmental Protection Agency. 1992. Procedures for Processing Requests to Redesignate Areas to Attainment. Memorandum from John Calcagni to USEPA Regional Directors. September 4. Available at: https://www.epa.gov/sites/production/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf

budgets were updated by California Air Resources Board (CARB) and included in section 4. The maintenance plan also provides a commitment to continue to maintain a PM10 monitoring network in the South Coast Air Basin to verify continued attainment of the NAAQS (Sections 5 and 6). Finally, Section 7 provides a contingency plan that commits South Coast AQMD to a series of strategies to further reduce particulate emissions if the Basin violates the PM10 24-hour standard. The maintenance plan defined in this document meets the criteria specified in CAA Section 175A and the guidance provided by U.S. EPA ⁴.

Since South Coast AQMD submitted the redesignation request in 2010, emission reductions of particulate matter and its precursors from the implementation of the 2012 and 2016 Air Quality Management Plans (AQMPs) to meet federal PM2.5 and Ozone standards have continued to reduce ambient PM10 in the South Coast Air Basin. Additional measures adopted by CARB since 2010 have also achieved emission reductions. These emission reductions also help to ensure that the South Coast Air Basin continues to attain the 24-hour PM10 NAAQS.

2. PM10 Monitoring Network, Concentration Trends and Emission Controls

This section includes a description of the South Coast AQMD monitoring network for PM10 in the South Coast Air Basin, an analysis of PM10 trends, an analysis of trends of meteorological factors that influence PM10 concentrations, and a discussion of exceedances of the NAAQS for the 2010 - 2020 period. In addition, this section provides a list of PM10 exceptional events for which the South Coast AQMD is preparing technical demonstrations. This analysis demonstrates that the South Coast Air Basin has continued to attain the PM10 standard during the first maintenance plan period and that meteorological factors during the first maintenance period were not unusually favorable to lower pollutant levels. This section also discusses the major sources of PM10 and South Coast AQMD rules that regulate emissions of particulate matter in the South Coast Air Basin.

2.1. Current Monitoring Network

South Coast AQMD monitors PM10 at the locations shown in Figure 2-1 and listed in Table 2-1. The figure shows currently operating monitors and monitors that have operated between 2009 – 2021 but have now been relocated. Based on site availability, some monitoring locations may move over time. Three types of monitors are shown: federal reference method (FRM) gravimetric monitors, hourly Beta Attenuation monitors (BAM), and hourly Tapered Element Oscillating Microbalance (TEOM) monitors. For information about the types of monitors, sampling schedule, monitoring purpose, and spatial scale of each monitor in the PM10 monitoring network see the South Coast AQMD Monitoring Network Plan⁵. The PM10 monitoring network meets the minimum monitoring requirements specified in 40 CFR Part 58.

⁵ South Coast AQMD. 2020. South Coast AQMD FINAL 2020 Annual Air Quality Monitoring Network Plan. Available at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/monitoring-network-plan#>

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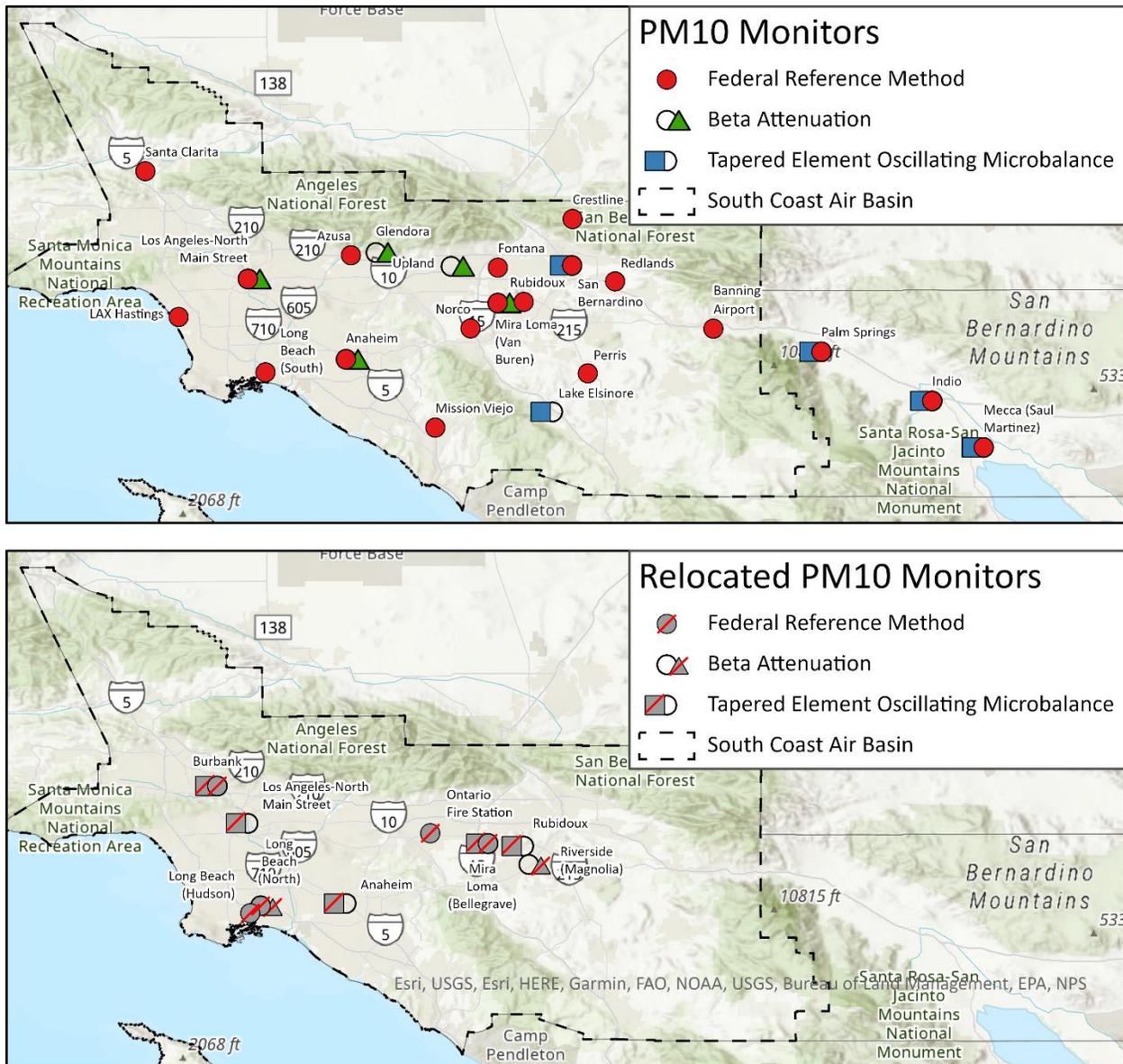


Figure 2-1: Locations of PM10 monitors. Top – Currently operating monitors. Bottom – Monitors that have been relocated since 2009.

Table 2-1: List of PM10 monitors in the South Coast Air Basin that are currently operating or operated between 2009 – 2021 but have been relocated

State Code	County Code	Site Number	Parameter Occurrence Code (POC)	Local Site Name	Station Abbreviation
06	037	0002	2	Azusa	AZUS
06	037	0016	3	Glendora	GLEN
06	037	1002	2	Burbank	BURK
06	037	1002	3	Burbank	BURK
06	037	1103	2	Los Angeles-North Main Street	CELA

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State Code	County Code	Site Number	Parameter Occurrence Code (POC)	Local Site Name	Station Abbreviation
06	037	1103	3	Los Angeles-North Main Street	CELA
06	037	4002	2	Long Beach (North)	LGBH
06	037	4002	5	Long Beach (North)	LGBH
06	037	4004	2	Long Beach (South)	SLBH
06	037	4006	1	Long Beach (Hudson)	HDSN
06	037	5005	1	LAX Hastings	LAXH
06	037	6012	1	Santa Clarita	SCLR
06	059	0007	1	Anaheim	ANAH
06	059	0007	3	Anaheim	ANAH
06	059	0007	5	Anaheim	ANAH
06	059	2022	1	Mission Viejo	MSVJ
06	065	0003	1	Norco	NORC
06	065	0004	1	Mira Loma (Bellegrave)	MLHS
06	065	0004	3	Mira Loma (Bellegrave)	MLHS
06	065	0012	1	Banning Airport	BNAP
06	065	1003	5	Riverside (Magnolia)	RIVM
06	065	6001	1	Perris	PERI
06	065	8001	2	Rubidoux	RIVR
06	065	8001	4	Rubidoux	RIVR
06	065	8001	5	Rubidoux	RIVR
06	065	8001	9	Rubidoux	RIVR
06	065	8005	1	Mira Loma (Van Buren)	MLVB
06	065	8005	2	Mira Loma (Van Buren)	MLVB
06	065	8005	3	Mira Loma (Van Buren)	MLVB
06	065	8005	4	Mira Loma (Van Buren)	MLVB
06	065	9001	3	Lake Elsinore	ELSI
06	071	0005	1	Crestline	CRES
06	071	0025	1	Ontario Fire Station	ONFS
06	071	0025	2	Ontario Fire Station	ONFS
06	071	1004	3	Upland	UPLA
06	071	2002	2	Fontana	FONT
06	071	4003	1	Redlands	RDLD
06	071	9004	2	San Bernardino	SNBO
06	071	9004	3	San Bernardino	SNBO

2.2. Treatment of Exceptional Events

In order to evaluate trends in concentrations and implications for attainment, we remove the PM10 data that is influenced by suspected exceptional events. Exceptional events are those data points where

the concentration was caused by a natural event or activity that is unlikely to reoccur. In the case of PM10, wildfires or high winds can cause exceptional events. We used a methodology that is consistent with the U.S. EPA's exceptional event guidance to remove exceptional events⁶:

1. There is a clear causal relationship between the event and a monitored exceedance
2. The event is not reasonably controllable or preventable because it is a natural event or an event caused by human activity that is unlikely to recur at a particular location
3. In the case of a high wind dust event, high wind speeds are present and the dust that the wind entrains is transported to a monitor site. In addition, wind speeds in the source region must be high enough to entrain natural soils or overwhelm reasonable controls on anthropogenic sources. For the purposes of this analysis, a sustained wind speed of at least 25 mph recommended by U.S. EPA was used to identify events with winds that were sufficient to entrain natural soil or overwhelm reasonable controls on anthropogenic sources.

This analysis uses two separate methodologies to identify station-days that meet the criteria above.

All exceedances measured during the last maintenance period are evaluated holistically by considering the magnitude of the exceedance, the presence of upwind wildfires/Santa Ana winds /thunderstorm outflow, windspeeds at the exceeding monitor and in areas directly upwind, and sources of dust. Exceedances that generally meet the definition of an exceptional event based on this analysis are removed when evaluating trends in measured concentrations. Table 2-2 summarizes all of the exceedances recorded in the last maintenance period and details the results of this analysis. For the purposes of this analysis, exceedances where the sustained winds fell into Category 1, 2, or 3⁷, or the likely cause was wildfire smoke were considered exceptional events.

Measurements that do not exceed the NAAQS, yet generally meet the definition of an exceptional event were also removed prior to evaluating the trends in measured concentrations. However, there are far too many of these measurements over the past maintenance period to holistically evaluate each value. Therefore, a screening methodology was implemented based on nearby meteorological data and co-

⁶ United States Environmental Protection Agency. 2019. Guidance on the Preparation of Demonstrations in Support of Requests to Exclude Ambient Air Quality Data Influenced by High Wind Dust Events Under the 2016 Exceptional Events Rule. Memorandum from Richard Wayland to Regional Air Division Directors, Regions 1 - 10. April 4. Available at: https://www.epa.gov/sites/production/files/2019-04/documents/high_wind_dust_event_guidance.pdf

⁷ The sustained wind categories are defined as:

Category 1 – The sustained wind speeds measured at the air quality stations when the PM10 concentrations were elevated were higher than 25 mph.

Category 2 – The sustained wind speeds measured at the nearby (within 5 miles) weather stations when the PM10 concentrations were elevated were higher than 25 mph.

Category 3 – The sustained wind speeds measured at the upwind weather stations when the PM10 concentrations were elevated were higher than 25 mph. The distance of the weather station to the air quality station was more than 5 miles but was located along the route of dust transport.

Category 4 – The sustained wind speeds when the PM10 concentrations were elevated were less than 25 mph.

located or near-located PM2.5 data. Suspected high wind exceptional events are determined as the days when 3-minute average daily maximum wind speeds near a monitor exceeded 25 mph. Since dust may be entrained in a region with high winds upwind of a monitor, wind measurements at nearby anemometers in an area sharing similar meteorological characteristics as the PM10 monitor of interest were also considered. The South Coast Air Basin was divided into “zones” (Figure 2-2), and when winds exceeding 25 mph occur at any wind speed monitor in a zone, all the PM10 measurements in that zone are removed for that day. While this screening criteria provides only an approximate estimate of the days that were influenced by exceptional events, it allows for a methodical and consistent evaluation of a decade of measurements at every monitor in the South Coast Air Basin. Data influenced by suspected wildfire exceptional events is identified by selecting days when the maximum daily average PM2.5 concentration in the South Coast Air Basin exceeded $35 \mu\text{g m}^{-3}$. While this technique may also remove measurements collected during wintertime PM2.5 exceedances that are not wildfire related, these exceedance days typically have stagnant or low winds, and therefore tend to have only a slight contribution to coarse PM and generally low PM10 concentrations. All PM10 measurements that were influenced by wildfires based on this screening definition were removed from this analysis.

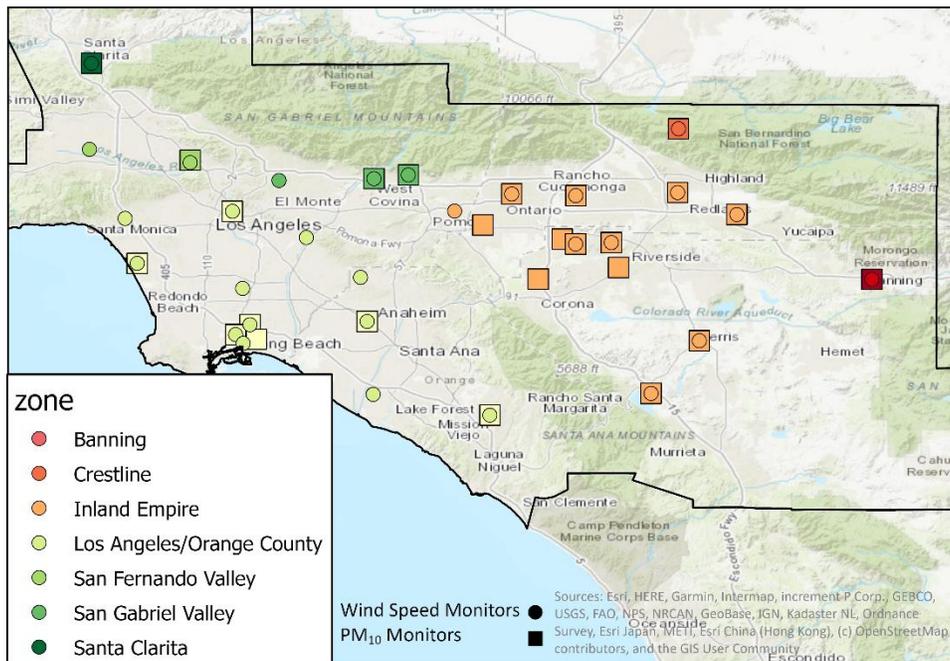


Figure 2-2: Zones sharing similar meteorological characteristics used to identify suspected exceptional events caused by high winds. ● - Wind Speed Monitors. ■ – PM10 Monitors.

2.3. Analysis of Exceedances and Exceptional Events in the First Maintenance Period

There were 26 PM10 exceedances in the South Coast air basin during the first maintenance period (2010 – 2020, Table 2-2). One exceedance was caused by the Bobcat and El Dorado wildfires and the others were caused by wind-blown dust or ash. The meteorological conditions during these events are consistent with exceptional high-wind events. South Coast AQMD is preparing exceptional event demonstrations for the exceedances at MLVB on October 10, 2019 and October 30, 2019 and at HDSN on April 9, 2019 given these events are considered to be regulatory significant. Due to resource limitations at South Coast AQMD and U.S. EPA, exceptional event demonstrations are only prepared for the subset of exceptional events that would result in attainment upon removal. The exceedances caused

by exceptional events will be removed from design value calculations upon concurrence of the exceptional event demonstrations by U.S. EPA. Removing these exceedances demonstrates that the South Coast Air Basin has continued to attain the PM10 standard during the first maintenance period.

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Table 2-2: Summary of the past 10 years (2010 – 2020) of PM10 exceedance events in the South Coast Air Basin

<u>Date</u>	<u>Station (POC)</u> ⁸	<u>24-hr PM10 (µg/m³)</u>	<u>Sustained Winds Category</u> ⁹	<u>Likely Cause</u>	<u>Exceptional Event</u>	<u>Description of Event</u>
10/26/2020	ANAH (3), GLEN (3), MLVB (3), UPLA (3), SNBO (3), ELSI (3)	296, 170, 325, 175, 175, 192	Category 2	Windblown dust	all but GLEN meet screening criteria	Santa Ana wind event in the morning preceded wildfires that afternoon. PM10 concentrations increased with wind speeds in the morning hours.
09/11/2020 - 09/12/2020	GLEN(3), MLVB (1), MLVB (3)	227, 162, 169	Category 4	Wildfire smoke	meets screening criteria	Bobcat and El Dorado fires burning during this time period. PM2.5 concentrations also elevated above NAAQS. No high winds during these days.
10/30/2019	MLVB (3) ¹⁰	170	Category 3	Windblown dust	preparing demonstration, meets screening criteria	Santa Ana wind event. PM10 concentrations increased with onset of Santa Ana winds.
10/10/2019	MLVB (3) ⁵	282	Category 3	Windblown dust	preparing demonstration, meets screening criteria	Santa Ana wind event. PM10 concentrations increased with onset of Santa Ana winds. Blowing dust reported at Riverside Municipal Airport.

⁸ ANAH – Anaheim; GLEN – Glendora; MLVB - Mira Loma (Van Buren); UPLA - Upland; SNBO – San Bernardino; ELSI - Lake Elsinore; HDSN – Long Beach (Hudson); PERI - Perris

⁹ The sustained wind categories are defined as:

Category 1 – The sustained wind speeds measured at the air quality stations when the PM10 concentrations were elevated were higher than 25 mph.

Category 2 – The sustained wind speeds measured at the nearby (within 5 miles) weather stations when the PM10 concentrations were elevated were higher than 25 mph.

Category 3 – The sustained wind speeds measured at the upwind weather stations when the PM10 concentrations were elevated were higher than 25 mph. The distance of the weather station to the air quality station was more than 5 miles but was located along the route of dust transport.

Category 4 – The sustained wind speeds when the PM10 concentrations were elevated were less than 25 mph.

¹⁰ Exceptional Event Demonstrations are being prepared by South Coast AQMD for these stations/dates

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<u>Date</u>	<u>Station (POC)⁸</u>	<u>24-hr PM10 ($\mu\text{g}/\text{m}^3$)</u>	<u>Sustained Winds Category⁹</u>	<u>Likely Cause</u>	<u>Exceptional Event</u>	<u>Description of Event</u>
04/09/2019	HDSN (1) ⁵	155	Category 2	Windblown dust	preparing demonstration	Strong westerly winds across basin. PM10 measurements at CELA and ANAH increased with winds in the afternoon. PM10 spiked at SLMZ at $800 \mu\text{g}/\text{m}^3$ as well. Windblown dust advisory in effect for San Bernardino and Riverside Counties.
11/08/2018	MLVB (3)	229	Category 3	Windblown dust and/or ash	meets screening criteria	Santa Ana wind event. Dust and ash possibly emitted from Holy Fire burn scar. PM10 concentrations increased with onset of Santa Ana winds.
07/09/2018	UPLA (3)	156	Category 4	Windblown dust	does not meet screening criteria	Outflows from thunderstorms in the southwest U.S. deserts carried dust and sand into the Coachella Valley and South Coast Air Basin. See windblown dust advisory issued for this day. The Valley Fire in Forest Falls, San Bernardino County was also burning during this time, but winds near the fire should have kept smoke out of basin until overnight hours.
12/05/2017	SNBO (3)	157	Category 2	Windblown dust	meets screening criteria	Santa Ana winds from the NE. NWS had high wind warnings in place for storm. No windblown dust advisory in place. Some hours with sustained wind speeds of 25 mph or greater.
12/04/2017	MLVB (3)	257	Category 3	Windblown dust	meets screening criteria	Santa Ana winds from the NE. NWS had high wind warnings in place for storm. No windblown dust advisory in place. Some hours with sustained wind speeds of 25 mph or greater.
10/09/2017	MLVB (3)	251	Category 1	Windblown dust	meets screening criteria	Santa Ana winds from the NE. NWS had wind advisory in place for Inland Empire, Inland Orange County, and Coachella Valley.

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<u>Date</u>	<u>Station (POC) ⁸</u>	<u>24-hr PM10 ($\mu\text{g}/\text{m}^3$)</u>	<u>Sustained Winds Category⁹</u>	<u>Likely Cause</u>	<u>Exceptional Event</u>	<u>Description of Event</u>
07/30/2016	SNBO (2), SNBO (3), UPLA (3)	277, 276, 183	Category 3	Windblown dust	meets screening criteria	Outflows from thunderstorms in the southwest U.S. deserts carried dust and sand into the Coachella Valley and South Coast Air Basin. The NWS did not have any watches, warnings, or advisories in place, but mentioned in a public information state that widespread dust from thunderstorm gust fronts were occurring in the area. PM10 was elevated across the entire basin.
12/26/2015	SNBO (2)	187	Category 3	Windblown dust	meets screening criteria	Sustained winds at Ontario International Airport of 38 mph and visibility down to 2.5 miles. NWS had high wind warnings in effect. Winds from the N and NE.
09/09/2015	PERI (1)	188	Category 2	Windblown dust	meets screening criteria	Possible outflows from thunderstorms. Otherwise unknown cause.
11/16/2014	SNBO (3)	156	Category 3	Windblown dust	meets screening criteria	Santa Ana wind event caused widespread blowing dust. NWS had high wind warnings issued for the area. South Coast AQMD had a Windblown Dust Advisory issued.
11/12/2013	MLVB (3)	169	Category 4	Windblown dust	does not meet screening criteria	Offshore winds. No NWS or South Coast AQMD warnings or advisories during this period.
10/04/2013	MLVB (3), SNBO (3)	286, 177	Category 2	Windblown dust	meets screening criteria	Santa Ana wind event. NWS had high wind warnings in place for the area.

2.4. PM10 Trends and Influence of Meteorological Factors Over the First Maintenance Period

Attainment of the 24-hour PM10 NAAQS is based on the design value, which represents the average number of exceedances of the standard in a three-year period. This form is not useful for analyzing trends of concentrations over time. We therefore use a different but related form, referred to as the concentration-based design value in this document, and the annual average PM10 concentration to analyze PM10 trends.

For this analysis, the concentration-based design value is defined as the fourth highest concentration at a monitor in a three-year period, after simulating days without measurements. To simulate days without measurements, each measurement is repeated n times in each year, where $n = \text{round}\left(\frac{d_{year}}{d}\right)$, where d_{year} is the number of days in the year (365 or 366), d is the number of measurements at the monitor, and $\text{round}()$ rounds to the nearest integer. The concentration-based design value can be complete or incomplete. The value is complete if all quarters in the three-year period are at least 75% complete or the concentration-based design value is $155 \mu\text{g m}^{-3}$ or larger. Completeness is calculated by dividing the number of valid samples by the number of scheduled samples. This methodology produces similar conclusions as the official exceedance-based design values, but also provides additional context when tracking trends in measured concentrations over time. In general, concentration-based design values of $155 \mu\text{g m}^{-3}$ or larger would also have exceedance-based design values that do not attain the standard.

PM10 concentrations are influenced by rainfall because the water droplets remove particulate matter from the air and less fugitive dust is emitted from moist outdoor surfaces than similar dry surfaces. In addition, the atmospheric instability that commonly occurs with rainstorms facilitates ventilation of the Basin and vertical mixing. Rainfall during the 2010 - 2020 period in the National Oceanic and Atmospheric Administration (NOAA) South Coast Drainage Climate Division, which overlaps the South Coast Air Basin, was slightly lower than the average in prior decades (Figure 2-3)¹¹. Average annual rainfall was 15.1 inches from 2010 - 2020 compared with 18.1 inches during 1990 – 2009 in the NOAA South Coast Drainage Climate Division. The rainfall conditions during 2010 – 2020 were not conducive to lower PM10 concentrations since rainfall tended to be lower than average during this period.

¹¹ Rainfall data for NOAA South Coast Drainage Climate Division: NOAA National Centers for Environmental information, Climate at a Glance: Divisional Time Series, published March 2021, retrieved on March 23, 2021 from <https://www.ncdc.noaa.gov/cag/>

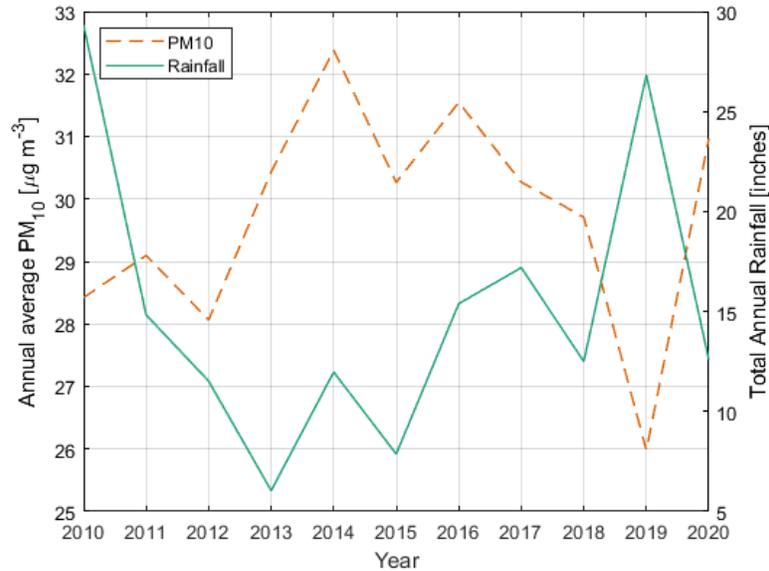


Figure 2-3: Trend of annual average PM10 and annual rainfall in the South Coast Air Basin

Meteorological factors including surface wind speeds, mixed layer height, turbulent velocities in the surface layer, and surface friction velocity influence PM10 emissions and mixing, transport, and dispersion of PM10. However, their influence on PM10 concentrations is complex. Wind speeds are correlated with surface friction velocity and turbulent velocities. Higher surface friction velocity causes increased fugitive dust emissions from surfaces but is associated with increased dispersion which tends to decrease PM10 concentrations. The relationship between these factors and concentrations varies over the South Coast Air Basin. Since these factors do not have a direct relationship with PM10 concentrations that could be applied throughout the South Coast Air Basin, we did not evaluate trends of these meteorological factors. However, a 10-year period is likely to represent most of the variation of these factors and it is unlikely that systematic trends in these factors contributed to lower PM10 concentrations over the 2010 – 2020 period.

The South Coast Air Basin PM10 design value, which represents the maximum design value of all monitors, without removing exceptional events, increased over the 2012 - 2020 period (Figure 2-4). This is because there have been more wind-blown dust and wildfire driven exceedances of the NAAQS in the later years of the 2012 - 2020 period. After removing suspected exceptional events there were two exceedances of the 24-hour PM10 NAAQS over the first maintenance period (11/12/2013 at MLVB and 7/9/2018 at UPLA). However, the three-year 24-hour PM10 design value did not exceed one.

The maximum concentration-based design value after removing suspected exceptional events in the South Coast Air Basin increased from 104 to 127 (22%) over this period. The largest increase was from 2012 to 2013 followed by an inconsistent but decreasing trend. The concentration-based design values after removing suspected exceptional events are below the NAAQS. The slight increase is consistent with the trend of annual average PM10 (Figure 2-3), which increased by 9% from 2010 to 2020.

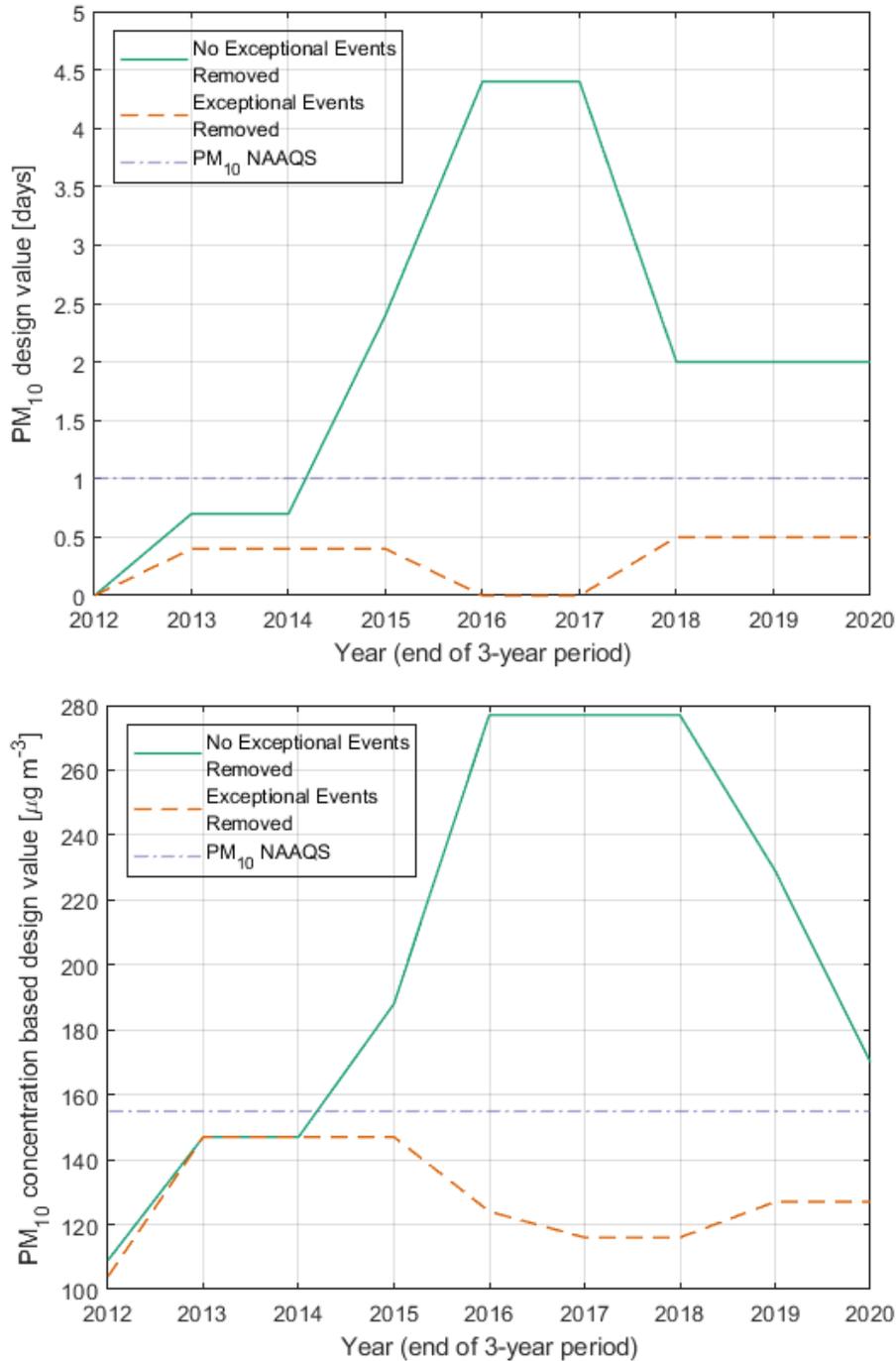


Figure 2-4: Trend of PM₁₀ design values (left top) and concentration-based design value (right bottom). The value shown is the maximum of all PM₁₀ monitors in the South Coast Air Basin.

2.5. PM₁₀ Sources and Emission Controls

PM₁₀ is produced by primary PM₁₀ emissions and secondary formation of particulate matter that contributes to PM₁₀. Precursors that contribute to secondary formation of PM₁₀ include NO_x, VOC, SO_x, and NH₃. High wind events typically cause windblown dust or ash and lead to several exceedances

of the 24-hour PM10 NAAQS every year. However, many, if not all, of these high wind events are likely to be considered exceptional events.

The largest sources of primary PM10 in the South Coast Air Basin are “road dust” and “construction and demolition”. However, the dominant sources may vary throughout the South Coast Air Basin, and some source categories may cause localized areas with elevated PM10 concentrations relative to the surrounding area or other parts of the South Coast Air Basin. Selected rules for regulating emissions from sources of primary PM10 in the South Coast Air Basin are listed in Table 2-3 along with the emission source categories that are covered by those rules. These rules are described in sections 2.6 through 2.9. These rules may be considered for revision to reduce particulate emissions as part of the contingency plan action described in section 7.2. There are other rules targeting PM sources that also lead to reductions in PM10.

Table 2-3: Selected South Coast AQMD rules that regulate major sources of PM10.

Emission Sources	South Coast AQMD Rule Number
Fugitive Dust and Construction	403
Open Burning	444
Aggregate and Related Operations	1157
Storage, Handling, and Transport of Coke, Coal, and Sulfur	1158
Paved and Unpaved Roads and Livestock Operations	1186

2.6. Rule 403 (Fugitive Dust)¹²

Fugitive dust is a generic term used to describe any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of any person. Fugitive dust can vary in size and composition, depending on the location, wind direction, time of the day, and the time of season for its source. Rule 403 (Fugitive Dust) was adopted in 1976 and has been amended six times since adoption. The requirements in Rule 403 are applicable to the South Coast Air Basin and to the Coachella Valley portion of the Salton Sea Air Basin. The purpose of Rule 403 is to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (man-made) fugitive dust sources. Rule 403 requires implementation of control measures to prevent, reduce, or mitigate fugitive dust emissions and includes a performance standard that prohibits visible emissions from crossing any property line. Under Rule 403, large operations (projects greater than 50 acres and/or more than 5,000 cubic yards of daily earth-movement) are required to notify South Coast AQMD of the project location and implement specific control measures and maintain recordkeeping.

In spite of these requirements throughout the South Coast AQMD jurisdiction, ground disturbances, geological conditions, or meteorological conditions may result in dust generation that constitutes a chronic public nuisance, or would prevent attainment of federal PM10 standards. These limited areas may warrant additional dust control efforts on the part of local governments. A local dust control policy that requires preparation and approval of a dust control plan for all projects seeking a grading permit in such limited areas may be needed to supplement current Rule 403 requirements. Local governments

¹² Rule 403 available at: <http://www.aqmd.gov/rules/reg/reg04/r403.pdf>. Forms for large operation submittals can be viewed or downloaded at: http://www.aqmd.gov/comply/Forms/403N_8_2004.doc.

may also choose to apply specific control measures crafted to address their chronic public nuisance dust problems or PM10 exceedances.

South Coast AQMD and Coachella Valley local government staff have developed a guidance handbook to assist persons preparing and reviewing dust control plans. This guidance handbook as well as a comprehensive overview of South Coast AQMD dust control requirements and strategies are covered in monthly classes held at South Coast AQMD Headquarters or virtually. “Dust Control in the South Coast Air Basin” is a three-hour training class that provides attendees with a comprehensive overview of South Coast AQMD dust control requirements and current strategies for preventing, mitigating, and controlling the release of airborne particulate matter emissions from earth moving activities undertaken within the South Coast Air Basin.

2.7. Rule 444 (Open Burning) ¹³

Rule 444 – Open Burning, was originally adopted in 1976 and revised most recently in 2013. It is intended to reduce visible emissions and minimize public nuisance from smoke emissions. Currently, Rule 444 allows open burning on permissive burn days, provided that a permit and event authorization is obtained, and that such burning events are not prohibited by a fire protection agency. South Coast AQMD declares a permissive burn day when certain meteorological conditions are met in one or more of the defined source/receptor areas. Rule 444 also includes general requirements (i.e., burning time window and ignition device) for open burning, as well as particular requirements, such as moisture level and firing methods for agricultural burning, and a Smoke Management Plan for prescribed burning. In addition, Rule 444 sets Districtwide maximum daily burn acreage for agricultural and prescribed burning with less restrictive requirements for training burns if the duration is less than 30 minutes and clean fuel is utilized.

The 2008 Rule 444 amendments strengthened the rule provisions to be more health protective and update the rule to be based on the Air Quality Index (AQI) for forecasting “marginal”, “permissive”, and “no burn” days. The 2008 proposal also included several new requirements for agricultural burning and fire prevention/suppression training and prohibited agricultural burns within 1,000 feet of sensitive receptor locations.

2.8. Rule 1157 (PM10 Emission Reductions from Aggregate and Related Operations) ¹⁴

Rule 1157 was adopted in 2005 and amended once in 2006. It is aimed at further reducing PM10 emissions from aggregate and related operations as part of the 2003 AQMP Control Measure BCM-08 – Further Emission Reductions from Aggregate and Cement Manufacturing Operations, which identified aggregate and cement operations as sources of PM10 emissions. Aggregate and related operations are also regulated by Rule 403- Fugitive Dust, however, Rule 403 allows a choice of compliance options for general fugitive dust source categories, while Rule 1157 seeks to further minimize particulate emissions from this industry by establishing source specific performance standards and specifying operational PM10 controls for various types of equipment, processes, storage piles, internal roadways at aggregate and related operations, and track-out of materials onto paved public roads.

¹³ Rule 444 available at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-444.pdf?sfvrsn=4>

¹⁴ Rule 1157 available at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1157.pdf?sfvrsn=4>

Rule 1157 affects approximately 389 aggregate and related operations categorized as follows: 29 aggregate, 100 concrete batching, 152 concrete product, 45 hot-mix asphalt, 25 crushed miscellaneous base for concrete and asphalt recycling, and 38 "other" facilities (i.e., sand and cement blending and bagging, inert landfills handling construction and demolition debris, etc.) These facilities generate PM10 during their mining, processing, and handling (i.e., transporting, loading/unloading, conveying, crushing, screening, mixing, and storing) of the aggregates. Unpaved roads and track-out from these facilities are two other significant sources of PM10 emissions.

2.9. Rule 1158 (Storage, Handling, and Transport of Coke, Coal and Sulfur) ¹⁵

Rule 1158 was adopted in 1983 and was amended in 1999 and 2008. The 1999 rule amendment added coal and sulfur to the rule's provisions and specified requirements to reduce PM emissions. The 1999 amendments mandated all coke piles and new coal and sulfur piles be enclosed (storage, unloading and transfer operations). Furthermore, the rule set a visible dust standard. The road surfaces and vehicle movement areas where material accumulated have to be paved to allow effective cleaning. Trucks and trailers transporting materials have to be covered, be leak resistant, and cleaned before leaving the facility.

2.10. Rule 1186 (PM10 Emissions from Paved and Unpaved Roads, and Livestock Operations) ¹⁶

Rule 1186 - PM10 Emissions from Paved and Unpaved Roads and Livestock Operations, was adopted in 1997 and was amended several times (December 1998, September 1999, April 2004, and July 2008) to implement the 1994 AQMP control measure BCM-01 (Control Emissions from Paved and Unpaved roads). In general, Rule 1186 applies to the entire South Coast AQMD jurisdiction, with the exception of requirement 5, which addresses unpaved roads in the South Coast Air Basin. One of the Rule 1186 requirements is for governmental agencies to procure and use certified street sweepers for routine street sweeping activities.

The provisions of this rule apply to specified land uses and activities conducted within the South Coast AQMD which result in fugitive dust. South Coast AQMD staff subsequently worked with industry to develop a testing protocol to certify street sweepers both in terms of pick-up efficiency and PM10 entrainment. After the certification testing protocol was approved by the Board, street sweeper manufacturers contracted with independent testing laboratories to certify street sweeping equipment.

The purpose of this rule is to reduce the amount of particulate matter entrained in the ambient air as a result of vehicular travel on paved and unpaved public roads, and at livestock operations. South Coast AQMD rules 1157 and 1158 also require procurement of certified street sweepers to implement specific rule requirements. This list of equipment is updated periodically based on certifications test results and in response to new information.

¹⁵ Rule 1158 available at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1158.pdf?sfvrsn=4>

¹⁶ Rule 1186 available at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186.pdf?sfvrsn=4>

3. Maintenance Demonstration

A State can demonstrate maintenance of the NAAQS by either showing that future emissions of a pollutant or its precursors will not exceed the level of the attainment inventory, or by modeling to show that the future anticipated mix of sources and emission rates will not cause a violation of the NAAQS. The 2009 PM10 Maintenance Plan relied on emissions inventory and photochemical transport modeling to demonstrate continued maintenance of the 1987 24-hour PM10 NAAQS. However, considering that the Basin has maintained the attainment status since the submittal of the 2009 maintenance plan and that the new emissions inventory for PM10 and its precursors are substantially lower than in the attainment inventory approved by the U.S. EPA, the continued maintenance of the 24-hour PM10 NAAQS is demonstrated only based on the new emissions inventory in this Plan.

This chapter presents detailed emissions of PM10, its precursors and other criteria pollutants in the South Coast Air Basin for base year (2018) and future milestone years (2023, 2031 and 2035). The emissions trend analysis demonstrates continued attainment of the 1987 24-hour PM10 NAAQS for the South Coast Air Basin. The emissions inventory included in the Plan is consistent with the U.S. EPA's guidance, "PM10 Emissions Inventory Requirements¹⁷".

3.1. Base and Future Milestone years

The year 2018 was chosen as the base year for this Plan because it is one of the years in the most recent three-year design value periods (2016–2018, 2017–2019, and 2018–2020) in which attainment of the 1987 24-hour PM10 NAAQS was monitored. The U.S. EPA's 1994 guidance requires that the inventory used in the maintenance demonstration should represent emissions during the time period associated with the monitoring data showing attainment.

CAA section 175A requires the 2nd maintenance horizon year to be after ten years from the effective date of redesignation or beyond. The 1st maintenance plan was approved by the U.S. EPA to become effective through July 26, 2023, which leads to 2033 as the new horizon year for the 2nd maintenance plan. Given the availability of emissions inventory, the new maintenance horizon year was chosen to be 2035 (instead of 2033), adding two extra years beyond the required deadline. Additional interim years of 2023 and 2031 are included as way points to track the maintenance effort.

3.2. Emissions Inventory Methodology

The emissions inventory methodologies used in this Plan are consistent with those used in the 2016 Air Quality Management Plan (AQMP) and the 2020 South Coast PM2.5 Plan for the 2006 24-hour PM2.5 Standard with updates where applicable. While more detailed information regarding the emissions inventory development for the base and future years is available in Chapter 3 and Appendix 3 of the

¹⁷ U.S. EPA, 1994, "PM10 Emissions Inventory Requirements" EPA, Office of Air Quality Planning and Standards, EPA-454/R-94-033 (September 1994). Available at <http://www.epa.gov/ttn/chief/eidocs/pm10eir.pdf>

2016 AQMP¹⁸ and Chapter 3 of the 2020 South Coast PM2.5 Plan¹⁹, a brief description of the four groups of emissions is provided below. The main change to the emissions inventory in this Plan compared to the 2020 PM2.5 Plan is updates to travel activity data. The previous two plans use travel activity data from SCAG's 2016 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS)²⁰, while this Plan relies on updated estimation from the 2020 RTP/SCS²¹.

3.2.1. Point Sources

Point sources generally correspond to permitted facilities with one or more emission sources at an identified location (e.g., power plants, refineries). The larger point source facilities with annual emissions of 4 tons or more of either Volatile Organic Compounds (VOC), Nitrogen Oxide (NO_x), Sulfur Oxide (SO_x), or total Particulate Matter (PM), or annual emissions of over 100 tons of Carbon Monoxide (CO) are required to report their criteria pollutant emissions and selected air toxics pursuant to Rule 301 through the AER Program. These facilities need to report emissions on an annual basis and are subject to emission audits. This Plan uses the 2018 annual reported emissions for 2018, which is consistent with the 2020 PM2.5 Plan.

3.2.2. Area Sources

Area sources consist of many small emission sources (e.g., residential water heaters, architectural coatings, consumer products and permitted sources that are smaller than the thresholds described in the Point Sources) which are distributed across the region and are not required to individually report their annual emissions. There are about 400 area source categories for which emission estimates are jointly developed by CARB and the South Coast AQMD. The emissions from these sources are estimated using specific activity information and emission factors. Activity data are usually obtained from survey data or scientific reports (e.g., Energy Information Administration (EIA) reports for fuel consumption other than natural gas, Southern California Gas Company for natural gas consumption, paint suppliers under Rule 314 and South Coast AQMD databases). Emission factors are based on rule compliance factors, source tests, manufacturer's product or technical specification data, default factors (mostly from the U.S. EPA's AP-42 published emission factor compilations), or weighted emission factors derived from the point source facilities' annual emissions reports. The overall methodology for area sources is described in Appendix III of the 2016 AQMP. The area source emissions in this Plan, except paved road dust, unpaved road dust and road construction emissions, are the same emissions projected in the 2016

¹⁸ South Coast AQMD (2017), 2016 Air Quality Management Plan, Appendix III, Base and future year emission inventory. Available at <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/appendix-iii.pdf?sfvrsn=6>

¹⁹ South Coast AQMD (2020), Final South Coast Air Basin Attainment Plan for 2006 24-Hour PM2.5 Standard. Available at <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/2-final-attainment-plan-for-2006-24-hour-pm2-5-standard-for-the-south-coast-air-basin.pdf?sfvrsn=6>

²⁰ SCAG 2016, The 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life. Available at <https://scag.ca.gov/resources-prior-plans>

²¹ SCAG 2020, The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy: Connect SoCal. Available at <https://scag.ca.gov/read-plan-adopted-final-plan>

AQMP for 2018 and future milestone years, using growth and control factors derived from regulatory and socio-economic data. The three road dust categories were updated based on the vehicle activity data used to develop on-road mobile source emissions described in the next section.

3.2.3. On-Road Mobile Sources

On-road sources include motor vehicles such as passenger cars and trucks that travel on roads, streets, and highways. Emissions from on-road sources are calculated using travel activity and vehicle-specific emission factors that depend on temperature and relative humidity. This Plan uses the travel activity data from SCAG's 2020 RTP/SCS, while the 2016 AQMP and the 2020 PM2.5 Plan used SCAG's 2016 RTP/SCS. Vehicle emission factors are estimated based on CARB's EMFAC 2017 model, which is consistent with the 2020 PM2.5 Plan. The 2020 RTP estimates the activity of light and medium duty vehicles including passenger cars and light and medium duty trucks to be similar to the 2016 RTP traffic activity. However, mileages traveled by heavy-duty vehicles were projected to be lower than the 2016 RTP estimation. The reduced VMTs are more pronounced in the heavy heavy-duty category, as evident in the NOx emissions shown in Figures 3-1. Given that emissions from heavy-duty vehicles are the largest contributor to on-road mobile NOx emissions, the new on-road mobile emissions using the 2020 RTP data are lower in the future compared to the 2016 RTP data.

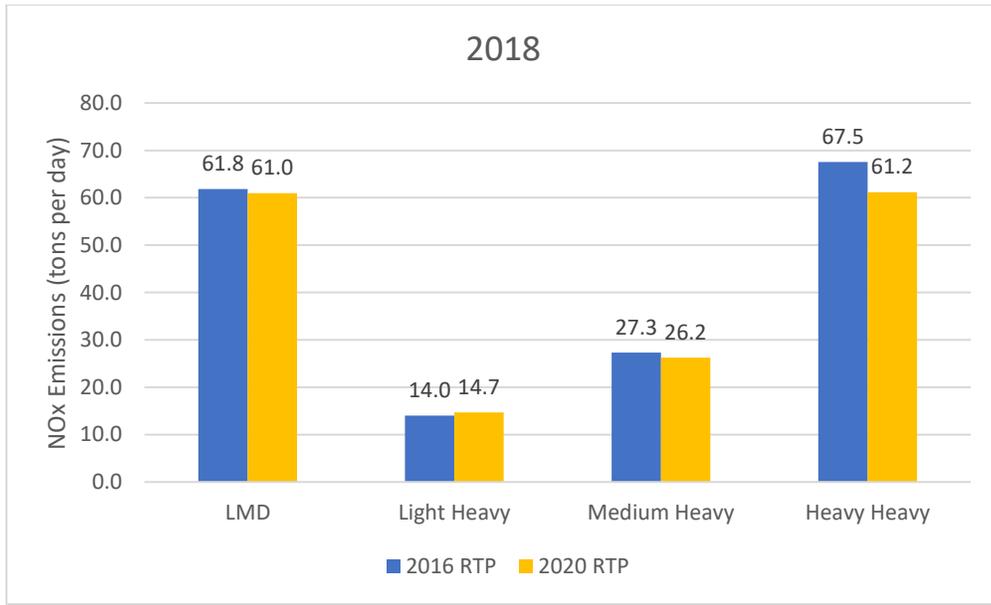
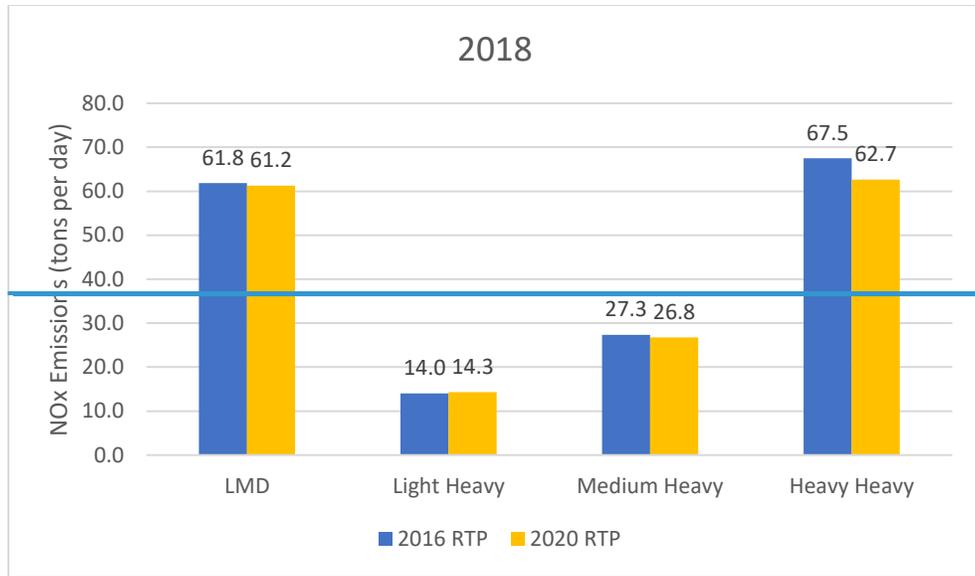


Figure 3-1-A: 2018 NOx emissions estimated with travel activity data from 2016 RTP vs 2020 RTP

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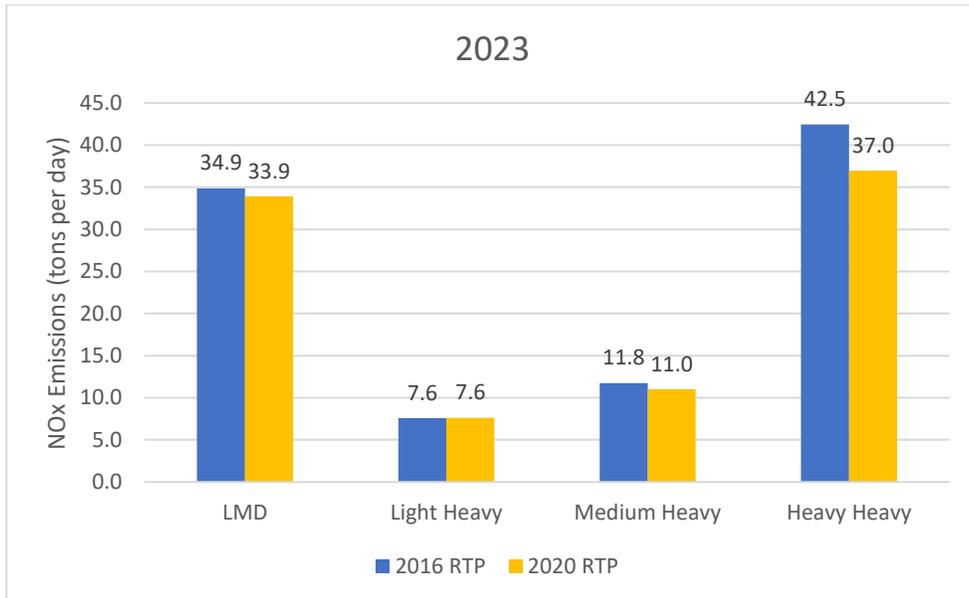
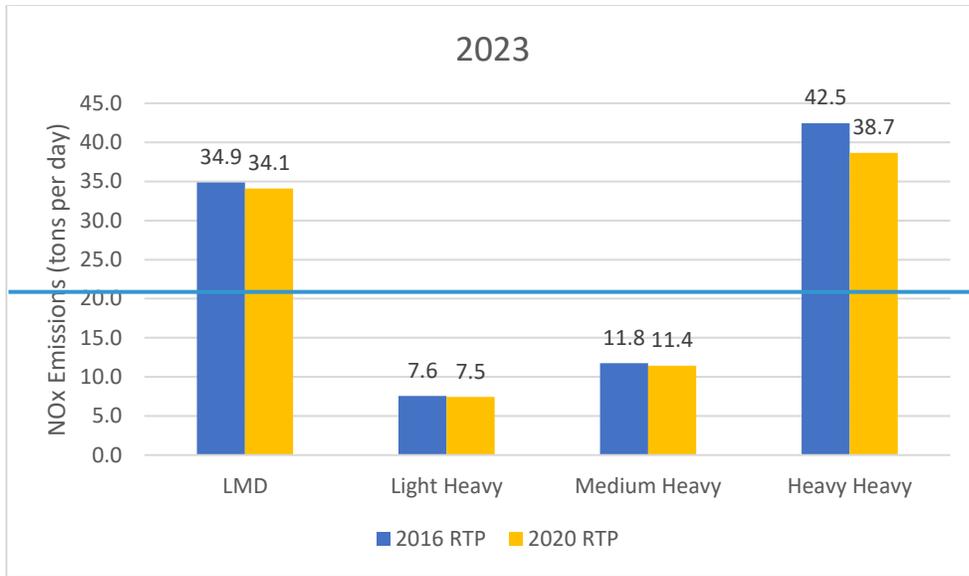


Figure 3-1-B: 2023 NOx emissions estimated with travel activity data from 2016 RTP vs 2020 RTP

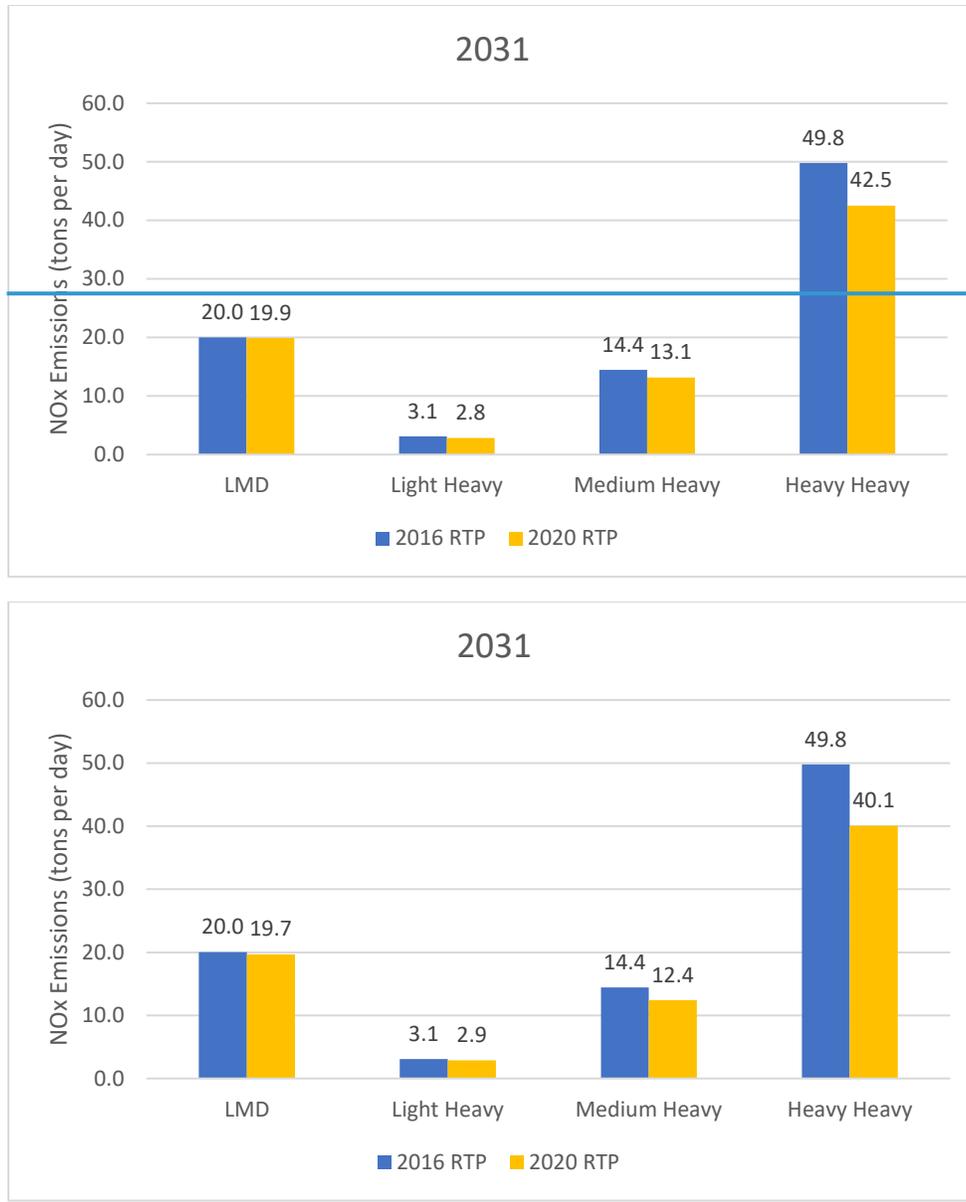


Figure 3-1-C: 2031 NOx emissions estimated with travel activity data from 2016 RTP vs 2020 RTP

3.2.4. Off-Road Mobile Sources

Mobile sources not included in the on-road mobile source emissions inventory are classified as off-road mobile sources. CARB uses several models to estimate emissions for more than 100 off-road equipment categories of different fuel types, engine sizes, and engine types. The models account for the effects of various adopted regulations, technology types, and seasonal effects on emissions. The models combine equipment population, equipment activity, horsepower, load factors, population growth, survival rates, and emission factors to yield the annual emissions by county, air basin, or statewide. The off-road inventory for this Plan is consistent with the 2020 PM2.5 Plan inventory, which contains an update in

ocean going vessels (OGV) category from the 2016 AQMP inventory. See CARB 2018 Updates to the California State Implementation Plan²² for further details.

3.3. Base Year (2018) Emissions Inventory

Table 3-1 shows the 2018 annual average emissions inventory for the South Coast Air Basin by major source category. While on-road and off-road mobile sources are the largest contributors to the Basin total NOx and CO emissions, stationary sources are the largest contributor to PM10, PM2.5, SOx and NH3 emissions. The largest sources of PM10 emissions in the Basin include paved road dust, construction and demolition, ~~unpaved road dust, cooking and~~ residential fuel combustion ~~and unpaved road dust~~. Light duty vehicles also contribute substantially to PM10 emissions resulting from two mechanisms – exhaust emissions from fuel combustion and non-exhaust emissions from the abrasion and/or corrosion of tires and brakes. While the exhaust emissions are well controlled by regulatory agencies, PM emissions from tire and brake wear are proportional to vehicle miles travelled. Because vehicle miles travelled are expected to grow in future years as a response to population and economy growth, PM10 emissions from tire and brake wear and tear are also expected to grow. The top 9 PM10 sources and their emissions are provided in Figure 3-2.

²² CARB 2018 Updates to the California State Implementation Plan, Available at <https://ww3.arb.ca.gov/planning/sip/2018sipupdate/2018update.pdf>

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Table 3-1: 2018 Average Annual Day Emissions By Major Source Category in the South Coast Air Basin (tpd¹)

SOURCE CATEGORY	Annual Average						
	VOC	NOx	CO	SOx	PM10	PM2.5	NH3
STATIONARY SOURCES							
Fuel Combustion	10.4	23.2	40.4	1.3	4.9	4.8	7.6
Waste Disposal	13.9	1.4	0.7	0.4	0.3	0.3	5.5
Cleaning and Surface Coatings	37.3	0.0	0.1	0.0	1.7	1.6	0.2
Petroleum Production and Marketing	21.0	0.3	2.7	0.3	1.3	0.9	0.1
Industrial Processes							
Mineral Process	0.3	0.0	0.3	0.0	4.5	2.5	0.1
Wood and Paper	0.2	0.0	0.0	0.0	4.5	2.7	0.0
Others	9.8	0.1	0.5	0.1	2.0	1.5	9.3
Solvent Evaporation	101.4	0.0	0.0	0.0	0.0	0.0	1.2
Misc. Processes							
Residential Fuel Combustion	8.4	14.6	46.8	0.5	6.8	6.6	0.1
Construction and Demolition	0.0	0.0	0.0	0.0	22.7	2.3	0.0
Paved Road Dust	0.0	0.0	0.0	0.0	56.47 2	8.56	0.0
Unpaved Road Dust	0.0	0.0	0.0	0.0	16.75 9	1.70 6	0.0
Cooking	1.9	0.0	0.0	0.0	11.5	11.5	0.0
Others	2.1	0.3	9.3	0.1	3.5	1.4	34.5
RECLAIM SOURCES	0.0	17.8	0.0	5.5	0.0	0.0	0.0
Total Stationary Sources	206.8	57.7	100.7	8.2	136.7 26.6	45.6 2.2	58.6
MOBILE SOURCES							
On-Road Vehicles	79.08 4	172.8 170.8	724.35 2.7	1.7	23.9	11.1	16.32
Off-Road Vehicles	80.8	134.9	691.3	4.1	7.3	6.3	0.2
Total Mobile Sources	159.86 1.2	307.8 305.8	1444.0 1415.6	5.8	31.2	17.3	16.34

TOTAL	3668.0	365.4	1544.6	14.0	167.9	62.53.5	75.04.9
		<u>3.5</u>	<u>16.2</u>		<u>57.9</u>		

¹Values may not sum due to rounding

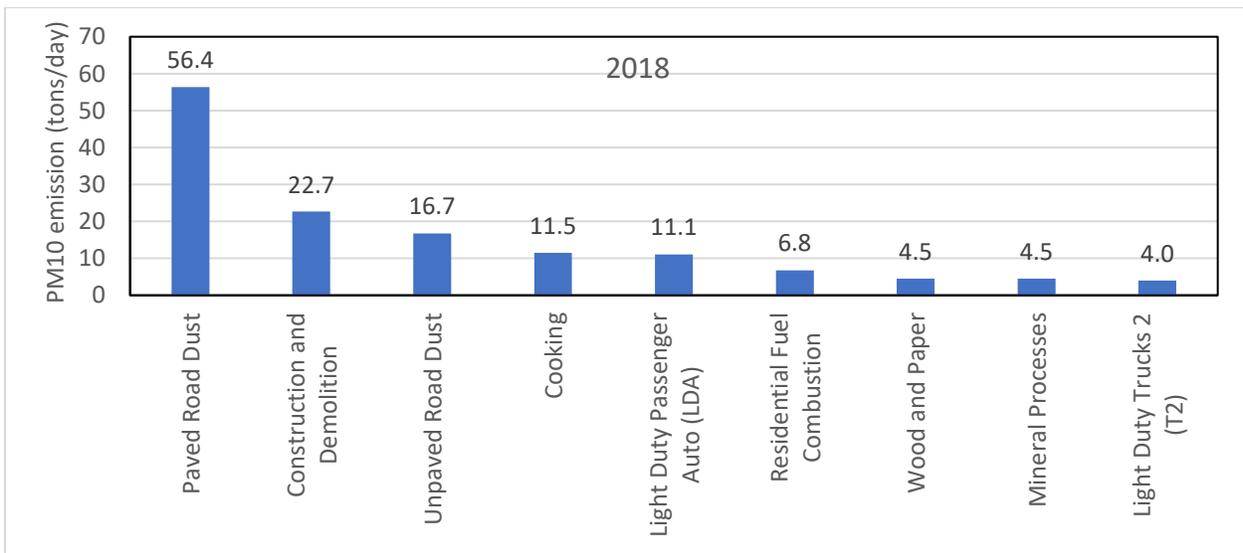
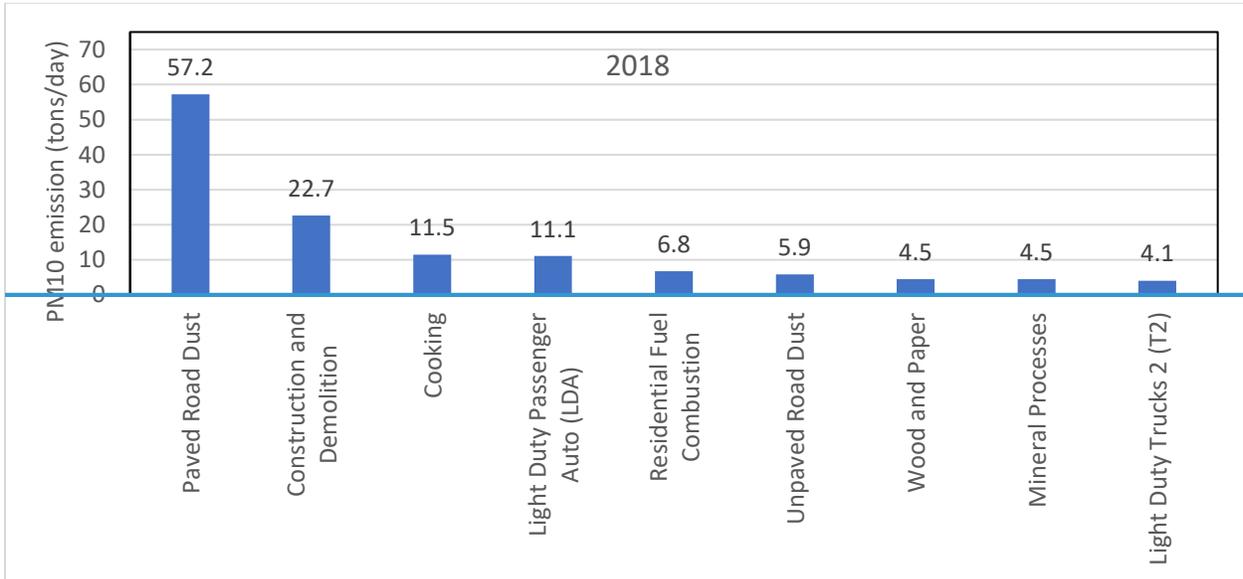


Figure 3-2: Top ~~10~~ 9 PM10 sources in 2018

3.4. Future Years Emissions Inventory

In this Plan, future emissions from stationary and off-road mobile sources, except for OGV, were projected using growth and control factors developed for the 2016 AQMP. OGV emissions were projected using later estimates based on the 2018 updates to the California SIP, to reflect a slower

turnover to cleaner vessels. On-road mobile source emissions were projected using EMFAC 2017 emission factors applied to the future vehicle activity projected in SCAG's 2020 RTP.

Future years' stationary source emissions are divided into RECLAIM and non-RECLAIM point source emissions and area sources. Future NO_x and SO_x emissions from RECLAIM point sources are estimated based on their allocations as specified by South Coast AQMD Rule 2002 – Allocations for NO_x and SO_x. The forecasts for area source emissions were derived for the 2016 AQMP using: (1) emissions from the 2012 base year, (2) expected controls based on implementation of South Coast AQMD's rules as reflected in the 2016 AQMP, and (3) activity growth in various source categories between the base and future years. Chapter 3 and Appendix III of the 2016 AQMP provide more information on how the emissions were projected. Non-RECLAIM point sources were derived similarly to area sources, but projections were based on reported 2018 emissions.

Tables 3-2A, B, and C present the annual average emissions for 2023, 2031 and 2035. 2035 is the new maintenance horizon and 2023 and 2031 are interim years added to demonstrate the projected maintenance through 2035. Detailed emissions inventories by major source category can be found in Appendix I.

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Table 3-2-A: 2023 Average Annual Day Emissions By Major Source Category in the South Coast Air Basin (tpd¹)

SOURCE CATEGORY	Annual Average						
	VOC	NOx	CO	SOx	PM10	PM2.5	NH3
STATIONARY SOURCES							
Fuel Combustion	10.3	22.4	40.6	1.4	4.9	4.9	7.5
Waste Disposal	15.1	1.5	0.7	0.5	0.3	0.3	5.8
Cleaning and Surface Coatings	41.4	0.0	0.1	0.0	1.8	1.7	0.2
Petroleum Production and Marketing	19.8	0.3	2.7	0.3	1.3	0.9	0.1
Industrial Processes							
Mineral Process	0.3	0.0	0.3	0.0	4.5	2.5	0.1
Wood and Paper	0.2	0.0	0.0	0.0	5.0	3.0	0.0
Others	10.4	0.1	0.5	0.1	2.1	1.5	9.3
Solvent Evaporation	104.6	0.0	0.0	0.0	0.0	0.0	1.1
Misc. Processes							
Residential Fuel Combustion	8.4	12.9	46.4	0.5	6.7	6.5	0.1
Construction and Demolition	0.0	0.0	0.0	0.0	25.75	2.6	0.0
Paved Road Dust	0.0	0.0	0.0	0.0	58.058.9	8.78.8	0.0
Unpaved Road Dust	0.0	0.0	0.0	0.0	16.75.9	0.61.7	0.0
Cooking	2.0	0.0	0.0	0.0	12.1	12.1	0.0
Others	2.0	0.3	9.3	0.1	3.3	1.4	34.2
RECLAIM SOURCES	0.0	14.5	0.0	6.1	0.0	0.0	0.0
Total Stationary Sources	214.5	52.0	100.6	9.0	142.532.2	47.86.8	58.4
MOBILE SOURCES							
On-Road Vehicles	55.75 6.4	93.49 5.6	501.75 20.7	1.51.5	22.722.7	9.69.6	19.61 9.8
Off-Road Vehicles	72.5	124.2	720.0	4.7	6.4	5.4	0.2
Total Mobile Sources	128.2 128.9	217.6 219.7	1221.6 1240.7	6.16.2	29.129.0	15.015.0 0	19.82 0.0
TOTAL	342.8 3.4	271.7 69.6	1341.13 22.3	15.1	171.5161 .2	62.91.9	78.13

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¹ Values may not sum due to rounding

Table 3-2-B: 2031 Average Annual Day Emissions By Major Source Category in the South Coast Air Basin (tpd¹)

SOURCE CATEGORY	Annual Average						
	VOC	NOx	CO	SOx	PM10	PM2.5	NH3
STATIONARY SOURCES							
Fuel Combustion	10.4	22.4	41.1	1.5	4.9	4.9	7.5
Waste Disposal	16.4	1.6	0.7	0.5	0.3	0.3	6.1
Cleaning and Surface Coatings	45.0	0.0	0.1	0.0	1.9	1.8	0.2
Petroleum Production and Marketing	18.0	0.3	2.7	0.3	1.3	0.9	0.1
Industrial Processes							
Mineral Process	0.3	0.0	0.3	0.0	4.6	2.5	0.1
Wood and Paper	0.2	0.0	0.0	0.0	5.4	3.2	0.0
Others	10.8	0.1	0.5	0.1	2.1	1.6	9.3
Solvent Evaporation	109.4	0.0	0.0	0.0	0.0	0.0	1.1
Misc. Processes							
Residential Fuel Combustion	8.4	10.9	46.2	0.5	6.7	6.5	0.1
Construction and Demolition	0.0	0.0	0.0	0.0	28.4	2.8	0.0
Paved Road Dust	0.0	0.0	0.0	0.0	59.96 0.7	9.0	0.0
Unpaved Road Dust	0.0	0.0	0.0	0.0	16.75 8	1.70 6	0.0
Cooking	2.2	0.0	0.0	0.0	12.8	12.8	0.0
Others	2.0	0.3	9.3	0.1	3.1	1.4	35.5
RECLAIM SOURCES	0.0	14.5	0.0	6.1	0.0	0.0	0.0
Total Stationary Sources	223.0	50.1	101.0	9.1	148.1 37.7	49.48 4	59.9
MOBILE SOURCES							
On-Road Vehicles	40.84 4	71.97 4.9	377.43 93.8	1.21 3	22.72 2.8	9.59 5	21.92 1
Off-Road Vehicles	66.3	118.2	764.6	5.6	5.7	4.9	0.2

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Total Mobile Sources	<u>107.11</u> 07.7	<u>190.1</u> 193.1	<u>1142.1</u> 1158.4	<u>6.86</u> .9	<u>28.42</u> 8.5	<u>14.414</u> .4	<u>22.122</u> 3
TOTAL	<u>330.13</u> 30.6	<u>240.2</u> 243.2	<u>1243.1</u> 1259.4	<u>15.915</u> .9	<u>176.5</u> 166.2	<u>63.862</u> .8	<u>81.982</u> 1

¹ Values may not sum due to rounding

Table 3-2-C: 2035 Average Annual Day Emissions By Major Source Category in the South Coast Air Basin (tpd¹)

SOURCE CATEGORY	Annual Average						
	VOC	NOx	CO	SOx	PM10	PM2.5	NH3
STATIONARY SOURCES							
Fuel Combustion	11.5	35.3	51.2	6.6	5.8	5.7	8.7
Waste Disposal	16.8	2.7	1.3	0.7	0.3	0.3	6.3
Cleaning and Surface Coatings	51.9	0.0	0.1	0.0	2.0	1.9	0.5
Petroleum Production and Marketing	18.4	1.0	5.3	2.1	1.8	1.6	0.2
Industrial Processes							
Mineral Process	0.9	0.3	0.2	0.2	5.3	2.9	0.2
Wood and Paper	0.3	0.0	0.0	0.0	5.6	3.4	0.0
Others	12.6	0.1	0.4	0.1	2.7	1.8	8.7
Solvent Evaporation	111.8	0.0	0.0	0.0	0.0	0.0	1.1
Misc. Processes							
Residential Fuel Combustion	8.4	9.9	46.2	0.5	6.7	6.5	0.1
Construction and Demolition	0.0	0.0	0.0	0.0	<u>29.84</u>	<u>3.02</u> .9	0.0
Paved Road Dust	0.0	0.0	0.0	0.0	<u>61.19</u>	<u>9.23</u>	0.0
Unpaved Road Dust	0.0	0.0	0.0	0.0	5.8 <u>16.7</u>	0.6 <u>1.7</u>	0.0
Cooking	2.2	0.0	0.0	0.0	13.2	13.2	0.0
Others	2.2	0.3	9.3	0.0	3.3	1.5	36.4
Total Stationary Sources	237.0	49.5	114.0	10.1	154.24 3.8	52.51 5	62.2
MOBILE SOURCES							
On-Road Vehicles	<u>36.535</u> .9	<u>66.268</u> .7	<u>359.13</u> 67.9	<u>1.21</u> .2	<u>22.823</u> .0	<u>9.59</u> .5	<u>22.72</u> 2.9
Off-Road Vehicles	66.7	115.5	790.3	6.0	5.6	4.7	0.2

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Total Mobile Sources	103.24 02.6	181.74 84.2	1149.4 1158.2	7.27.2	28.428. 6	14.214. 3	22.92 3.1
TOTAL	340.23 39.6	231.22 33.7	1263.5 1272.3	17.317 .3	182.64 72.4	66.865. 8	85.08 5.3

¹ Values may not sum due to rounding

While basin total NOx emissions are expected to decrease dramatically with time, PM10 emissions are projected to increase marginally from 2018 to 2035. Stationary sources continue to be major sources of PM10 emissions in the Basin. The top 9 sources of PM10 emissions remain the same in future years, as shown in Figures 3-3, with paved road dust and construction and demolition driving the overall increases in total PM10 emissions.

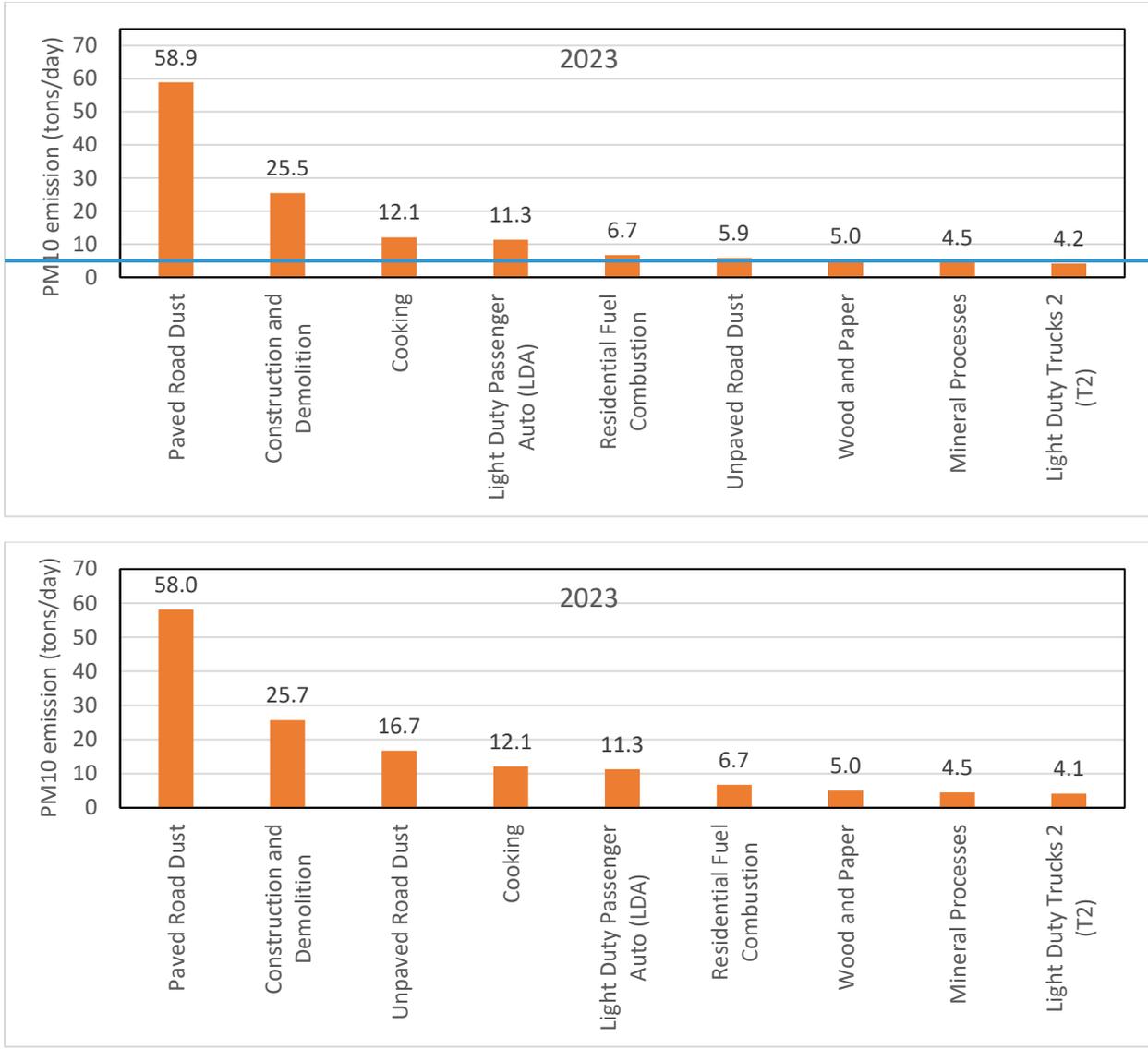


Figure 3-3-A. Top 10 PM10 sources in 2023

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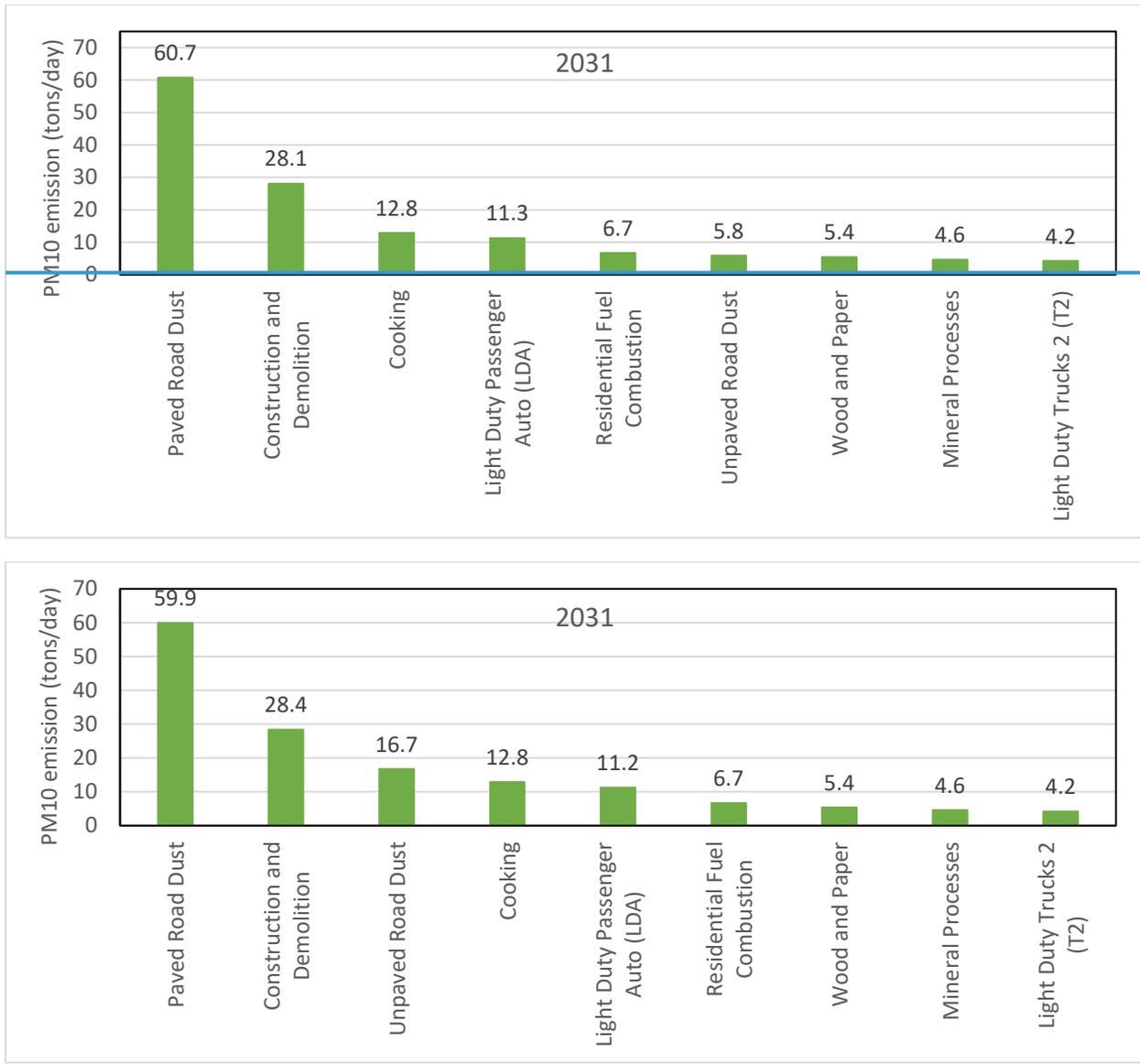


Figure 3-3-B. Top ~~10~~ 9 PM10 sources in 2031

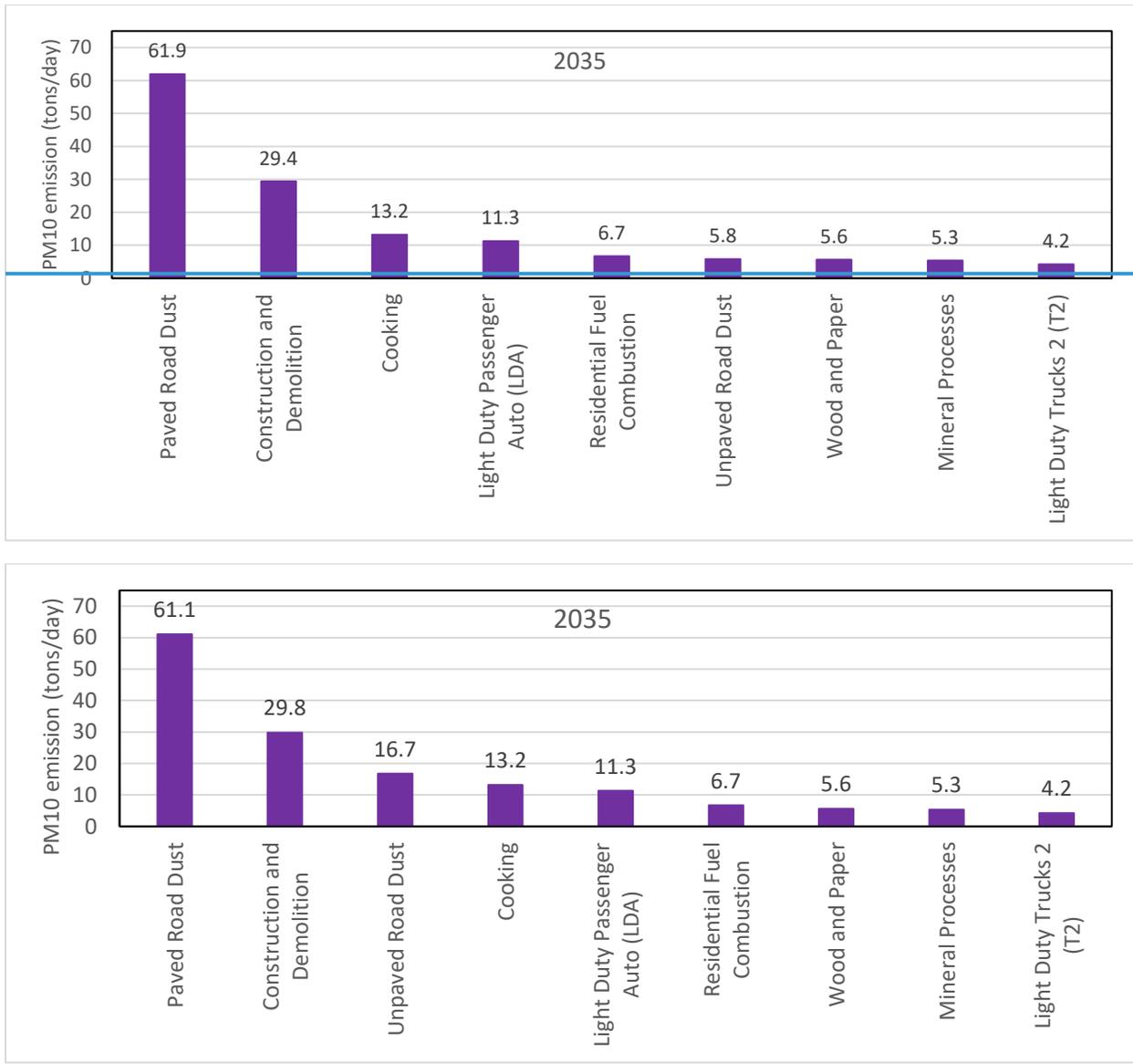


Figure 3-3-C. Top ~~10-9~~ PM10 sources in ~~2031~~2035

3.5. Maintenance of Attainment of 1987 24-hour PM10 standard through 2035

In this analysis we demonstrate maintenance of attainment status of the 1987 24-hour PM10 standard through 2035 based on emissions inventory. The analysis includes emissions inventory trend and comparison with the attainment inventory approved by the U.S. EPA in 2013.

NOx emissions, which are mostly generated from fuel combustion sources, are expected to decline dramatically in the future due to the impact of existing regulations and programs by South Coast AQMD and CARB. VOC emissions in 2035 are projected to be lower than those in 2018 with activity growth offset by existing regulations. On the other hand, PM emissions are expected to increase slightly in the future, with PM10 projected to increase by less than 10% from 2018 to 2035. This is due to the growth

in population and economic activities outpacing emission reductions from various regulations. However, the projected increase in PM10 emissions is not expected to change the attainment status of the Basin for two key reasons. First, still there are substantial NOx reductions and marginal VOC reductions expected to occur in the future year due to the continued implementation of existing regulations with future reductions. Second, the Basin’s PM10 design values (DVs) in the past 9 years (2012 to 2020) were substantially lower than the NAAQS. Excluding days subject to exceptional events, the Basin’s DVs are only approximately 50% of the NAAQS. Refer to Chapter 2 for detailed discussions on PM10 design value. Therefore, the small increase in PM10 emissions should not change attainment of the PM10 standard in the Basin. SOx and NH3 emissions increase slightly in the future, however, their overall contribution to ambient PM10 concentration is de minimis, and therefore, those increases are not expected to interfere with the continued attainment of the 1987 24-hour PM10 standard.

Comparing this Plan’s emissions inventory with the attainment emissions inventory approved by U.S. EPA effective on July 26, 2013, the current inventory for PM10 and its precursor emissions shows significantly lower emissions. Tables 3-3A and B summarize the emissions inventory developed for this Plan and the attainment inventory included in the 2009 maintenance plan, respectively. According to the U.S. EPA’s approval, the emissions of PM10 and its precursors projected to 2030 were sufficient to demonstrate attainment of the PM10 standard to be maintained in the South Coast Air Basin for at least ten years after redesignation, which covers 2013 to 2023 time period. Taking PM10 emissions for 2023 as an example, this Plan shows 171.561.2 tons per day (tpd) compared to 307.8 tpd in the approved attainment inventory. Evidently, regulatory efforts to reduce emissions of PM10 and its precursors has continued since the last maintenance plan and the current emissions inventory presents much lower emissions than those anticipated in 2009, providing further assurance for continued attainment of the PM10 standard.

In all, the annual average day emissions of PM10 and its precursors demonstrate that attainment of the 1987 24-hour PM10 standard will be maintained in the South Coast Air Basin at least through 2035. This attainment is expected to be maintained with baseline emissions, which only reflect already adopted and implemented regulations, and without requiring any additional measures to control emissions beyond the baseline levels.

Table 3-3-A. PM10 and its precursor emissions included in this Plan. Units are tons per day

-	<u>2018</u> <u>2018</u>	<u>2023</u> <u>2023</u>	<u>2031</u> <u>2031</u>	<u>2035</u> <u>2035</u>
<u>PM10</u> <u>PM10</u>	<u>167.91</u> <u>157.9</u>	<u>171.51</u> <u>161.2</u>	<u>176.51</u> <u>166.2</u>	<u>182.61</u> <u>172.4</u>
<u>PM25</u> <u>PM2.5</u>	<u>63.56</u> <u>2.1</u>	<u>62.96</u> <u>1.9</u>	<u>63.86</u> <u>2.8</u>	<u>66.86</u> <u>5.8</u>
<u>NOX</u> <u>NOx</u>	<u>363.53</u> <u>65.4</u>	<u>269.62</u> <u>71.7</u>	<u>240.22</u> <u>43.2</u>	<u>231.22</u> <u>33.7</u>
<u>VOC</u> <u>VOC</u>	<u>366.63</u> <u>68.0</u>	<u>342.83</u> <u>43.4</u>	<u>330.13</u> <u>30.6</u>	<u>340.23</u> <u>39.6</u>
<u>SOX</u> <u>SOx</u>	<u>13.91</u> <u>4.0</u>	<u>15.11</u> <u>5.1</u>	<u>15.91</u> <u>5.9</u>	<u>17.31</u> <u>7.3</u>
<u>NH3</u> <u>NH3</u>	<u>74.97</u> <u>5.0</u>	<u>78.17</u> <u>8.3</u>	<u>81.98</u> <u>2.1</u>	<u>85.08</u> <u>5.3</u>

Table 3-3-B. PM10 and its precursor emissions included in the 2009 maintenance plan²³. Units are tons per day

	2010	2011	2012	2014	2020	2023	2030
PM10	280.9	283	284.8	288.7	300.3	307.8	329.6
PM2.5	101.4	101.5	101.6	101.6	103.2	105.2	113.6
NOX	774.7	742.9	711.6	653.6	525.2	506.4	511.8
VOC	572.4	559.4	547.9	527.7	498.5	496	508.4
SOX	39.2	40.1	40.7	42.8	51.4	55.1	71.7

4. Transportation Conformity

Transportation conformity is required under the CAA section 176(c) to ensure that transportation plans, programs, and projects that obtain federal funds or approvals conform to applicable attainment/maintenance plans and other SIP revisions. A SIP analyzes the region’s total emissions inventory from all sources for purposes of demonstrating attainment or maintenance. The portion of the total emissions inventory from the on-road highway and transit vehicles in these analyses becomes the “motor vehicle emissions budget.” Currently, the motor vehicle emissions budgets for the PM10 maintenance plan are under development for CY 2023, 2031, and 2035 using the latest activity data (VMT and speed) from the Southern California Association of Governments (SCAG) 2020 Regional Transportation Plan and the EMFAC2017 model. These budgets are currently ~~will undergo~~ going through the interagency consultation process and will be release it as part of the included in the CARB staff report and adoption of the proposed PM10 Maintenance Plan.

5. Future Monitoring Network

U.S. EPA guidance states that once an area has been redesignated, the State should continue to operate an appropriate air quality monitoring network in accordance with 40 CFR Part 58 to verify the attainment status of the area. More specifically, daily PM10 sampling is required in the area reporting the peak PM10 concentration. The South Coast AQMD operates a network of PM10 FRM and FEM monitors to meet this requirement.

We presently operate PM10 FRM monitors at nineteen air quality monitoring stations. The network monitors operate on a one-in-six-day sample schedule with the exception of the Indio and Rubidoux FRM monitors that operate on a one-in-three-day sample schedule to meet minimum sampling frequency requirements. Additionally, quality control collocated monitors are required at fifteen percent of sites and should be deployed at sites within plus or minus twenty percent of NAAQS. To meet this

²³ 40 CFR Parts 52 and 81 [EPA-R09-OAR-2013-0007; FRL-9798-3], Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM10; Redesignation of the South Coast Air Basin to Attainment; Approval of PM10 Redesignation Request and Maintenance Plan for the South Coast Air Basin. Table 5 – South Coast Annual Average Pm10 and PM10 precursor baseline emissions for 2002 through 2030

requirement, the South Coast AQMD operates collocated monitors at Indio, Mira Loma, and Rubidoux monitoring sites.

A network of continuous PM10 FEM BAM and TEOM analyzers are operated at eleven sampling sites to meet daily requirements. These real time analyzers measure hourly particulate concentrations. Real time monitors are clustered in high concentration areas to meet minimum monitoring requirements and disseminate information to the public.

South Coast AQMD exceeds all minimum monitoring requirements for PM10 network design and operation. As described in the July 1, 2020 Five Year Air Monitoring Network Assessment, the District is committed to refinement of the PM10 monitoring network. In consultation with U.S. EPA Region IX, the PM10 FRM monitoring network will selectively transition to PM10 FEM continuous analyzers. This modification will provide better resolution of PM10 data, continue to exceed all minimum monitoring network requirements, and verify attainment status. A transition to more continuous analyzers will also increase the spatial resolution of real-time air quality index values, improve the accuracy of forecasting, and enhance the air quality advisories issued by the South Coast AQMD.

6. Verification of Continued Attainment

The U.S. EPA guidance²⁴ requires that air districts indicate how they will track the progress of their maintenance plans over time to ensure continued attainment. Two options suggested by the guidance include: 1) periodic updates to the emissions inventory, and 2) periodic review of the inputs and assumptions used for the emission inventory and subsequent updates to the inventory if those inputs or assumptions have significantly changed. This guidance further requires air districts to monitor the indicators, or triggers, which will be used to determine when the implementation of contingency measures are required.

The regulatory emissions inventory is updated periodically. South Coast AQMD maintains reported emissions data from major facilities through the Annual Emissions Reporting program and submits the data to CARB every year. Traffic activity data, which is an essential input to estimate on-road mobile emissions, is updated every 4 years when Southern California Association of Governments (SCAG) develops a new regional transportation plan. On-Road motor vehicle emissions model, EMFAC is updated approximately every 3 years. South Coast AQMD develops and maintains emissions reductions resulting from regulations and programs impacting various stationary point and area sources and mobile sources. In collaboration with CARB and SCAG the methodologies, input data, and assumptions used to develop the emissions inventory are reviewed and updated as new data and/or methods become available. These reviews and updates are conducted regularly. To this extent, South Coast AQMD is committing to the second of the two above options to verify continued attainment. South Coast AQMD will review the inputs and assumptions used for the emission inventory when new information becomes available. If South Coast AQMD finds that these inputs have changed significantly, South Coast AQMD will update the existing inventory in coordination with CARB, evaluate the revised inventory against the inventories presented in this maintenance plan, and evaluate the potential impacts. In addition, on a

²⁴ United States Environmental Protection Agency. 1992. Procedures for Processing Requests to Redesignate Areas to Attainment. Memorandum from John Calcagni to USEPA Regional Directors. September 4. Available at: https://www.epa.gov/sites/production/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf.

regular basis, South Coast AQMD will analyze the PM10 ambient air quality data collected from its monitoring network. Specifically, the 24-hour average PM10 concentrations from all monitoring stations will be compared with the 24-hour PM10 NAAQS on a quarterly basis (see chapter 7).

7. Contingency Plan

CAA Section 175A(d) requires maintenance plans to identify contingency provisions to offset any unexpected increases in emissions and ensure maintenance of the standard. A contingency plan should identify control measures that may be implemented as a contingency in the event of emission increases, a schedule and procedure to implement the measures, and a time limit for action by the State. The contingency plan should also identify the indicators or triggers that will determine when contingency measures should be implemented. These elements are discussed next.

7.1. Contingency Plan Trigger

A contingency plan trigger can be based on indicators such as measured concentrations, updates of emissions inventories or modeled concentrations. In the first maintenance plan, a trigger based on measured exceedances of the NAAQS was used, and the same type of trigger is retained for the maintenance plan. The South Coast AQMD commits to the following:

Establish a trigger to implement a contingency action; whereby; if the number of 24-hour average PM10 exceedances recorded at a monitor averaged over three consecutive years exceeds the level of the 24-hour PM10 NAAQS in the South Coast Air Basin, excluding exceptional events; then, the South Coast AQMD will trigger the contingency actions specified in section 7.2 of this maintenance plan.

In order to provide advance notice of a violation of the PM10 NAAQS, design values will be calculated quarterly. For calculations with data that does not yet include an entire calendar year, South Coast AQMD will assume that the sampling schedule will continue throughout the remainder of the year and no samples will be missed. The measured concentrations are representative of actual emissions conditions and thus capture the effect of any unexpected and expected increases of emissions. If implementation of the contingency measures adequately addresses the cause of the violation of the NAAQS then a SIP revision may not be needed²⁵.

Exceedances of the 24-hour average PM10 NAAQS occur in the South Coast Air Basin due to exceptional events a few times each year on average, including those caused by wind-blown dust, wildfires, and fireworks. The measurements during exceptional events are removed from design value calculations if the criteria for designation as an exceptional event can be demonstrated. Thus, the South Coast AQMD has developed a weight-of-evidence data analysis methodology to identify exceedances that were not due to exceptional events for the contingency action trigger.

When a potential exceptional event is recorded, South Coast AQMD will first determine whether the exceedance would cause a violation of the standard. Since this evaluation will occur before the entire year's data is available, for the purposes of this calculation, South Coast AQMD will assume that the

²⁵ United States Environmental Protection Agency. 1992. Procedures for Processing Requests to Redesignate Areas to Attainment. Memorandum from John Calcagni to USEPA Regional Directors. September 4. Available at: https://www.epa.gov/sites/production/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf

sampling schedule will remain the same throughout the remainder of the year. If inclusion of the event in the design value calculation would cause a violation of the standard, South Coast AQMD staff will provide CARB and U.S. EPA a weight-of-evidence analysis of the exceedance to determine if the event would likely be considered exceptional in the exceptional event demonstration process. If CARB and U.S. EPA agree that the event would likely be considered exceptional, the event would temporarily be excluded from triggering the contingency measures. Further details of this process are in section 7.2. The criteria used for the analysis are similar to those that are used to demonstrate exceptional events. Other types of data and analysis not listed in the sections below may be used depending on the nature of the PM10 exceedance and the available data.

7.1.1. Wind-Blown Dust

Wind-blown dust caused 23 of 26 exceedances of the 24-hour PM10 NAAQS from 2010 - 2020 in the South Coast Air Basin. Thus, these exceptional events are common and are expected to occur within the maintenance period. South Coast AQMD will use a weight of evidence approach to determine if wind-blown dust could have caused a measured exceedance so that the measurements can be excluded from the contingency plan trigger. The analysis will also determine the source of the event and if reasonable emission controls were in place during the event. The criteria to make these determinations will generally include the following:

Analysis/Product	Criteria
South Coast AQMD advisories	South Coast AQMD has issued a wind-blown dust and/or ash advisory due to high winds
NWS high wind warning or wind advisory	NWS has issued a high wind warning or wind advisory covering the portion of the South Coast Air Basin with an exceedance
Hourly PM10 measurements and wind speed measurements	Simultaneous increase of hourly PM10 measurements with increases in measured wind speeds
Satellite Imagery (i.e. MODIS, GOES)	Satellite shows presence of dust at monitored area or transport of dust
Webcam Imagery	Webcam video shows presence of dust at monitored area or transport of dust
Back trajectory	Models show transport occurred from undisturbed soils, areas with high soil erodibility potential or areas where ash or dust may be emitted, such as fire burn scars
Wind roses and pollution roses	Measured or modeled wind directions show upwind areas with undisturbed soils, high soil erodibility potential or areas where ash or dust may be emitted, such as fire burn scars
Wind speed forecast or measurements	Hourly average winds exceeding 25 mph will or have occurred near the exceedance or hourly average winds less than 25 mph occurring in areas with high soil erodibility potential or areas where ash or dust may be emitted, such as fire burn scars
Emission and transport/dispersion modeling	Modeled concentrations exceed level of the NAAQS. Uncertainty of model and data inputs are taken into account to determine a range of model estimates.

Analysis/Product	Criteria
Social Media	Monitoring for reports of windblown dust and/or ash through social media accounts such as from the National Weather Service, US Forest Service, Caltrans, etc.

7.1.2. Wildfires

Wildfires have caused exceedances of the 24-hour PM10 standard in the South Coast Air Basin. South Coast AQMD will use a weight of evidence approach to determine if wildfires could have caused a measured exceedance so that the measurements can be excluded from the contingency plan trigger. In general, South Coast AQMD will use the following criteria to determine if wildfires could have caused the exceedance:

Analysis/Product	Criteria
South Coast AQMD advisories	South Coast AQMD has issued a smoke or ash advisory due to wildfire
Hourly PM2.5 measurements	Simultaneous increase of PM2.5 with the hourly PM10 measurements
Low-Cost sensor measurements such as PurpleAir	Increase of PM2.5 measured at low-cost sensors nearby the PM10 monitor and consistent with the wildfire location and pollutant transport
Fire reports such as https://inciweb.nwccg.gov/	Fires reported that may influence the monitor
Operational smoke models such as BlueSky and HRRR-Smoke	Models show transport of smoke from fire to the monitor
Hourly or 24-hour PM2.5 and PM10 measurements	Simultaneous increase of hourly or 24-hour PM _{2.5} measurements with the beginning of the fire and with PM10 measurements
Satellite Imagery (i.e. MODIS, GOES)	Satellite shows presence of smoke at monitored area or transport of smoke
Webcam Imagery	Webcam video shows presence of smoke at monitored area or transport of smoke
Back trajectory	Models show transport occurred from wildfire
Wind roses and pollution roses	Measured or modeled wind directions show upwind area at the wildfire
Emission and transport/dispersion modeling	Modeled concentrations in models that take into account wildfire emissions exceed level of the NAAQS. Uncertainty of model and data inputs are taken into account to determine a range of model estimates.
Social Media	Monitoring for reports of windblown dust and/or ash through social media accounts such as from the National Weather Service, US Forest Service, Caltrans, etc.

7.1.3. Fireworks

Exceedances of the 24-hour PM10 NAAQS can occur on July 4th or 5th because of smoke emissions from fireworks. Exceedances are also possible in select areas on January 1st due to fireworks on New Year's

Eve. If the measured PM10 exceedance occurs on January 1st, July 4th or July 5th then South Coast AQMD will conduct investigation to determine if fireworks emissions could have caused the exceedance. South Coast AQMD will analyze the hourly PM2.5 and PM10 measurements to determine if there is a simultaneous increase of measured PM2.5 with the measured hourly PM10. Since fireworks smoke is expected to cause high PM2.5 concentrations, the simultaneous increase of PM2.5 with PM10 is an indicator that fireworks could have caused the exceedance. If co-located measurements are not available, then nearby PM2.5 monitors or low-cost sensor measurements of PM2.5 may be used for this evaluation.

7.2. Contingency Action

South Coast AQMD will review available data to determine the causes of the 24-hour PM10 exceedance. Causes of the exceedance may include local and regional primary PM10 emission sources and regional sources such as secondary particulate matter formation. If the causes of the exceedance can be determined, the South Coast AQMD will use this information when evaluating potential actions to target emission reductions for the emission sources that caused the exceedance.

South Coast AQMD will take the following actions in the order listed to reduce emissions. South Coast AQMD will consider the emission sources that may have contributed to the exceedance when evaluating whether these actions will effectively mitigate the cause of the exceedance:

1. Consult with the regulated industry to determine if voluntary or incentive-based control measures could reduce emissions, if feasible.
2. Evaluate whether improved education and training for mitigating fugitive dust emissions could reduce emissions.²⁶
3. Evaluate whether changes to enforcement of existing rules could reduce emissions.
4. Evaluate amending Rules 403, 444, 1157, 1158 and 1186 to further strengthen prohibitions on particulate emissions (Table 7-1).
5. Propose new rules to reduce particulate emissions.

Table 7-1: Potential rules to be evaluated as part of Contingency Plan

Rule Name	South Coast AQMD Rule
Fugitive Dust	403
Open Burning	444
PM10 Emission Reductions from Aggregate and Related Operations	1157
Storage, Handling, and Transport of Coke, Coal, and Sulfur	1158
PM10 Emissions from Paved and Unpaved Roads and Livestock Operations	1186

²⁶ Training to mitigate fugitive dust emissions is implemented as part of South Coast AQMD rule 403. Information about this training is available at <https://www.aqmd.gov/home/programs/business/training-403-403-1-fugitive-dust>

7.3. Schedule for Implementation

The contingency plan trigger and schedule for implementation is illustrated in Figure 7-1.

After an exceedance is recorded in the South Coast Air Basin, the South Coast AQMD will calculate the three-year design value as the number of 24-hour average PM10 exceedances recorded at a monitor averaged over three consecutive years, using the most recent three years data including the year that the exceedance was recorded. For the purposes of this calculation, South Coast AQMD will assume that the sampling schedule will continue throughout the remainder of the year and no samples will be missed.

South Coast AQMD will evaluate the criteria to exclude measurements that would result in a violation of the NAAQS from the contingency trigger. If evidence indicates that the exceedance is not likely an exceptional event, the contingency action will be triggered within the data exploration timeline. The data exploration timeline is the period from the exceedance until one month following the end of the quarter after the quarter the exceedance was recorded²⁷. This allows for the collection, analysis, and validation of any FRM data, which is typically not completed until several months after the end of the quarter that the data was recorded. On the other hand, if evidence indicates that the exceedance is likely an exceptional event, the South Coast AQMD will conduct the following tasks during the data exploration timeline:

1. South Coast AQMD will provide a summary of the event to CARB and U.S. EPA focusing on the criteria established in section 7.1.
2. South Coast AQMD will initiate the formal exceptional event process for the event in question or any other events affecting the violation of the NAAQS

At this point, the contingency actions will not be triggered until one of the following conditions are met:

1. At any time, if the U.S. EPA does not agree that the exceedance is likely an exceptional event based on the evidence established in section 7.1 provided by the South Coast AQMD
2. U.S. EPA does not concur with the exceptional event demonstration of the event or events cause a violation of the NAAQS

South Coast AQMD will also recalculate the design values within one month after the final data is available for the entire year to ensure that any missed samples recorded after the last exceedance do not result in a change in the design value. If it is determined that the design value does not violate the standard due to a change in sampling schedule or unforeseen circumstances, any pending contingency actions for the specific violation will be abandoned. On the other hand, if a recalculated design value at year end results in a violation of the NAAQS that was not previously evident, the South Coast AQMD will initiate the process outlined above and in Figure 7-1 for any exceedances leading to a violation of the NAAQS.

Once contingency actions are triggered, the South Coast AQMD will further evaluate the cause of exceedances and take appropriate action to address the nature of the exceedance within 18 months.

²⁷ For example, if an exceedance was recorded on November 15th, the South Coast AQMD will complete the evaluate of the exceedance by May 1st. This allows for approximately one month of analysis time after the data is finalized.

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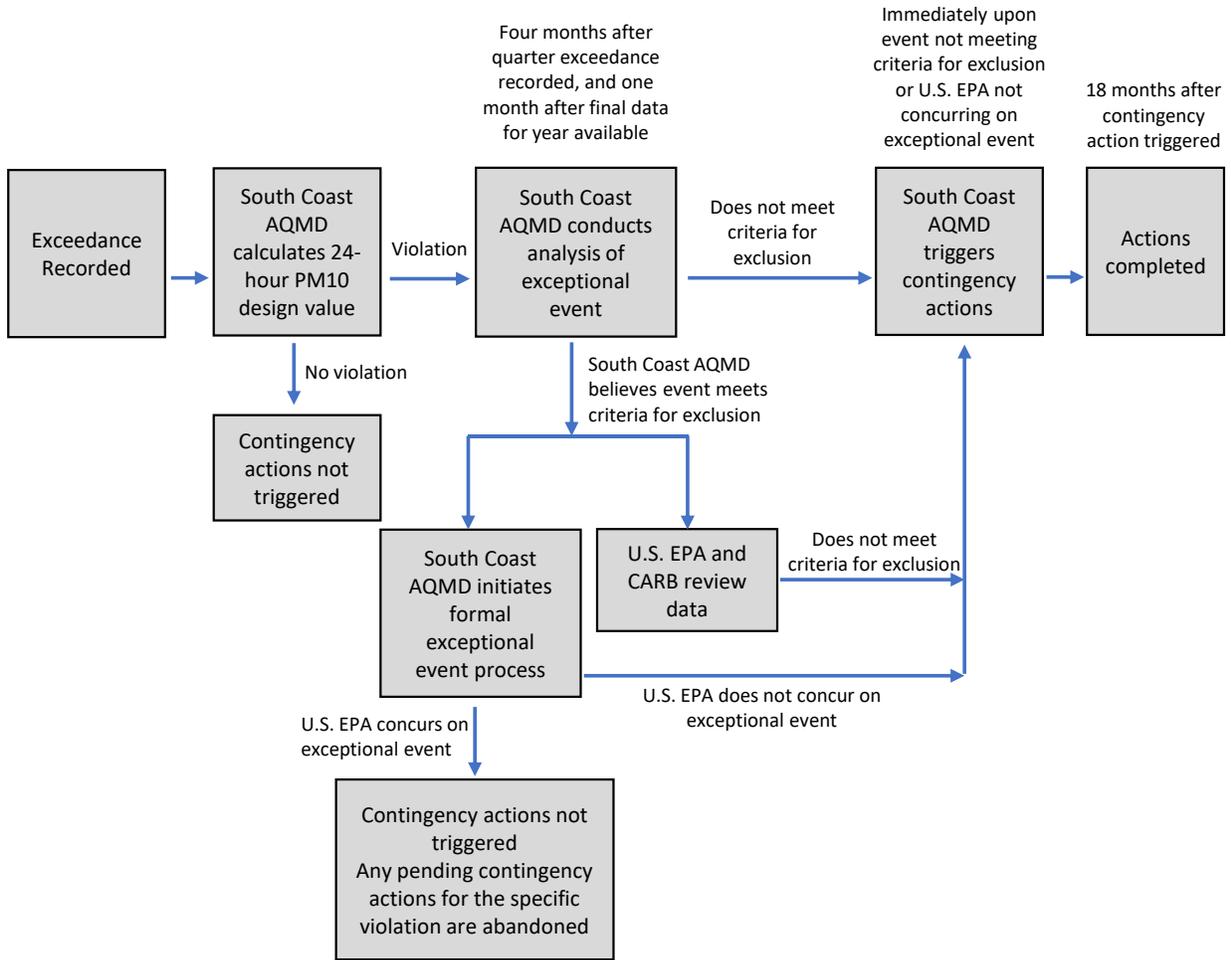


Figure 7-1: Contingency plan trigger and schedule for implementation

7.4. Authority

The CARB has the authority to set vehicle emissions standards and fuel formulation for California.

The South Coast AQMD has the authority and is the agency responsible for developing and enforcing air pollution control rules in the South Coast Air Basin for stationary and areawide sources.

8. Summary Checklist

As described in section 2, PM10 design values in the South Coast Air Basin have not exceeded the NAAQS during the first maintenance plan period (2010 – 2020). Almost all of the PM10 concentration measurements that exceeded the level of the NAAQS were caused by suspected exceptional events, and South Coast AQMD is preparing exceptional event demonstrations for those exceedances that are regulatory significant.

Table 8-1 summarizes the status of the elements that need to be satisfied in order to meet CAA requirements as well as conform to the guidance documents prepared by the U.S. EPA. Section 3 demonstrates continued attainment of the PM10 NAAQS through 2035. Section 5 commits South Coast AQMD to maintain a future PM10 monitoring network. Section 6 commits South Coast AQMD to verify continued attainment of the PM10 NAAQS by reviewing inputs and assumptions used for the emission inventory when new information becomes available. If South Coast AQMD finds that these inputs have changed significantly, South Coast AQMD will update the existing inventory in coordination with CARB, evaluate the revised inventory against the inventories presented in this maintenance plan, and evaluate the potential impacts. Section 7 commits to establish a contingency plan that is triggered by a measured violation of the PM10 NAAQS.

Table 8-1: Summary Checklist of Document References

CAA/U.S. EPA Requirements	Status	Document Reference
Attainment inventory	Conditions met	Section 3.1
Maintenance demonstration	Conditions met	Section 3.2
Monitoring network	Commitment established	Section 5
Verification of continued attainment	Commitment established	Section 6
Contingency Plan	Commitment established	Section 7

9. California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions in CEQA Guidelines

Section 15300.2 to the categorical exemption apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/publicnotices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

Appendix I

Annual Average Emissions by Major Source Category

2018

2023

2031

2035

2018 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Fuel Combustion										
10	Electric Utilities	2.69	0.31	0.59	4.25	0.22	0.51	0.51	0.51	0.68
20	Cogeneration	0.05	0.02	0.02	0.12	0.00	0.02	0.02	0.01	0.18
30	Oil and Gas Production (combustion)	1.11	0.12	0.71	0.61	0.01	0.10	0.09	0.09	0.22
40	Petroleum Refining (Combustion)	6.48	1.33	0.00	4.87	0.01	1.78	1.77	1.77	1.50
50	Manufacturing and Industrial	25.94	4.19	10.01	15.30	0.21	1.25	1.16	1.12	2.26
52	Food and Agricultural Processing	0.07	0.03	0.11	0.34	0.00	0.03	0.03	0.03	0.04
60	Service and Commercial	10.64	4.16	9.25	13.58	0.79	1.16	1.16	1.16	2.70
99	Other (Fuel Combustion)	0.58	0.27	2.54	1.31	0.07	0.18	0.16	0.15	0.05
Total Fuel Combustion		47.56	10.43	23.23	40.38	1.31	5.03	4.90	4.84	7.63
Waste Disposal										
110	Sewage Treatment	0.37	0.27	0.00	0.00	0.00	0.02	0.00	0.00	0.23
120	Landfills	640.10	8.88	0.45	0.39	0.37	0.20	0.20	0.20	3.97
130	Incineration	0.19	0.04	0.98	0.25	0.07	0.12	0.06	0.05	0.22
140	Soil Remediation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
199	Other (Waste Disposal)	57.94	4.67	0.01	0.01	0.00	0.00	0.00	0.00	1.08
Total Waste Disposal		698.60	13.86	1.44	0.65	0.44	0.34	0.26	0.25	5.50
Cleaning and Surface Coatings										
210	Laundering	3.41	0.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220	Degreasing	66.07	12.12	0.00	0.00	0.00	0.02	0.02	0.02	0.01
230	Coatings and Related Processes	19.08	18.57	0.00	0.00	0.00	1.67	1.60	1.54	0.09
240	Printing	1.17	1.17	0.00	0.00	0.00	0.00	0.00	0.00	0.06
250	Adhesives and Sealants	4.82	4.21	0.00	0.00	0.00	0.02	0.02	0.02	0.00
299	Other (Cleaning and Surface Coatings)	1.42	1.08	0.01	0.11	0.00	0.02	0.02	0.02	0.00
Total Cleaning and Surface Coatings		95.97	37.29	0.01	0.11	0.00	1.73	1.66	1.60	0.16
Petroleum Production and Marketing										
310	Oil and Gas Production	4.86	2.18	0.01	0.02	0.06	0.04	0.03	0.02	0.00
320	Petroleum Refining	6.35	4.43	0.23	2.39	0.24	1.87	1.25	0.88	0.07
330	Petroleum Marketing	54.79	13.80	0.00	0.23	0.00	0.01	0.00	0.00	0.00
399	Other (Petroleum Production and Marketing)	0.60	0.58	0.01	0.01	0.00	0.00	0.00	0.00	0.00
Total Petroleum Production and Marketing		66.60	20.99	0.25	2.65	0.30	1.92	1.28	0.90	0.07
Industrial Processes										
410	Chemical	5.20	3.88	0.03	0.12	0.05	0.59	0.49	0.44	0.01
420	Food and Agriculture	0.58	0.56	0.00	0.01	0.00	0.16	0.07	0.03	0.00
430	Mineral Processes	0.35	0.31	0.02	0.29	0.04	8.22	4.49	2.51	0.08
440	Metal Processes	0.11	0.09	0.04	0.25	0.03	0.38	0.30	0.22	0.00
450	Wood and Paper	0.19	0.19	0.00	0.00	0.00	6.43	4.50	2.70	0.00
460	Glass and Related Products	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
470	Electronics	0.01	0.01	0.00	0.00	0.00	0.01	0.00	0.00	0.00
499	Other (Industrial Processes)	7.01	5.30	0.05	0.13	0.00	1.81	1.12	0.80	9.29
Total Industrial Processes		13.45	10.34	0.14	0.80	0.12	17.60	10.97	6.70	9.38
Solvent Evaporation										
510	Consumer Products	105.32	87.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00
520	Architectural Coatings and Related Solvent	12.23	11.54	0.00	0.00	0.00	0.00	0.00	0.00	0.00
530	Pesticides/Fertilizers	1.34	1.34	0.00	0.00	0.00	0.00	0.00	0.00	1.20
540	Asphalt Paving/Roofing	1.06	0.98	0.00	0.00	0.00	0.03	0.02	0.02	0.00
Total Solvent Evaporation		119.95	101.42	0.00	0.00	0.00	0.03	0.02	0.02	1.20

(Continued)

2018 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Miscellaneous Process										
610	Residential Fuel Combustion	19.29	8.43	14.56	46.75	0.48	7.15	6.79	6.60	0.11
620	Farming Operations	25.38	1.43	0.00	0.00	0.00	1.60	0.78	0.16	8.52
630	Construction and Demolition	0.00	0.00	0.00	0.00	0.00	46.32	22.65	2.27	0.00
640	Paved Road Dust	0.00	0.00	0.00	0.00	0.00	123.36	56.40	8.46	0.00
645	Unpaved Road Dust	0.00	0.00	0.00	0.00	0.00	28.17	16.74	1.67	0.00
650	Fugitive Windblown Dust	0.00	0.00	0.00	0.00	0.00	3.20	1.62	0.23	0.00
660	Fires	0.34	0.23	0.08	3.02	0.00	0.45	0.44	0.41	0.00
670	Waste Burning and Disposal	0.81	0.47	0.19	6.31	0.05	0.72	0.70	0.63	0.03
690	Cooking	2.76	1.93	0.00	0.00	0.01	11.46	11.46	11.46	0.00
699	Other (Miscellaneous Processes)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.98
	RECLAIM			17.77		5.47				
Total Miscellaneous Processes		48.58	12.49	32.60	56.08	6.01	222.43	117.58	31.90	34.64
On-Road Motor Vehicles										
710	Light Duty Passenger Auto (LDA)	30.97	28.03	22.90	290.19	0.70	11.33	11.10	4.66	7.18
722	Light Duty Trucks 1 (T1)	6.79	6.19	4.91	48.11	0.07	0.96	0.94	0.41	0.86
723	Light Duty Trucks 2 (T2)	17.33	15.71	16.77	149.95	0.33	4.12	4.03	1.70	2.43
724	Medium Duty Trucks (T3)	14.09	12.72	13.97	121.44	0.26	2.64	2.59	1.10	1.72
732	Light Heavy Duty Gas Trucks 1 (T4)	2.23	2.10	1.93	8.20	0.03	0.31	0.31	0.13	0.23
733	Light Heavy Duty Gas Trucks 2 (T5)	0.46	0.44	0.43	1.51	0.01	0.08	0.08	0.03	0.04
734	Medium Heavy Duty Gas Trucks (T6)	0.46	0.40	0.79	4.53	0.01	0.12	0.12	0.05	0.04
736	Heavy Heavy Duty Gas Trucks ((HHD)	0.20	0.16	0.67	4.77	0.00	0.01	0.01	0.00	0.00
742	Light Heavy Duty Diesel Trucks 1 (T4)	0.33	0.29	8.92	1.91	0.01	0.33	0.32	0.17	0.41
743	Light Heavy Duty Diesel Trucks 2 (T5)	0.13	0.12	3.38	0.74	0.01	0.16	0.16	0.08	0.17
744	Medium Heavy Duty Diesel Truck (T6)	1.38	1.21	25.43	4.47	0.06	1.70	1.68	1.14	0.80
746	Heavy Heavy Duty Diesel Trucks (HHD)	3.45	2.27	60.49	12.81	0.16	1.96	1.94	1.28	1.53
750	Motorcycles (MCY)	9.88	8.70	2.43	47.12	0.00	0.04	0.04	0.02	0.02
760	Diesel Urban Buses (UB)	5.12	0.25	2.02	24.41	0.00	0.07	0.07	0.03	0.60
762	Gas Urban Buses (UB)	0.02	0.02	0.09	0.19	0.01	0.04	0.04	0.01	0.00
771	Gas School Buses (SB)	0.05	0.04	0.05	0.42	0.00	0.06	0.06	0.03	0.00
772	Diesel School Buses (SB)	0.04	0.03	2.21	0.12	0.00	0.18	0.18	0.08	0.02
777	Gas Other Buses (OB)	0.16	0.14	0.34	1.67	0.01	0.06	0.06	0.02	0.01
778	Motor Coaches	0.07	0.06	1.11	0.25	0.00	0.05	0.04	0.03	0.02
779	Diesel Other Buses (OB)	0.09	0.08	1.39	0.26	0.00	0.08	0.08	0.06	0.03
780	Motor Homes (MH)	0.08	0.07	0.62	1.22	0.01	0.08	0.07	0.04	0.03
Total On-Road Motor Vehicles		93.34	79.03	170.85	724.31	1.68	24.37	23.91	11.06	16.15
Other Mobile Sources										
810	Aircraft	3.68	3.63	15.51	37.66	1.77	0.75	0.73	0.66	0.00
820	Trains	1.02	0.85	17.66	3.98	0.01	0.32	0.32	0.30	0.01
833	Ocean Going Vessels	2.61	2.18	33.35	3.45	2.21	0.69	0.69	0.64	0.03
835	Commercial Harbor Crafts	1.27	1.07	11.45	6.47	0.00	0.48	0.48	0.44	0.00
840	Recreational Boats	26.02	22.45	4.88	86.44	0.01	1.54	1.39	1.05	0.01
850	Off-Road Recreational Vehicles	2.63	2.54	0.07	3.68	0.00	0.01	0.01	0.01	0.00
860	Off-Road Equipment	47.83	42.09	49.95	544.65	0.09	3.75	3.57	3.03	0.11
870	Farm Equipment	0.56	0.48	2.07	4.92	0.00	0.14	0.14	0.12	0.00
890	Fuel Storage and Handling	5.48	5.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Mobile Sources		91.10	80.75	134.94	691.25	4.09	7.68	7.33	6.25	0.16
Total Stationary and Area Sources		1090.71	206.82	57.67	100.67	8.18	249.08	136.67	46.21	58.58
Total On-Road Vehicles		93.34	79.03	170.85	724.31	1.68	24.37	23.91	11.06	16.15
Total Other Mobile		91.10	80.75	134.94	691.25	4.09	7.68	7.33	6.25	0.16
Total		1275.15	366.60	363.46	1516.23	13.95	281.13	167.91	63.52	74.89

2023 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Fuel Combustion										
10	Electric Utilities	2.90	0.33	0.63	4.55	0.24	0.55	0.55	0.55	0.73
20	Cogeneration	0.05	0.02	0.02	0.13	0.00	0.02	0.02	0.01	0.20
30	Oil and Gas Production (combustion)	1.15	0.12	0.73	0.62	0.01	0.10	0.10	0.10	0.22
40	Petroleum Refining (Combustion)	6.48	1.33	0.00	4.87	0.01	1.78	1.77	1.77	1.50
50	Manufacturing and Industrial	24.36	4.20	9.69	15.53	0.23	1.22	1.14	1.09	2.21
52	Food and Agricultural Processing	0.08	0.03	0.11	0.35	0.00	0.04	0.04	0.04	0.04
60	Service and Commercial	10.44	4.05	9.04	13.35	0.87	1.16	1.15	1.15	2.58
99	Other (Fuel Combustion)	0.55	0.24	2.15	1.21	0.08	0.17	0.15	0.14	0.05
Total Fuel Combustion		46.01	10.32	22.37	40.61	1.44	5.04	4.92	4.85	7.53
Waste Disposal										
110	Sewage Treatment	0.39	0.28	0.00	0.00	0.00	0.02	0.00	0.00	0.24
120	Landfills	662.26	9.20	0.47	0.41	0.39	0.21	0.21	0.21	4.09
130	Incineration	0.20	0.04	1.03	0.26	0.08	0.12	0.06	0.05	0.24
140	Soil Remediation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
199	Other (Waste Disposal)	69.63	5.61	0.01	0.01	0.00	0.00	0.00	0.00	1.22
Total Waste Disposal		732.48	15.13	1.51	0.68	0.47	0.35	0.27	0.26	5.79
Cleaning and Surface Coatings										
210	Laundering	3.60	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220	Degreasing	76.05	13.77	0.00	0.00	0.00	0.02	0.02	0.02	0.01
230	Coatings and Related Processes	20.82	20.26	0.00	0.00	0.00	1.80	1.73	1.67	0.10
240	Printing	1.22	1.22	0.00	0.00	0.00	0.00	0.00	0.00	0.06
250	Adhesives and Sealants	5.56	4.85	0.00	0.00	0.00	0.02	0.02	0.02	0.00
299	Other (Cleaning and Surface Coatings)	1.51	1.17	0.01	0.12	0.00	0.02	0.02	0.02	0.00
Total Cleaning and Surface Coatings		108.76	41.42	0.01	0.12	0.00	1.86	1.79	1.73	0.17
Petroleum Production and Marketing										
310	Oil and Gas Production	5.01	2.25	0.01	0.02	0.06	0.04	0.03	0.02	0.00
320	Petroleum Refining	6.35	4.43	0.23	2.39	0.24	1.87	1.25	0.88	0.07
330	Petroleum Marketing	51.31	12.55	0.00	0.23	0.00	0.01	0.00	0.00	0.00
399	Other (Petroleum Production and Marketing)	0.60	0.58	0.01	0.01	0.00	0.00	0.00	0.00	0.00
Total Petroleum Production and Marketing		63.27	19.81	0.25	2.65	0.30	1.92	1.28	0.90	0.07
Industrial Processes										
410	Chemical	5.67	4.21	0.03	0.12	0.05	0.64	0.53	0.47	0.01
420	Food and Agriculture	0.62	0.60	0.00	0.01	0.00	0.16	0.07	0.03	0.00
430	Mineral Processes	0.35	0.31	0.02	0.31	0.04	8.30	4.53	2.53	0.09
440	Metal Processes	0.11	0.09	0.04	0.26	0.03	0.40	0.32	0.23	0.00
450	Wood and Paper	0.19	0.19	0.00	0.00	0.00	7.19	5.03	3.02	0.00
460	Glass and Related Products	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
470	Electronics	0.01	0.01	0.00	0.00	0.00	0.01	0.00	0.00	0.00
499	Other (Industrial Processes)	7.17	5.45	0.05	0.13	0.00	1.84	1.14	0.81	9.29
Total Industrial Processes		14.12	10.86	0.14	0.83	0.12	18.54	11.62	7.09	9.39
Solvent Evaporation										
510	Consumer Products	108.33	90.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00
520	Architectural Coatings and Related Solvent	12.75	12.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00
530	Pesticides/Fertilizers	1.37	1.37	0.00	0.00	0.00	0.00	0.00	0.00	1.13
540	Asphalt Paving/Roofing	1.21	1.11	0.00	0.00	0.00	0.03	0.03	0.03	0.00
Total Solvent Evaporation		123.66	104.61	0.00	0.00	0.00	0.03	0.03	0.03	1.13

(Continued)

2023 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Miscellaneous Process										
610	Residential Fuel Combustion	19.19	8.38	12.91	46.40	0.48	7.08	6.72	6.53	0.11
620	Farming Operations	21.57	1.27	0.00	0.00	0.00	1.43	0.70	0.15	7.31
630	Construction and Demolition	0.00	0.00	0.00	0.00	0.00	52.46	25.66	2.57	0.00
640	Paved Road Dust	0.00	0.00	0.00	0.00	0.00	126.94	58.04	8.71	0.00
645	Unpaved Road Dust	0.00	0.00	0.00	0.00	0.00	28.16	16.74	1.67	0.00
650	Fugitive Windblown Dust	0.00	0.00	0.00	0.00	0.00	2.87	1.47	0.21	0.00
660	Fires	0.34	0.23	0.08	3.02	0.00	0.45	0.44	0.41	0.00
670	Waste Burning and Disposal	0.81	0.47	0.19	6.31	0.05	0.72	0.70	0.63	0.03
690	Cooking	2.91	2.03	0.00	0.00	0.01	12.08	12.08	12.08	0.00
699	Other (Miscellaneous Processes)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	26.82
	RECLAIM			14.52		6.08				
Total Miscellaneous Processes		44.82	12.38	27.70	55.73	6.62	232.19	122.54	32.96	34.27
On-Road Motor Vehicles										
710	Light Duty Passenger Auto (LDA)	21.01	19.51	13.11	204.46	0.62	11.53	11.30	4.70	8.35
722	Light Duty Trucks 1 (T1)	4.04	3.75	2.44	27.02	0.06	0.91	0.89	0.38	0.99
723	Light Duty Trucks 2 (T2)	12.84	11.92	9.03	103.23	0.29	4.23	4.14	1.72	2.81
724	Medium Duty Trucks (T3)	9.19	8.49	6.80	69.75	0.21	2.45	2.40	1.00	1.84
732	Light Heavy Duty Gas Trucks 1 (T4)	1.26	1.20	1.00	3.90	0.02	0.22	0.22	0.09	0.21
733	Light Heavy Duty Gas Trucks 2 (T5)	0.31	0.30	0.28	0.90	0.01	0.07	0.07	0.03	0.03
734	Medium Heavy Duty Gas Trucks (T6)	0.29	0.26	0.39	2.42	0.01	0.12	0.11	0.05	0.04
736	Heavy Heavy Duty Gas Trucks ((HHD)	0.07	0.05	0.38	2.78	0.00	0.01	0.01	0.00	0.00
742	Light Heavy Duty Diesel Trucks 1 (T4)	0.23	0.20	4.51	1.22	0.01	0.31	0.31	0.15	0.67
743	Light Heavy Duty Diesel Trucks 2 (T5)	0.10	0.09	1.84	0.52	0.01	0.17	0.17	0.08	0.27
744	Medium Heavy Duty Diesel Truck (T6)	0.07	0.06	10.62	0.74	0.06	1.09	1.07	0.48	1.34
746	Heavy Heavy Duty Diesel Trucks (HHD)	1.90	0.74	36.60	11.75	0.16	1.47	1.45	0.70	2.26
750	Motorcycles (MCY)	10.14	8.83	2.55	45.90	0.00	0.04	0.04	0.02	0.02
760	Diesel Urban Buses (UB)	3.22	0.05	0.22	24.53	0.00	0.05	0.05	0.02	0.62
762	Gas Urban Buses (UB)	0.02	0.02	0.07	0.19	0.01	0.04	0.04	0.02	0.00
771	Gas School Buses (SB)	0.06	0.04	0.05	0.42	0.00	0.08	0.08	0.03	0.00
772	Diesel School Buses (SB)	0.03	0.03	1.85	0.12	0.00	0.18	0.17	0.08	0.03
777	Gas Other Buses (OB)	0.16	0.15	0.25	1.30	0.01	0.06	0.06	0.03	0.01
778	Motor Coaches	0.01	0.01	0.47	0.11	0.00	0.03	0.03	0.01	0.03
779	Diesel Other Buses (OB)	0.00	0.00	0.57	0.04	0.00	0.05	0.05	0.02	0.05
780	Motor Homes (MH)	0.04	0.03	0.40	0.41	0.01	0.06	0.06	0.03	0.04
Total On-Road Motor Vehicles		65.00	55.74	93.43	501.69	1.49	23.15	22.71	9.64	19.60
Other Mobile Sources										
810	Aircraft	4.05	4.01	17.31	41.33	2.04	0.80	0.78	0.71	0.00
820	Trains	0.84	0.70	15.27	4.20	0.01	0.27	0.27	0.25	0.01
833	Ocean Going Vessels	3.05	2.55	37.11	4.02	2.50	0.80	0.80	0.73	0.03
835	Commercial Harbor Crafts	1.25	1.05	10.33	6.85	0.00	0.42	0.42	0.39	0.00
840	Recreational Boats	19.75	17.12	4.41	81.02	0.01	1.19	1.07	0.81	0.01
850	Off-Road Recreational Vehicles	2.46	2.37	0.09	4.12	0.00	0.01	0.01	0.01	0.00
860	Off-Road Equipment	45.30	39.71	38.03	573.47	0.09	3.08	2.89	2.40	0.12
870	Farm Equipment	0.44	0.38	1.60	4.94	0.00	0.11	0.11	0.10	0.00
890	Fuel Storage and Handling	4.62	4.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Mobile Sources		81.76	72.49	124.15	719.95	4.65	6.68	6.35	5.40	0.17
Total Stationary and Area Sources		1133.12	214.53	51.98	100.62	8.95	259.93	142.45	47.82	58.35
Total On-Road Vehicles		65.00	55.74	93.43	501.69	1.49	23.15	22.71	9.64	19.60
Total Other Mobile		81.76	72.49	124.15	719.95	4.65	6.68	6.35	5.40	0.17
Total		1279.88	342.76	269.56	1322.26	15.09	289.77	171.51	62.86	78.12

2031 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Fuel Combustion										
10	Electric Utilities	2.96	0.34	0.64	4.63	0.24	0.56	0.56	0.56	0.75
20	Cogeneration	0.05	0.02	0.03	0.13	0.00	0.02	0.02	0.01	0.20
30	Oil and Gas Production (combustion)	1.16	0.12	0.74	0.63	0.01	0.10	0.10	0.10	0.23
40	Petroleum Refining (Combustion)	6.48	1.33	0.00	4.87	0.01	1.78	1.77	1.77	1.50
50	Manufacturing and Industrial	23.35	4.23	9.62	15.82	0.24	1.21	1.12	1.08	2.13
52	Food and Agricultural Processing	0.08	0.03	0.11	0.35	0.00	0.04	0.04	0.04	0.04
60	Service and Commercial	10.49	4.05	9.14	13.44	0.95	1.17	1.17	1.17	2.56
99	Other (Fuel Combustion)	0.56	0.24	2.15	1.21	0.08	0.17	0.16	0.14	0.05
Total Fuel Combustion		45.13	10.36	22.43	41.08	1.53	5.05	4.94	4.87	7.46
Waste Disposal										
110	Sewage Treatment	0.41	0.30	0.00	0.00	0.00	0.02	0.00	0.00	0.25
120	Landfills	695.92	9.67	0.50	0.44	0.41	0.23	0.22	0.22	4.27
130	Incineration	0.21	0.04	1.10	0.27	0.08	0.13	0.06	0.05	0.26
140	Soil Remediation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
199	Other (Waste Disposal)	79.49	6.39	0.01	0.01	0.00	0.00	0.00	0.00	1.34
Total Waste Disposal		776.03	16.40	1.61	0.72	0.49	0.38	0.28	0.27	6.12
Cleaning and Surface Coatings										
210	Laundering	3.84	0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220	Degreasing	84.25	15.14	0.00	0.00	0.00	0.02	0.02	0.02	0.01
230	Coatings and Related Processes	22.39	21.78	0.00	0.00	0.00	1.89	1.82	1.75	0.11
240	Printing	1.25	1.25	0.00	0.00	0.00	0.00	0.00	0.00	0.06
250	Adhesives and Sealants	6.18	5.39	0.00	0.00	0.00	0.02	0.02	0.02	0.00
299	Other (Cleaning and Surface Coatings)	1.59	1.24	0.01	0.12	0.00	0.02	0.02	0.02	0.00
Total Cleaning and Surface Coatings		119.50	44.96	0.01	0.12	0.00	1.95	1.88	1.81	0.18
Petroleum Production and Marketing										
310	Oil and Gas Production	5.04	2.26	0.01	0.02	0.06	0.04	0.03	0.02	0.00
320	Petroleum Refining	6.35	4.43	0.23	2.39	0.24	1.87	1.25	0.88	0.07
330	Petroleum Marketing	48.28	10.74	0.00	0.23	0.00	0.01	0.00	0.00	0.00
399	Other (Petroleum Production and Marketing)	0.60	0.58	0.01	0.01	0.00	0.00	0.00	0.00	0.00
Total Petroleum Production and Marketing		60.27	18.01	0.25	2.65	0.30	1.92	1.28	0.90	0.07
Industrial Processes										
410	Chemical	5.96	4.42	0.03	0.12	0.05	0.67	0.56	0.49	0.01
420	Food and Agriculture	0.64	0.62	0.00	0.01	0.00	0.16	0.07	0.03	0.00
430	Mineral Processes	0.36	0.32	0.02	0.32	0.04	8.36	4.56	2.54	0.09
440	Metal Processes	0.11	0.10	0.04	0.28	0.03	0.43	0.34	0.25	0.00
450	Wood and Paper	0.19	0.19	0.00	0.00	0.00	7.66	5.36	3.22	0.00
460	Glass and Related Products	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
470	Electronics	0.02	0.01	0.00	0.00	0.00	0.01	0.01	0.00	0.00
499	Other (Industrial Processes)	7.35	5.62	0.05	0.13	0.00	1.85	1.15	0.82	9.29
Total Industrial Processes		14.63	11.28	0.14	0.86	0.12	19.14	12.05	7.35	9.39
Solvent Evaporation										
510	Consumer Products	113.05	94.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00
520	Architectural Coatings and Related Solvent	13.45	12.69	0.00	0.00	0.00	0.00	0.00	0.00	0.00
530	Pesticides/Fertilizers	1.41	1.41	0.00	0.00	0.00	0.00	0.00	0.00	1.07
540	Asphalt Paving/Roofing	1.36	1.25	0.00	0.00	0.00	0.03	0.03	0.03	0.00
Total Solvent Evaporation		129.27	109.44	0.00	0.00	0.00	0.03	0.03	0.03	1.07

(Continued)

2031 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Miscellaneous Process										
610	Residential Fuel Combustion	19.15	8.37	10.87	46.24	0.48	7.05	6.69	6.50	0.11
620	Farming Operations	21.57	1.27	0.00	0.00	0.00	1.35	0.66	0.14	7.31
630	Construction and Demolition	0.00	0.00	0.00	0.00	0.00	58.05	28.39	2.84	0.00
640	Paved Road Dust	0.00	0.00	0.00	0.00	0.00	130.96	59.88	8.98	0.00
645	Unpaved Road Dust	0.00	0.00	0.00	0.00	0.00	28.16	16.73	1.67	0.00
650	Fugitive Windblown Dust	0.00	0.00	0.00	0.00	0.00	2.49	1.30	0.18	0.00
660	Fires	0.34	0.23	0.08	3.02	0.00	0.45	0.44	0.41	0.00
670	Waste Burning and Disposal	0.82	0.47	0.19	6.31	0.05	0.72	0.70	0.64	0.03
690	Cooking	3.09	2.16	0.00	0.00	0.01	12.83	12.83	12.83	0.00
699	Other (Miscellaneous Processes)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.15
	RECLAIM			14.52		6.08				
Total Miscellaneous Processes		44.97	12.50	25.66	55.57	6.62	242.06	127.62	34.20	35.60
On-Road Motor Vehicles										
710	Light Duty Passenger Auto (LDA)	14.31	13.60	8.43	153.58	0.51	11.45	11.23	4.59	9.19
722	Light Duty Trucks 1 (T1)	2.09	1.99	1.04	15.11	0.05	0.86	0.84	0.35	1.09
723	Light Duty Trucks 2 (T2)	9.11	8.65	4.84	77.27	0.23	4.27	4.19	1.72	3.17
724	Medium Duty Trucks (T3)	5.71	5.42	2.90	42.86	0.15	2.29	2.25	0.92	1.95
732	Light Heavy Duty Gas Trucks 1 (T4)	0.66	0.64	0.41	1.73	0.01	0.15	0.14	0.06	0.19
733	Light Heavy Duty Gas Trucks 2 (T5)	0.18	0.18	0.16	0.61	0.01	0.06	0.06	0.03	0.03
734	Medium Heavy Duty Gas Trucks (T6)	0.21	0.19	0.19	1.55	0.01	0.11	0.11	0.05	0.04
736	Heavy Heavy Duty Gas Trucks ((HHD)	0.05	0.03	0.27	2.72	0.00	0.01	0.01	0.00	0.00
742	Light Heavy Duty Diesel Trucks 1 (T4)	0.15	0.13	1.53	0.74	0.01	0.29	0.29	0.13	0.90
743	Light Heavy Duty Diesel Trucks 2 (T5)	0.08	0.07	0.75	0.37	0.01	0.17	0.17	0.08	0.35
744	Medium Heavy Duty Diesel Truck (T6)	0.08	0.07	10.84	0.88	0.06	1.17	1.15	0.52	1.49
746	Heavy Heavy Duty Diesel Trucks (HHD)	2.10	0.78	35.32	14.30	0.16	1.68	1.66	0.80	2.58
750	Motorcycles (MCY)	10.15	8.80	2.58	44.59	0.00	0.04	0.04	0.02	0.02
760	Diesel Urban Buses (UB)	2.50	0.04	0.10	19.06	0.00	0.04	0.04	0.02	0.65
762	Gas Urban Buses (UB)	0.02	0.02	0.05	0.22	0.01	0.04	0.04	0.02	0.00
771	Gas School Buses (SB)	0.07	0.05	0.04	0.45	0.00	0.09	0.09	0.04	0.00
772	Diesel School Buses (SB)	0.02	0.02	1.03	0.11	0.00	0.17	0.16	0.07	0.04
777	Gas Other Buses (OB)	0.16	0.15	0.15	0.99	0.01	0.06	0.06	0.03	0.01
778	Motor Coaches	0.01	0.01	0.48	0.14	0.00	0.03	0.03	0.01	0.03
779	Diesel Other Buses (OB)	0.00	0.00	0.60	0.05	0.00	0.06	0.06	0.02	0.06
780	Motor Homes (MH)	0.01	0.01	0.23	0.10	0.00	0.06	0.05	0.02	0.04
Total On-Road Motor Vehicles		47.67	40.84	71.94	377.44	1.24	23.11	22.69	9.50	21.86
Other Mobile Sources										
810	Aircraft	4.55	4.50	20.19	46.49	2.44	0.89	0.86	0.79	0.00
820	Trains	0.67	0.56	10.66	4.57	0.02	0.20	0.20	0.18	0.01
833	Ocean Going Vessels	3.96	3.32	43.39	5.20	3.05	1.01	1.01	0.93	0.04
835	Commercial Harbor Crafts	1.19	1.00	9.35	6.94	0.00	0.37	0.37	0.34	0.00
840	Recreational Boats	12.72	11.12	3.90	76.59	0.01	0.78	0.70	0.53	0.01
850	Off-Road Recreational Vehicles	2.21	2.13	0.10	4.62	0.00	0.01	0.01	0.01	0.00
860	Off-Road Equipment	46.44	40.66	29.51	615.15	0.10	2.69	2.49	2.01	0.13
870	Farm Equipment	0.33	0.29	1.06	5.08	0.00	0.07	0.07	0.06	0.00
890	Fuel Storage and Handling	3.91	2.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Mobile Sources		75.98	66.30	118.17	764.63	5.61	6.02	5.72	4.86	0.19
Total Stationary and Area Sources		1189.80	222.95	50.10	101.00	9.06	270.53	148.08	49.43	59.89
Total On-Road Vehicles		47.67	40.84	71.94	377.44	1.24	23.11	22.69	9.50	21.86
Total Other Mobile		75.98	66.30	118.17	764.63	5.61	6.02	5.72	4.86	0.19
Total		1313.45	330.09	240.21	1243.07	15.91	299.66	176.49	63.79	81.94

2035 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Fuel Combustion										
10	Electric Utilities	5.94	0.94	3.25	7.26	0.31	1.07	1.07	1.07	1.76
20	Cogeneration	0.99	0.11	0.27	0.75	0.09	0.17	0.17	0.16	0.33
30	Oil and Gas Production (combustion)	0.94	0.12	1.09	0.81	0.04	0.11	0.11	0.11	0.24
40	Petroleum Refining (Combustion)	3.36	1.01	5.09	4.95	2.76	1.56	1.51	1.49	0.91
50	Manufacturing and Industrial	23.59	4.38	12.49	17.28	1.56	1.20	1.19	1.18	2.31
52	Food and Agricultural Processing	0.10	0.04	0.18	0.34	0.00	0.04	0.04	0.04	0.05
60	Service and Commercial	14.89	4.64	10.29	17.00	1.56	1.52	1.51	1.51	3.04
99	Other (Fuel Combustion)	1.59	0.25	2.62	2.82	0.28	0.32	0.24	0.17	0.02
Total Fuel Combustion		51.40	11.49	35.29	51.20	6.61	6.00	5.83	5.72	8.65
Waste Disposal										
110	Sewage Treatment	0.87	0.49	0.01	0.01	0.04	0.01	0.01	0.01	0.27
120	Landfills	695.19	9.64	0.75	0.60	0.40	0.18	0.17	0.17	4.30
130	Incineration	0.50	0.10	1.96	0.68	0.22	0.23	0.11	0.10	0.42
140	Soil Remediation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
199	Other (Waste Disposal)	81.60	6.53	0.00	0.00	0.00	0.00	0.00	0.00	1.34
Total Waste Disposal		778.16	16.76	2.71	1.29	0.66	0.42	0.29	0.27	6.34
Cleaning and Surface Coatings										
210	Laundering	3.96	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220	Degreasing	90.19	16.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00
230	Coatings and Related Processes	27.20	26.26	0.02	0.01	0.00	1.98	1.90	1.83	0.17
240	Printing	2.09	2.09	0.00	0.00	0.00	0.00	0.00	0.00	0.06
250	Adhesives and Sealants	6.50	5.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00
299	Other (Cleaning and Surface Coatings)	1.10	1.10	0.03	0.08	0.00	0.06	0.06	0.05	0.30
Total Cleaning and Surface Coatings		131.05	51.95	0.05	0.09	0.00	2.04	1.96	1.89	0.52
Petroleum Production and Marketing										
310	Oil and Gas Production	5.50	2.54	0.05	0.02	0.07	0.01	0.01	0.00	0.00
320	Petroleum Refining	7.14	4.59	0.90	5.30	1.99	2.68	1.75	1.54	0.24
330	Petroleum Marketing	48.33	11.11	0.01	0.01	0.00	0.00	0.00	0.00	0.00
399	Other (Petroleum Production and Marketing)	0.14	0.13	0.00	0.00	0.00	0.01	0.01	0.00	0.00
Total Petroleum Production and Marketing		61.11	18.37	0.95	5.32	2.06	2.70	1.77	1.55	0.24
Industrial Processes										
410	Chemical	9.12	7.29	0.01	0.04	0.01	1.01	0.78	0.62	0.03
420	Food and Agriculture	1.49	1.45	0.00	0.00	0.01	0.49	0.28	0.13	0.02
430	Mineral Processes	1.11	0.92	0.25	0.19	0.15	8.14	5.33	2.90	0.16
440	Metal Processes	0.22	0.17	0.05	0.22	0.12	0.67	0.43	0.28	0.01
450	Wood and Paper	0.32	0.32	0.00	0.00	0.00	8.03	5.62	3.41	0.00
460	Glass and Related Products	0.00	0.00	0.00	0.00	0.00	0.16	0.15	0.14	0.00
470	Electronics	0.04	0.04	0.00	0.00	0.00	0.04	0.03	0.02	0.00
499	Other (Industrial Processes)	4.10	3.67	0.03	0.16	0.00	1.50	1.01	0.59	8.59
Total Industrial Processes		16.40	13.86	0.34	0.62	0.28	20.03	13.63	8.10	8.81
Solvent Evaporation										
510	Consumer Products	115.36	96.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00
520	Architectural Coatings and Related Solvent	13.78	13.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
530	Pesticides/Fertilizers	1.43	1.43	0.00	0.00	0.00	0.00	0.00	0.00	1.05
540	Asphalt Paving/Roofing	1.43	1.31	0.00	0.00	0.00	0.03	0.03	0.03	0.00
Total Solvent Evaporation		132.00	111.79	0.00	0.00	0.00	0.03	0.03	0.03	1.05

(Continued)

2035 Annual Average Emissions by Source Category in South Coast Air Basin (tons/day)

CODE	Source Category	TOG	VOC	NOx	CO	SOx	TSP	PM10	PM2.5	NH3
Miscellaneous Process										
610	Residential Fuel Combustion	19.13	8.36	9.89	46.18	0.49	7.04	6.68	6.49	0.11
620	Farming Operations	18.67	1.53	0.00	0.00	0.00	1.68	0.89	0.27	7.59
630	Construction and Demolition	0.00	0.00	0.00	0.00	0.00	60.83	29.76	2.98	0.00
640	Paved Road Dust	0.00	0.00	0.00	0.00	0.00	133.53	61.05	9.16	0.00
645	Unpaved Road Dust	0.00	0.00	0.00	0.00	0.00	28.15	16.73	1.67	0.00
650	Fugitive Windblown Dust	0.00	0.00	0.00	0.00	0.00	2.49	1.30	0.18	0.00
660	Fires	0.34	0.23	0.08	3.02	0.00	0.45	0.44	0.41	0.00
670	Waste Burning and Disposal	0.82	0.45	0.19	6.32	0.05	0.72	0.70	0.64	0.03
690	Cooking	3.15	2.20	0.00	0.00	0.00	13.16	13.16	13.16	0.00
699	Other (Miscellaneous Processes)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.80
Total Miscellaneous Processes		42.10	12.77	10.16	55.52	0.53	248.06	130.71	34.97	36.54
On-Road Motor Vehicles										
710	Light Duty Passenger Auto (LDA)	12.50	11.95	7.91	145.59	0.48	11.51	11.30	4.59	9.42
722	Light Duty Trucks 1 (T1)	1.58	1.51	0.80	12.87	0.04	0.86	0.84	0.34	1.14
723	Light Duty Trucks 2 (T2)	7.65	7.29	4.03	72.12	0.22	4.29	4.21	1.72	3.28
724	Medium Duty Trucks (T3)	4.86	4.64	2.37	39.34	0.14	2.30	2.26	0.92	2.01
732	Light Heavy Duty Gas Trucks 1 (T4)	0.37	0.35	0.31	1.49	0.01	0.13	0.13	0.05	0.19
733	Light Heavy Duty Gas Trucks 2 (T5)	0.14	0.14	0.13	0.59	0.01	0.06	0.06	0.03	0.03
734	Medium Heavy Duty Gas Trucks (T6)	0.20	0.18	0.16	1.50	0.01	0.11	0.11	0.05	0.04
736	Heavy Heavy Duty Gas Trucks ((HHD)	0.05	0.03	0.26	2.89	0.00	0.01	0.01	0.00	0.00
742	Light Heavy Duty Diesel Trucks 1 (T4)	0.13	0.12	0.92	0.66	0.01	0.29	0.28	0.13	0.99
743	Light Heavy Duty Diesel Trucks 2 (T5)	0.07	0.06	0.51	0.35	0.01	0.17	0.17	0.08	0.39
744	Medium Heavy Duty Diesel Truck (T6)	0.08	0.07	10.45	0.93	0.06	1.18	1.16	0.52	1.56
746	Heavy Heavy Duty Diesel Trucks (HHD)	2.11	0.78	33.55	15.26	0.16	1.75	1.73	0.82	2.75
750	Motorcycles (MCY)	10.51	9.12	2.65	45.50	0.01	0.04	0.04	0.02	0.02
760	Diesel Urban Buses (UB)	2.37	0.03	0.04	18.04	0.00	0.04	0.04	0.01	0.67
762	Gas Urban Buses (UB)	0.03	0.02	0.02	0.23	0.01	0.04	0.04	0.02	0.00
771	Gas School Buses (SB)	0.07	0.05	0.03	0.44	0.00	0.10	0.09	0.04	0.01
772	Diesel School Buses (SB)	0.01	0.01	0.71	0.11	0.00	0.16	0.16	0.07	0.05
777	Gas Other Buses (OB)	0.16	0.15	0.12	0.94	0.01	0.06	0.06	0.03	0.01
778	Motor Coaches	0.01	0.01	0.46	0.14	0.00	0.03	0.03	0.01	0.04
779	Diesel Other Buses (OB)	0.00	0.00	0.59	0.05	0.00	0.06	0.06	0.03	0.06
780	Motor Homes (MH)	0.01	0.01	0.19	0.08	0.00	0.05	0.05	0.02	0.04
Total On-Road Motor Vehicles		42.89	36.52	66.23	359.12	1.19	23.24	22.83	9.50	22.70
Other Mobile Sources										
810	Aircraft	4.62	4.56	20.77	47.42	2.52	0.79	0.77	0.70	0.00
820	Trains	0.67	0.56	10.65	4.76	0.02	0.20	0.20	0.18	0.01
833	Ocean Going Vessels	4.43	3.71	41.65	5.81	3.33	1.12	1.12	1.03	0.05
835	Commercial Harbor Crafts	1.14	0.95	8.84	6.91	0.00	0.35	0.35	0.32	0.00
840	Recreational Boats	11.03	9.67	3.74	77.09	0.01	0.67	0.61	0.46	0.01
850	Off-Road Recreational Vehicles	2.19	2.10	0.11	4.87	0.00	0.01	0.01	0.01	0.00
860	Off-Road Equipment	48.24	42.23	28.86	638.25	0.10	2.66	2.46	1.97	0.13
870	Farm Equipment	0.30	0.26	0.89	5.18	0.00	0.06	0.06	0.05	0.00
890	Fuel Storage and Handling	3.81	2.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Mobile Sources		76.42	66.70	115.51	790.30	5.97	5.87	5.57	4.72	0.20
Total Stationary and Area Sources		1212.22	236.98	49.50	114.05	10.15	279.28	154.23	52.53	62.15
Total On-Road Vehicles		42.89	36.52	66.23	359.12	1.19	23.24	22.83	9.50	22.70
Total Other Mobile		76.42	66.70	115.51	790.30	5.97	5.87	5.57	4.72	0.20
Total		1331.53	340.20	231.23	1263.47	17.31	308.39	182.63	66.76	85.05

ATTACHMENT C



**South Coast
Air Quality Management District**

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

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: 2021 PM10 MAINTENANCE PLAN FOR THE SOUTH COAST AIR BASIN

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor’s Office of Planning and Research to be posted on their CEQAnet Web Portal which, upon posting, may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD’s webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom’s Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Planning and Research -
State Clearinghouse
1400 Tenth St, Suite 222
Sacramento, CA 95814-5502

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: 2021 PM10 Maintenance Plan for the South Coast Air Basin

Project Location: The proposed project is located in the four-county South Coast Air Basin portion of the South Coast Air Quality Management District (South Coast AQMD) jurisdiction. The South Coast Air Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties.

Description of Nature, Purpose, and Beneficiaries of Project: In 2010, the South Coast Air Quality Management District (South Coast AQMD) requested the United States Environmental Protection Agency (U.S. EPA) to redesignate the South Coast Air Basin (Basin) attainment status for the 1987 24-hour average PM10 National Ambient Air Quality Standard (NAAQS), which is attained when fewer than four exceedances of 150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) are recorded in a three-year period at each monitor, and submitted a PM10 maintenance plan. On July 26, 2013, the U.S. EPA approved the PM10 maintenance plan and redesignated the Basin as attainment with this standard. Section 107(d)(3)(E) of the federal Clean Air Act requires a subsequent maintenance plan to be submitted to U.S. EPA eight years after an attainment redesignation to provide for maintenance of the applicable NAAQS for an additional 10 years after the period covered by the first maintenance plan. As such, the South Coast AQMD has developed the 2021 PM10 Maintenance Plan for the 12-year period from 2023 to 2035, which includes: 1) a maintenance demonstration that the South Coast Air Basin will continue to attain the 1987 24-hour average PM10 NAAQS; 2) verification of continued attainment; 3) a commitment to a future monitoring network; 4) a contingency plan with provisions for implementation in the event of any future NAAQS violations of the 1987 24-hour average PM10 NAAQS; 5) a description of PM10 sources, concentration trends, and emission controls; and 6) an analysis of past NAAQS exceedances of the 1987 24-hour average PM10 NAAQS during the first maintenance period.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Since the proposed project relies on the continued implementation of existing regulations and programs by the South Coast AQMD and California Air Resources Board to reduce emissions without proposing new requirements that would involve physical changes, it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the proposed project is designed to further protect or enhance the environment by demonstrating in the 2021 PM10 Maintenance Plan how attainment with the 1987 24-hour average PM10 NAAQS will be maintained. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemption pursuant to CEQA Guidelines Section 15300.2 apply to the proposed project.

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Hearing: June 4, 2021

CEQA Contact Person:

Kendra Reif

Phone Number:

(909) 396-2492

Email:

kreif@aqmd.gov

Fax:

(909) 396-3982

Plan Contact Person:

Scott Epstein

Phone Number:

(909) 396-3754

Email:

sepstein@aqmd.gov

Fax:

(909) 396-3982

Date Received for Filing: _____

Signature: _____

(Signed Upon Board Approval)

Barbara Radlein

Program Supervisor, CEQA

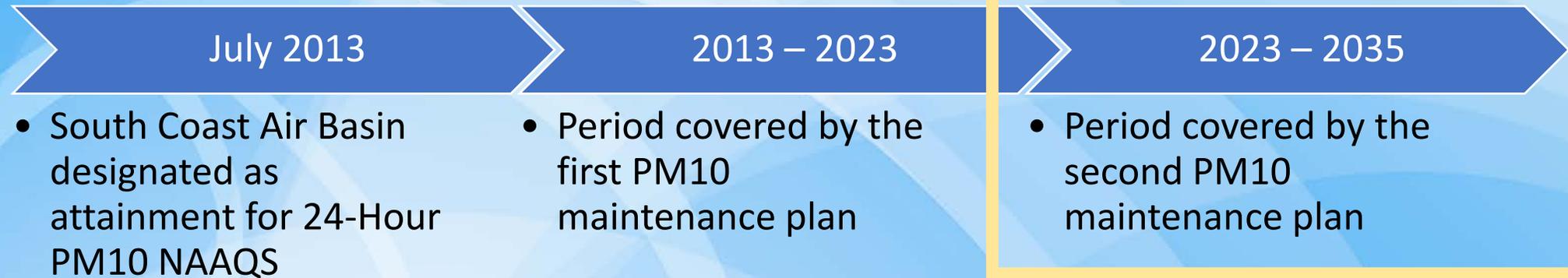
Planning, Rule Development, and Area Sources



2021 PM10 Maintenance Plan for the South Coast Air Basin

June 4, 2021

Maintenance Plan



- **Maintenance plan** is a requirement for designation as attainment¹
- State must submit a second maintenance plan 8 years after designation as attainment²

¹ Section 107(d)(3)(E) of the Clean Air Act (CAA)

² Section 175A of the CAA

Maintenance Plan Requirements

1. Analysis of the first maintenance plan period (2013-present) to show that:
 - South Coast Air Basin has continued to attain NAAQS
 - Continued attainment was not solely a result of favorable meteorology
2. Maintenance demonstration to show that we will continue to attain the standard
3. Commitment to maintain a future monitoring network
4. Commitment to verify continued attainment
5. Establish contingency plan

PM10 Standard and Exceptional Events

PM10 Standard

- 24-hour NAAQS: 150 $\mu\text{g}/\text{m}^3$
- Not to be exceeded more than once per year on average over a 3-year period (at each monitor)
 - Design Value ≤ 1

Exceptional Events

- Natural or manmade events, e.g. wildfires, high winds, fireworks
- These do not count as exceedances, since they are not reasonably controllable and not likely to recur in the same location

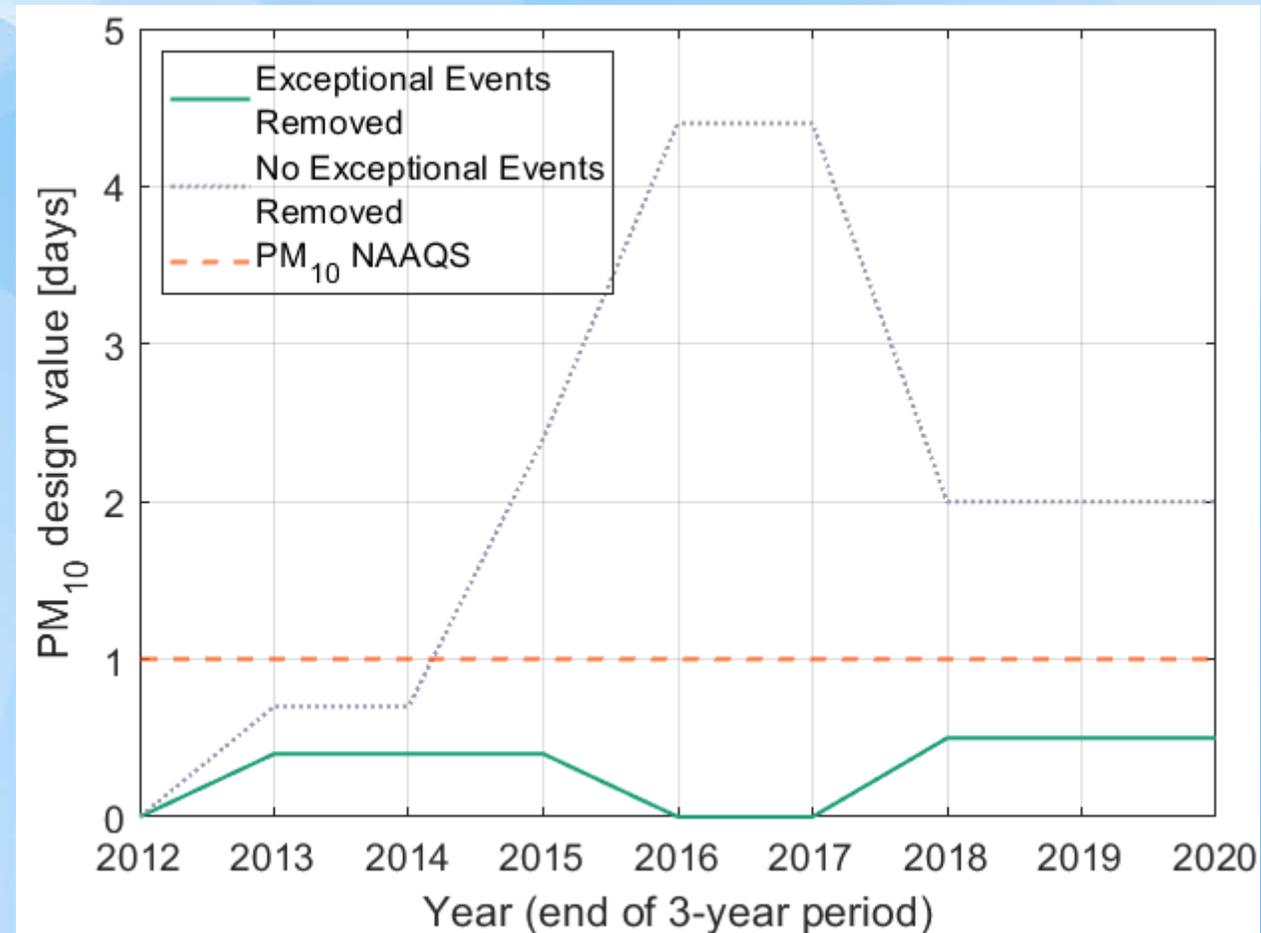


The Basin Continued to Attain the PM₁₀ Standard (2013-present)

- Only two exceedances recorded over the first maintenance period (2013-2020)*
- No PM₁₀ design values exceeded the NAAQS
- Attainment was maintained without abnormally favorable meteorology. Rainfall was below average during this period

*After removing suspected exceptional events

PM₁₀ design value before and after removing suspected exceptional events

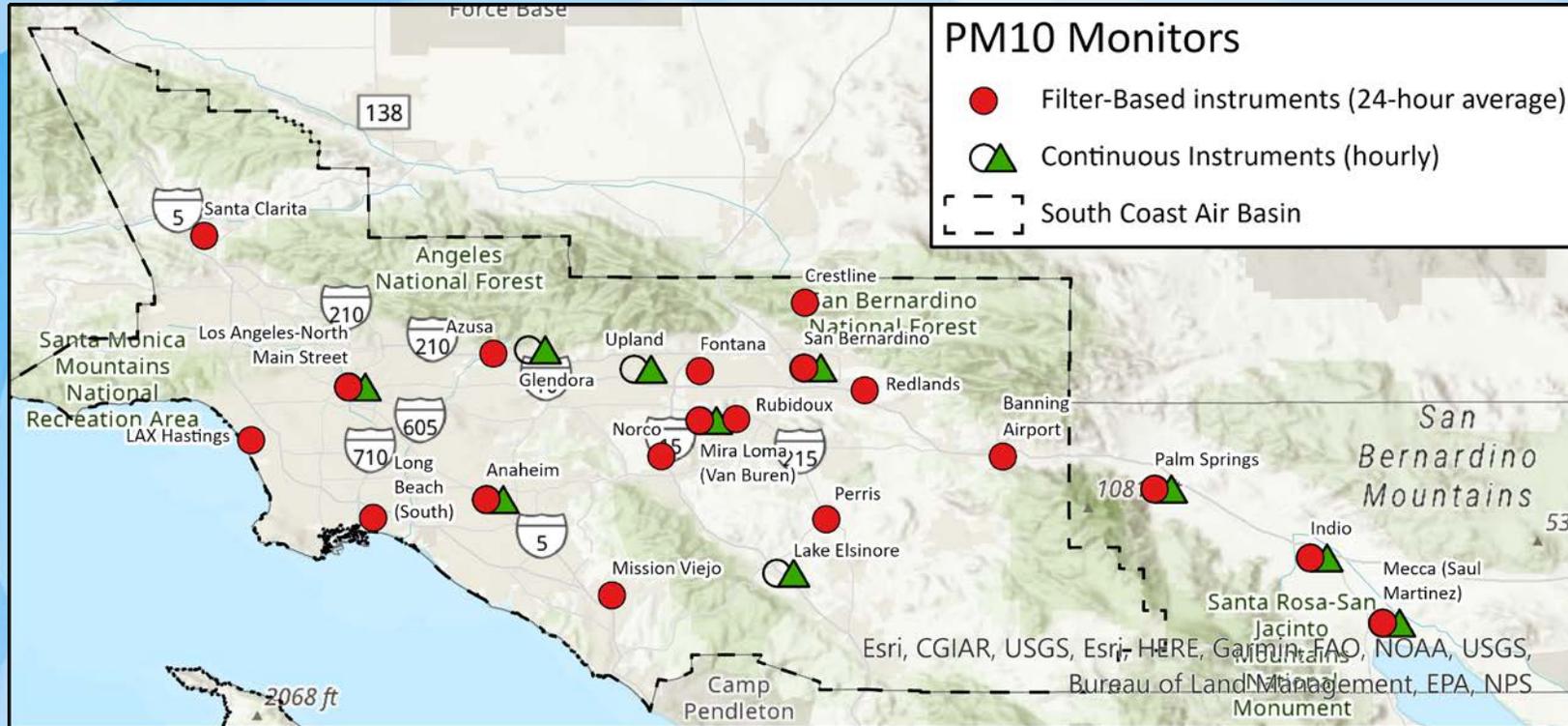


Emission Trends and Recent PM10 Levels Indicate that PM10 Attainment will be Maintained Through 2035

- NOx and VOC emissions decrease substantially in future years
- Direct PM10, ammonia, and sulfur dioxide emissions increase marginally in future years, but are expected to have *de minimis* impact
- Therefore, the South Coast Air Basin is expected to maintain attainment until at least 2035
- Emissions in this Plan are much lower than the emissions included in the 1st Plan due to regulations targeting PM and its precursors



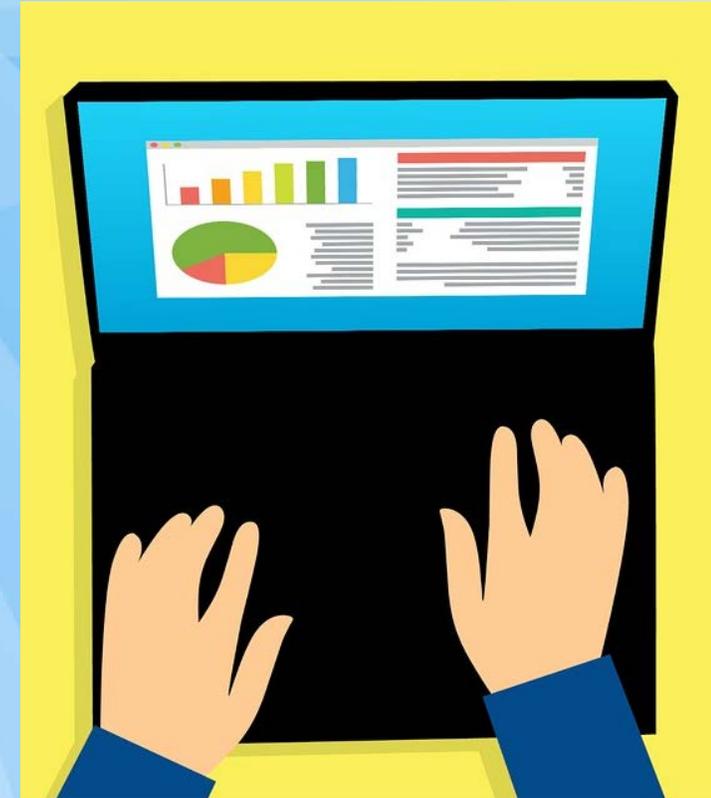
Commitment to Maintain Future PM10 Monitoring Network



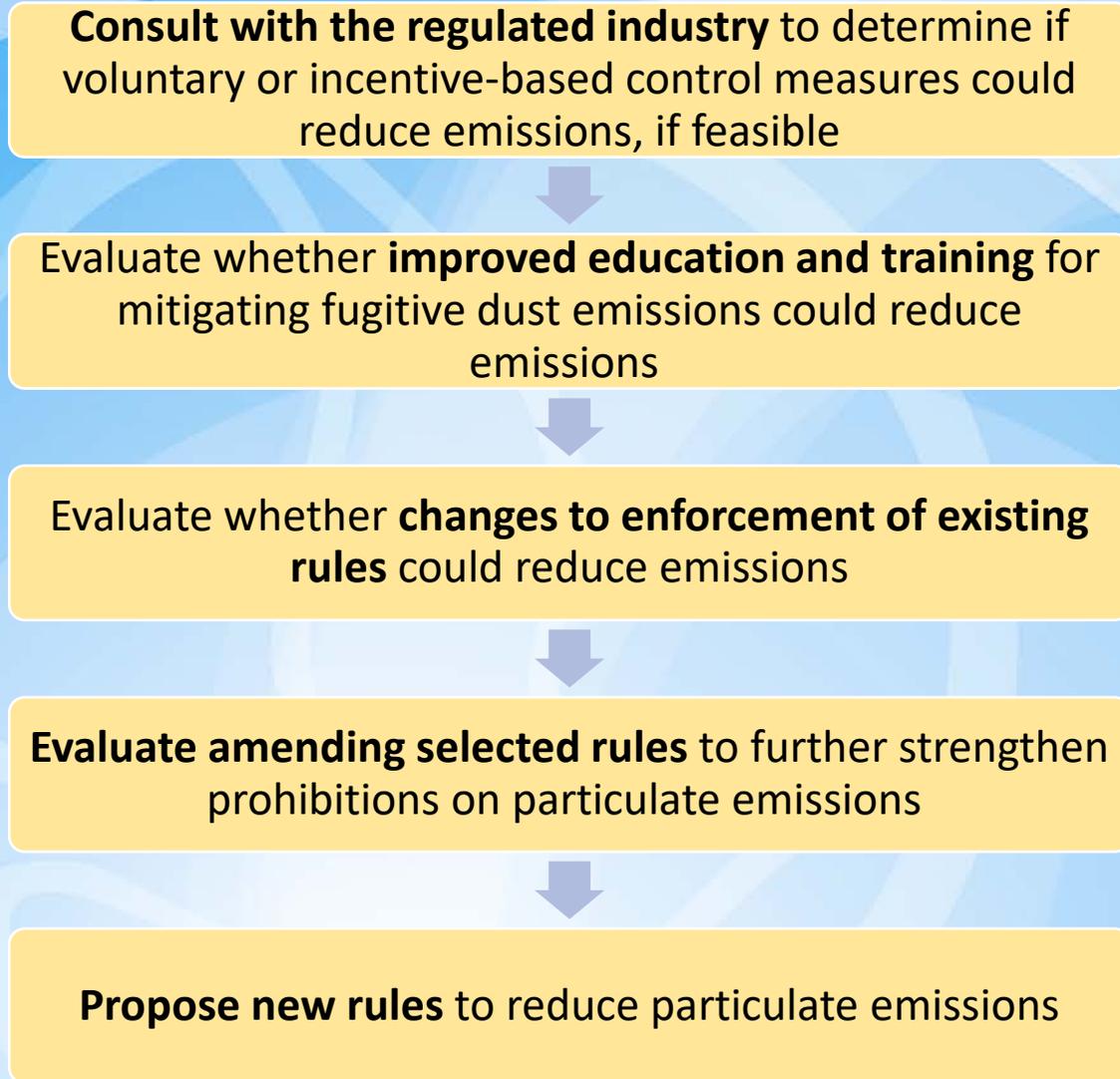
- Current PM10 network exceeds all minimum monitoring requirements
- Plan to replace some 24-hour monitors with hourly monitors, providing better time resolution

Commitment to Verify Continued Attainment with Review of Emissions Inventory

- Review the inputs and assumptions used for the emission inventory when new information becomes available
- If inputs and assumptions have changed significantly, South Coast AQMD will:
 - Evaluate the potential impacts
 - Revise the emissions inventory, if needed
 - Collaborate with other agencies involved in inventory development



Contingency Plan will be Triggered if PM10 Standard is Exceeded Even with Exclusion of Exceptional Events



Selected rules that may be evaluated if Contingency Plan is triggered

South Coast AQMD Rule
403: Fugitive Dust
444: Open Burning
1157: PM10 Emission Reductions from Aggregate and Related Operations
1158: Storage, Handling, and Transport of Coke, Coal, and Sulfur
1186: PM10 Emissions from Paved and Unpaved Roads and Livestock Operations

Public Process (2021)

April

- Draft Plan Released (April 8)
- Public Consultation Meeting (April 15)
- Public Comments Due (April 26)

May

- Draft Final Plan Released (May 4)
- AQMP Advisory Committee (May 18)

June

- South Coast AQMD Board Consideration (June 4)
- CARB Board Consideration (June 24-25)

July

- Submit to U.S. EPA for inclusion in the State Implementation Plan

- The PM10 Maintenance Plan is exempt from CEQA. A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062

Recommended Actions and Next Steps

Recommended Actions:

- Determine that the 2021 PM10 Maintenance Plan for the South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act
- Approve the 2021 PM10 Maintenance Plan for the South Coast Air Basin and direct staff to forward the Maintenance Plan to CARB for approval and submission to U.S. EPA for inclusion in the SIP

If Approved:

- CARB Board Consideration (June 24th – 25th)
- Submission to U.S. EPA for inclusion in the State Implementation Plan

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 35

PROPOSAL: Determine That the Proposed Amendments to the Eastern Coachella Valley Community Emissions Reduction Plan are Exempt from CEQA, and Amend the Eastern Coachella Valley Community Emissions Reduction Plan

SYNOPSIS: Assembly Bill (AB) 617 requires CARB to select communities for the preparation of Community Emissions Reduction Plans (CERPs) and air districts with a selected community to adopt the CERP within one year of selection. CARB selected the Eastern Coachella Valley (ECV) community in December 2019, and the South Coast AQMD Board adopted the AB 617 ECV CERP in December 2020. The Board directed staff to provide additional details on the AB 617 ECV CERP monitoring objectives, collaborations with other entities, incentive strategies, and other emission reduction strategies developed by the Community Steering Committee (CSC) by June 30, 2021. Since December 2020, staff has held more than 30 meetings with CSC members to develop additional details that further address the CSC's air quality priorities for the AB 617 ECV CERP.

COMMITTEE: Stationary Source Committee, May 21, 2021, Reviewed

RECOMMENDED ACTIONS:

1. Determine that the proposed amendments to the AB 617 ECV CERP are exempt from the requirements of the California Environmental Quality Act; and
2. Amend the AB 617 ECV CERP.

Wayne Natri
Executive Officer

SR:JG:DG:DT:PP

Background

Assembly Bill (AB) 617 established new requirements for improving air quality in disadvantaged communities in California. AB 617 requires a statewide strategy with

focused actions for communities heavily impacted by air pollution. These actions include developing community air monitoring plans (CAMPs) and/or community emissions reduction plans (CERPs) to reduce emissions of toxic air contaminants (TACs) and criteria pollutants.

In 2018, CARB adopted the Community Air Protection Blueprint (Blueprint) as the statewide strategy to guide the development (e.g., public process), content, and implementation of CAMPs and CERPs. An overview of the process to develop these documents as described in the CARB Blueprint is provided in Figure 1 – Overview of Community Emissions Reduction Program Process.

Figure1: *Overview of Community Emissions Reduction Program Process*

On December 5, 2019, CARB designated two communities in the South Coast AQMD to prepare a CAMP and CERP. The two communities selected by CARB are: 1) Southeast Los Angeles (SELA); and 2) Eastern Coachella Valley (ECV). The AB 617



statute directs air districts to adopt CERPs within one year of CARB’s selection. Four additional communities have been added for South Coast AQMD. This Board letter focuses on additional work done for the ECV CERP.

From January 2020 to December 2020, staff held 16 community meetings to develop the AB 617 ECV CERP. These meetings included CSC meetings, charter working group meetings, a workshop, and Technical Advisory Group (TAG) meetings. Through participation at the community meetings, the ECV CSC identified their air quality priorities as 1) the Salton Sea, 2) Pesticides, 3) Fugitive Road Dust and Off-Road, 4) Open Burning and Illegal Dumping, 5) Diesel Mobile Sources and 6) the Greenleaf Desert View Power Plant. Staff also worked with the CSC to develop more than 50 actions to address these air quality priorities, which will be implemented by South Coast AQMD, in collaboration with organizations, businesses, and other government agencies. These actions are in the AB 617 ECV CERP adopted on December 4, 2020 by the Board.

Following the CERP development process, some CSC members requested more time to develop and incorporate additional details in the CERP. In response to this request, the Board directed staff to provide additional details on the AB 617 ECV CERP monitoring

objectives, collaborations with other entities, incentive strategies, and other emission reduction strategies developed by the CSC no later than June 30, 2021. The Board further directed staff to hold two CSC meetings between January 2021 and February 2021 to receive additional feedback, and two additional meetings between March 2021 and April 2021 to review the draft amendments. Since December 2020, staff has met with the CSC on over 30 occasions, including 10 CSC meetings to develop the proposed amendments for the CERP. Details about the public process to develop the proposed amendments are below.

Public Process

Community Steering Committees, Budget Working Team, Monitoring Working Team, Agenda Setting, and Public Outreach

The CSC led the amendment process for the AB 617 ECV CERP. The CSC is made up of active residents, community leaders, local business owners or workers, labor unions, community organizations, local agencies, schools, universities, hospitals, and elected officials. The CSC provides input and guidance based on community knowledge and expertise, and this feedback has been instrumental in developing the proposed CERP amendments. CSC members also assist staff with community-level outreach to share information about AB 617 and CERP development. Since the adoption of the AB 617 ECV CERP, the 10 CSC meetings focused on developing the proposed CERP amendments and incentive budgeting. Approximately 30 to 75 people attended each meeting.

Beginning in January 2021, the CSC focused on specific areas of the adopted CERP where they felt amendments were needed. These areas included coordination with local and community plans, pesticides, alternatives to agricultural burning, and Community Air Protection Program incentives budgeting.

In addition to the CSC meetings, staff held over 10 small group meetings and one-on-one meetings with residents, community leaders, and other stakeholders to provide detailed information about the proposed amendments to the AB 617 ECV CERP and facilitate input. Staff held Agenda Setting meetings with the CSC to discuss meeting logistics and topics. Also, CSC members organized 15 CSC-led meetings that included Budget Working Team and Monitoring Working Team meetings to discuss proposed amendment options. In these meetings, CSC members and staff engaged in discussions on monitoring locations, incentives for community-identified projects, and other topics (e.g., diesel mobile sources). In addition, CSC members that participated in these meetings provided regular updates to the entire CSC on the topics discussed and identified opportunities to incorporate them in the proposed amendments to the AB 617 ECV CERP.

Proposal

Through the public process described above, staff worked closely with the CSC and collaborated with other government agencies to develop proposed amendments to the AB 617 ECV CERP. These amendments include new goals and actions that further address the ECV community's air quality priorities and provide additional emissions and exposure reductions in the ECV community. Each goal is supported by actions assigned to responsible or implementing entities (e.g., government agencies), metrics for gauging progress of the actions, and timelines.

Proposed AB 617 ECV CERP amendments

Staff recommends amending the AB 617 ECV CERP. The CSC suggested amendments that include additional actions for pesticides, local and regional plans, alternatives to agricultural burning, diesel mobile sources, and the incentives budget in the proposed amendments to the AB 617 ECV CERP. Where feasible, staff incorporated the actions in Chapter 5a – Introduction, Chapter 5b – Salton Sea, Chapter 5c – Pesticides, Chapter 5f – Diesel Mobile Sources, and Chapter 5g – Greenleaf Desert View Power Plant. The remaining CERP chapters are unchanged. Notable proposed CERP amendments include additional:

- Actions and metrics to address land use concerns and coordinate with planning agencies during the implementation of local and regional plans, for example, outreach to local and regional planning agencies and developing recommendations with the CSC on best practices to reduce light-duty vehicle emissions from the Thermal Racing Club Track;
- Actions to address pesticides emissions and exposure in collaboration with the Riverside County Agricultural Commissioner, Department of Pesticide Regulation (DPR), CARB, Office of Environmental Health Hazard Assessment (OEHHA), and U.S. EPA;
- Actions for CARB to work with the CSC to identify locations for “No Idling” sign installation and coordinate with appropriate agencies to install and enforce “No Idling” signs and provide outreach materials in the ECV community on idling rules;
- Information on the distribution of Year 3 Community Air Protection Program (CAPP) incentives in ECV for community-identified projects; and
- Community Air Monitoring Plan (CAMP) details, including preliminary locations identified for monitor or sensor deployment.

Key Issues

The ECV CSC requested amendments to the AB 617 ECV CERP that are outside of South Coast AQMD's jurisdiction, including the following:

- Additional pesticide regulations and limits, and a pesticide notification system;
- Pursue a ban on agricultural burning;
- Require funding from other agencies for AB 617 community-identified projects;
- Monitor geothermal and lithium extraction in the Salton Sea region; and
- Develop a new rule to address odors from the Salton Sea.

South Coast AQMD lacks the authority to regulate pesticides as Health and Safety Code Section 39655(a) provides that regulation of the use of pesticides is reserved for the DPR. Similarly, we are unable to ban agricultural burning as air districts and CARB are expressly prohibited from doing so under State law (California Health and Safety Code §41850). Further, while legislation (Senate Bill (SB) 705) has been enacted for the San Joaquin Valley to phase out open burning, recent reports from CARB show that the San Joaquin Valley Air Basin still accounts for 36.5 percent of PM_{2.5} emissions from agricultural burning statewide.¹ In contrast, the Salton Sea² and South Coast Air Basins together account for 8 percent of PM_{2.5} emissions from agricultural burning statewide. This recent data demonstrates the effectiveness of South Coast AQMD Rule 444 – Open Burning for open burning. Additionally, although staff enforces Rule 444 – Open Burning, many of the illegal burns that the CSC is concerned with are on tribal lands, which do not fall within South Coast AQMD's authority.

South Coast AQMD also does not have the authority to require other entities or agencies to fund projects or initiatives. However, as written in the CERP, staff will continue to seek funding sources to support projects identified in the CERP and will collaborate with other agencies for implementation.

Staff is aware of the geothermal and lithium extraction projects in the Salton Sea region, however these projects are located in Imperial County APCD and fall outside of the South Coast AQMD. Therefore, these projects are outside of South Coast AQMD's jurisdiction.

South Coast AQMD Rule 402 addresses odors from various anthropogenic pollution sources. Our understanding is that anaerobic biological processes cause odors from the Salton Sea. A rule applying to these odors would require the responsible parties to implement measures that reduce them. Unfortunately, South Coast AQMD staff is unaware of any specific measures to reduce odors from anaerobic biological processes in the Salton Sea.

¹ San Joaquin Valley Agricultural Burning Assessment: https://ww2.arb.ca.gov/sites/default/files/2021-02/Staff_Recommendations_SJV_Ag_Burn.pdf

² The Salton Sea Air Basin includes Imperial County and portions of Riverside County.

Metrics and Outreach Plan

CSC members requested staff amend the AB 617 ECV CERP to address implementation milestones. As a result, the proposed amendment includes actions and information on how progress toward each goal is assessed with specific metrics and timelines. Timelines were written to retain flexibility and based on the availability of resources. For example, broad timelines specified in the proposed amendments ensure that staff may apply for grants when opportunities arise without limitations. Additionally, CSC members also requested that the proposed amendments include a more extensive and comprehensive outreach plan. In Chapter 2 of the AB 617 ECV CERP, staff committed to developing an outreach plan with the CSC. The outreach plan will be developed during implementation of the AB 617 ECV CERP.

Emission Reduction Targets

The AB 617 ECV CERP combined with the proposed amendments outline actions to address the air quality concerns prioritized by CSC and are estimated achieve emission reductions of 54 tons per year (tpy) nitrogen oxides (NO_x), 0.8 tpy diesel particulate matter (DPM), and 2.4 tpy particulate matter of 10 microns or less (PM₁₀) by 2025 and 115 tpy NO_x, 2.5 tpy DPM, and 2.4 tpy PM₁₀ by 2030. Additional emission reductions from the AB 617 ECV CERP and proposed amendments may be achieved through rule development and enhanced enforcement efforts.

California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), 15262, 15301, 15306, 15308, 15309, and 15321. Further, there is no substantial evidence indicating that any of the exceptions to the categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment D to this Board Letter. If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research, which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on their CEQA net Web Portal which may be accessed by via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe--year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

Implementation Plan/Schedule

Implementation of the AB 617 ECV CERP began in January 2021. If proposed amendments to the AB 617 ECV CERP are approved by the Board, CARB staff is expected to begin reviewing and evaluating the amended AB 617 ECV CERP and will hold a public hearing to approve the ECV CERP and amendments in 2021. The implementation of this CERP is to take place over approximately five years.

Benefits to South Coast AQMD

The AB 617 ECV CERP and amendments to the AB 617 CERP will help advance South Coast AQMD's mission to clean the air, especially in the most impacted and disadvantaged communities within South Coast AQMD's jurisdiction. Additionally, emission reductions achieved through implementation of the AB 617 ECV CERP and its amendments will provide emission reduction benefits toward achieving state and national air quality standards.

Resource Impacts

South Coast AQMD received \$21.8 million to support implementation of AB 617 for the upcoming year of this program for all South Coast AQMD AB 617 communities. In addition, CAPP incentive funds will be used toward implementing incentive projects that are located in environmental justice communities. In 2020, South Coast AQMD received \$79,431,607 in total grant funding through the CAPP funds for all AB 617 communities in South Coast, which includes up to 6.25 percent for administrative costs. Staff continues to work with the California state legislature to secure increased and sustained funding for AB 617 statewide.

Implementation costs for future years are dependent on the number of communities that are selected, and the amount of funding allocated by the legislature to support AB 617 implementation by the local air districts.

Attachments

- A. Amendments to the AB 617 Eastern Coachella Valley Community Emissions Reduction Plan
- B. Response to Comments
- C. Resolution
- D. Notice of Exemption from CEQA
- E. Board Meeting Presentation

Eastern Coachella Valley (ECV) Community Emissions Reduction Plan (CERP) Amendment – Response to Comments

Comment Letter A1



May 11, 2021

Wayne Nastri
Executive Officer
South Coast Air Quality Management District
21865 Copley Dr.
Diamond Bar, CA 91765



RE: Eastern Coachella Valley AB 617 CERP Amendment

Dear Mr. Nastri,

We greatly appreciate South Coast AQMD’s effort to update the Eastern Coachella Valley (ECV) Community Emission Reduction Plan (CERP) over the past four months. On behalf of the undersigned organizations and members of the CSC, we respectfully submit the following recommendations for the draft CERP amendment.

General Recommendations

In this section, we include general recommendations that should be embedded across multiple sections in the CERP, including sections that have not been amended.

1. Present a thorough progress update of all CERP measures and funding to the CSC at least twice a year. A progress report shall be provided in Spanish and English that details AQMD’s progress over the past six months of implementation, as well as their goals, timelines, and objectives for the next six months. As part of their outreach and engagement efforts, AQMD shall also present at community councils or other community spaces on CERP implementation at least twice a year.
2. Provide additional detail and direction for actions regarding funding:
 - a. Explicitly identify the Unincorporated Communities Initiative as a target and potential funder of community-identified projects in the unincorporated communities of the ECV AB 617 boundary. AQMD shall work with the CSC and other agencies as necessary to apply for this program during every cycle of

A1-1

A1-2

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<p>funding availability. AQMD shall also support the CSC in ensuring that this Initiative continues being funded by Riverside County.</p>	<p>A1-2 Cont.</p>
<p>b. Provide more specific information and milestones to actions throughout the CERP that direct South Coast AQMD to identify funding sources. This includes identifying such funding on an annual basis and adding follow up steps on what will happen after funding is identified. These actions shall also include milestones that can be met within the implementation period that show progress and effectiveness. In this process, South Coast AQMD should consider the following questions:</p>	
<ul style="list-style-type: none"> i. Who will be the lead applicant(s)? ii. How will AQMD conduct community engagement to inform the funding applications? iii. How will residents/communities in need of this funding be identified? iv. How many applications will be submitted each year? 	<p>A1-3</p>
<p>c. Work with Riverside County and Supervisor Perez’s office to ensure that funding from the American Rescue Plan and any additional federal funding is used in a conscious and healthy way to advance community projects that improve air quality and health in the ECV.</p>	
<p>3. Work with the CSC to develop a community outreach, engagement, and communications plan that will help communicate the CSC’s work to the general public. This plan shall also highlight opportunities for the public to engage as well as strategies for seeking public input on CSC-related projects and CERP/CAMP implementation. This action shall be completed by the end of 2021.</p>	<p>A1-4</p>
<p>4. Identify more concrete actions to reduce emissions and amend the CERP to include quantifiable emission reduction goals once additional monitoring data (e.g. monitoring for H2s and pesticides) become available. South Coast AQMD must go above and beyond to reduce emissions in the ECV. This includes doing more than only providing incentives. The AB 617 Blueprint specifically calls for a wide range of strategies, including regulatory action.</p>	
<p>5. Amend the enforcement plan to conduct a thorough review and analysis of all rules and regulations that address pollution sources in the ECV, identify gaps and opportunities, and initiate a new rule-making process to address such gaps, strengthen rules, and identify new actions to enforce better air quality practices throughout the region, including citations and other enforcement mechanisms. This should also include clear, specific, and enforceable strategies within the authority of South Coast AQMD. Many strategies call for other agencies to implement them, but South Coast AQMD must find additional and innovative actions to be included for each air quality priority.</p>	<p>A1-5</p>
<p>In addition to addressing our recommendations for the CERP, South Coast AQMD must also rethink and revamp its practices for community outreach and engagement. Ensuring a true community-led process through this program at the local level has been an ongoing challenge.</p>	

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South Coast AQMD must be able to work with the CSC to develop a vision, plan, and timeline for all aspects of the program, including allowing ample time and translation for the CSC and the public to review draft plans and other material. Without this, we lose one of the most important components for achieving transformative change in our systems and environment.

A1-6
Cont.**Chapter 5A: Introduction**

We'd first like to thank South Coast AQMD staff for following the CSC's request to form the Budget and Air Monitoring Working Teams. We believe both of these Teams provided a critical space for further developing our priorities for incentive funding and air monitoring. All of these efforts were essential in the development of this program, in order to ensure these efforts are fully appreciated and implemented in a timely manner we propose a few updates below that we would like included in Chapter 5A:

1. Update Table 1D's timeline for tree planting site identification to be completed by Q1 of 2022. Updates to this sit list shall be done annually based on how the implementation of tree planting projects progresses.
2. Update Table 1G to include the implementation of multi-benefit and climate-resilient infrastructure into the dust suppression projects planned for the Salton Sea through SCAQMD's coordination and collaboration with CNRA
3. Update Table 1H to state that all recommendations for best practices should be completed by the end of 2023 with the opportunity for the public to review and provide input. This action should help increase collaboration with local planning departments, agencies, and others to better understand the land use practices in Riverside County and the ECV. AQMD shall work to ensure that the CERP includes recommendations for better, healthier, and more equitable land use practices that help protect the environment, public health, and the culture of the ECV. AQMD shall engage in planning processes in the ECV and support the prevention of harmful land uses.

A1-7

Chapter 5B: Salton Sea

The Salton Sea poses numerous air quality concerns that require urgent attention as a consequence of the receding shoreline and polluting agricultural runoff. We provide additional suggestions to Chapter 5B that address the urgency of these actions as well as promote infrastructure that will address multiple community concerns and needs.

A1-8

1. Update Table 1D's timeline to be completed by 2023.
2. Update Table 3F's timeline to change the start date to Q2 of 2021. This action shall also require an annual update to the site list for tree planting based on ongoing project implementation, as well as steps for applying to funding programs on an annual basis. In

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addition, a milestone of implementing 1-2 tree planting projects by the end of 2022 shall be incorporated into action 3F.

3. Add an additional action to Table 1 to collaborate with Comité Cívico del Valle on their 15 air monitoring system and to ensure a participatory process with the CSC.
4. Add an additional action to Table 1 to regularly provide air quality data and expertise to agencies on the northern shore of the Salton Sea, including CNRA, DFW, IID, and Riverside County/Salton Sea Authority
5. South Coast AQMD must also closely monitor geothermal and lithium extraction in the Salton Sea region to identify current and potential future impacts to air quality and public health. The CERP must include actions on this issue and engage when necessary to prevent further damage to the environment and public health.
6. Develop a new rule to address the bad odors coming from different pollution sources, including the Salton Sea, illegal dumping, and others as identified by the community.

A1-8
Cont.**Chapter 5C: Pesticides**

As a top air quality priority in the ECV, we urge and expect South Coast AQMD to truly commit to finding strategies and actions within the CERP that will help reduce emissions and pesticides. While we understand the complexities of jurisdictional boundaries, we cannot expect the community to continue suffering disproportionate health impacts because of such issues. In looking at other AB 617 communities, jurisdictional issues have already been addressed by CARB. CARB leadership, as well as CalEPA, dictated that the San Joaquin Valley Air Pollution Control District should reflect all desired measures from the CSC in their CERP. Such issues have come up and been resolved in other AB 617 communities and we should be actively learning and following the leadership of other communities in this process.

As a collective, we have the responsibility to better respond to the concerns of the community on pesticides and all other air quality issues in the ECV. Below are a few additional recommendations we have for Chapter 5C.

A1-9

1. Table 1A: This action, while important, should have already been completed in the 1.5 years that South Coast AQMD has worked with the ECV under AB 617. It is also important for South Coast AQMD to be identified as a lead agency for this action. Community members are asking to see informed strategies on how to reduce exposure from pesticides and the CERP amendment needs to identify stronger actions that address those concerns. South Coast AQMD must thus add an additional action item for the District to compile a pesticide report in partnership with Riverside's County Agricultural Commission and DPR. This report shall be updated annually by South Coast AQMD. This report will help identify what pesticides are mostly used in the area with the aim to reduce usage and adequately monitor. This action should at least be completed by the end

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- of 2021. The CERP should also include actions for all toxic air contaminants of concern identified in the source attribution inventory, including benzene, arsenic and cadmium.
2. Table 1A: there are no commitments made to develop an ECV pesticide application notification system or reduce emissions directly. An ECV pesticide application notification system should begin to be developed immediately. The Shafter pilot and the ECV notification system can both be developed simultaneously in collaboration with DPR, test and share learnings across projects, and both support the development of the statewide pesticide notification system. In fact, DPR, CARB, and the San Joaquin Air Pollution Control District all supported and urged the Kern County CAC to implement the Shafter Pilot Notification System and required them to submit regular reports of approved Notices of Intent (NOIs) for the use of pesticide products. This same action should be applied in the ECV, and if such a collaboration, including Supervisor Perez's office, was established in the South Coast region, more agricultural communities could benefit. We will continue asking for South Coast AQMD to work with the appropriate agencies, including agricultural growers and companies, to implement a pesticide notification system. The ECV community is an agricultural town, thus we have the right agencies and tools to implement a notification system, and help guide the state as they develop their process.
 3. Update Table 2C to also include more detail and follow up steps once funding programs and opportunities are identified. All actions in the CERP amendments that direct South Coast AQMD to "identify funding" shall also include specific follow up steps on what will happen next. They should also include specific mid to long-term milestones to ensure that these actions are moving forward and that we are making progress on implementation.
 4. Table 2D: What are the specific goals for pursuing a partnership with Growing Coachella Valley? What does this action look like and how will this partnership help reduce emissions from and exposure to pesticides?
 5. Add an additional action to work with the appropriate agencies to limit the use of certain pesticides, ban aerial application, mandate tarping for certain pesticides, and create buffer zones and vegetative barriers outside and around agricultural fields.

A1-9
Cont.**Chapter 5D: Fugitive Road Dust and Off-Road**

The actions in these chapters are a great step forward in addressing the issues and pollution that come from off-roading and unpaved roads in the region. However, they are quite limiting and do not encompass the massive issue of fugitive dust in the region. Our suggestions acknowledge the need for actions to serve more than one purpose and therefore address multiple concerns, but we continue to ask South Coast AQMD to further develop and identify new strategies to reduce fugitive dust and exposure.

A1-10

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1. Update Table 2A to incorporate cool pavement technology into all proposed paving projects as a tool for emission reduction and climate benefits.
 - a. Include the need to pursue partnerships with local non-profit organizations for assistance identifying locations in need of paving to ensure adequate technical assistance is provided to the community.
 - b. Work with the CSC to identify leads for project implementation.
2. Update Table 2E to include a more extensive and comprehensive outreach plan. Provide potential mobile home park owners with information about the application and implementation process. Post informational sessions should also be included to provide information on best practices for maintenance.
3. Update Table 3C to say that funding should be identified every year and add follow up steps on what will happen after funding is identified. AQMD should consider the following questions:
 - a. Who will be the lead applicants?
 - b. What community engagement will be done to inform the application?
 - c. How will residents in need of this funding be identified?
4. Add an action to Table 3 to identify urban greening projects and locations for ongoing pilot projects. These can be implemented through incentive funding or by AQMD applying to the Urban Greening program or others that can provide additional funding support. The CERP shall aim to implement a small greening project at least once a year

A1-10
Cont.**Chapter 5E: Open Burning and Illegal Dumping**

Our recommendations below reflect the need for research, stronger stringency, and collaboration between relevant organizations regarding open burning and illegal dumping.

1. Affirmatively state in section titled "Potential Alternatives to Burning" that biomass and other combustion alternatives do not qualify as sustainable alternatives to open agricultural burning
2. Add a sub-action to Table 1A to monitor all open burning that takes place in the ECV, identify the cause and work with the CSC to identify and implement preventative measures for illegal dumping and open burning
3. Add sub-action to Table 1A to establish a community notification system for all permitted agricultural burns happening within the ECV.
 - a. This system should also direct residents how to report burnings in the case that they may not be permitted.
4. Add sub-action to Table 2A to educate growers and agricultural businesses on identifying sustainable alternatives to agricultural burning.

A1-11

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5. Add action to Table 2A to set more stringent requirements for open agricultural burning in the Eastern Coachella Valley, and consider requirements based on crop type, frequency of burns, amount burned by farm, and location of burns.
6. Add action to Table 2A to enhance AQMD's enforcement measures to regulate and control agricultural burning, including prescribed burning
7. Add action to Table 2 to collaborate with the CSC to pursue a statewide bill or ordinance to ban agricultural burning (or ease phasing out) and work with local legislators to introduce it in the 2021-2022 session
8. Add action to conduct a thorough review and update of South Coast AQMD's agricultural burning rules and regulations.
9. Add sub-action in Table 2A to enhanced regulations and restrictions on permitted agricultural burning during extreme weather events (e.g., heat, wind, other), citations for identified illegal open and agricultural burning, monitoring and reporting system for unpermitted burning, and develop a phase-out approach where alternatives are prioritized over burning.
10. The sub-action in Table 2A on "accessing the feasibility of new requirements for open burning (e.g., identifying alternatives to open burning of agricultural waste by identifying opportunities used in other air districts) based on the developed list" should be completed by the 2nd quarter of 2022 (within one year of CERP approval in June). Following the feasibility assessment, AQMD must update the stringency of their agricultural burning rule

A1-11
Cont.**Chapter 5F: Diesel and Mobile Sources**

We are excited to see South Coast AQMD implement the newly adopted Indirect Source Rule. Chapter 5F should be updated to include how the ISR will be implemented and benefit the ECV communities. We would also like to acknowledge the importance of the "no idling" actions added to this section. In addition, we think it is extremely important to continue identifying creative ways to mitigate and reduce emissions from facilities like the Thermal Racetrack, the Thermal Airport, and the Union Pacific Freight Train.

Our recommendations below encourage collaboration with transit agencies and relevant organizations in the region to work towards the use of more environmentally friendly technology.

A1-12

1. Add action to Table 1A to work with Sunline Transit Agency to electrify public transit and establish a zero-emission micro-transit and rideshare program in the ECV.
2. Add action to Table 1A to identify pathways for AQMD to implement greening along the train corridor
3. Add action to Table 1A to install zero-emission charging infrastructure in the ECV.

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- 4. Add sub-action to Table 1C to notify the community on the progress done in replacing school buses with zero or near-zero emission school buses in the ECV, and inform the community of the number of buses that will be replaced every year.

A1-12
Cont.

Chapter 5G: Greenleaf Desert View Power Plant

As one of the CSC’s top air quality priorities, Chapter 5G needs to include more actions that will demonstrate how emissions from the Greenleaf Desert View Power Plant will be reduced. The actions identified so far will only reduce exposure, but it is crucial for South Coast AQMD to include actions that will help achieve both exposure and emission reductions.

A1-13

- 1. Add an action to Table 1 that calls for South Coast AQMD to work with the appropriate agencies or organizations to apply to the Colmac Air Quality Enhancement Fund on an annual basis or each time funding becomes available for community-identified projects.
- 2. As this relates to the CAMP, include community hosted AQY1 monitors and South Coast AQMD sponsored monitoring at locations around this facility. The wind, NO2, PM2.5 and Ozone metrics are important parameters to continuously monitor around this facility. Integrate the Aeroqual AQY1 monitor readings with a dashboard of air quality information that can be accessed by anyone without a password. Ensure that historical data can be downloaded by anyone from these low-cost or community hosted monitors.

* * * * *

The AB 617 implementation process in the ECV has been challenging, but we are grateful to continue learning and working together through this program. We strongly urge South Coast AQMD to address all of our recommendations and develop a plan that is truly reflective and representative of community input and priorities. We must continue working together to ensure that residents see their advocacy result in tangible change in their communities. If you have questions or wish to discuss this letter further, please contact Mariela Loera at mloera@leadershipcounsel.org.

Sincerely,

Mariela Loera
Policy Advocate, Leadership Counsel for Justice and Accountability

Rebecca Zaragoza
Regional Policy Manager, Leadership Counsel for Justice and Accountability

Mariana Román

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Community Member of Thermal

Maria Pozar
Community Member of North Shore

Yaneth Andrade-Magaña
Director of Community Capacity Building, Pueblo Unido

María Griselda García
Líderes Campesinas / Unión de Polancos

Ryan G. Sinclair PhD, MPH
Associate Professor, Loma Linda University School of Public Health

Patricia Leal-Gutierrez
Community Member of North Shore

Sahara Huazano
Director of Programs, Alianza Coachella Valley

Responses to Comment Letter A1 from Mariela Loera, et. al.**Response to Comment A1-1:**

Staff will hold quarterly CSC meetings to provide updates on progress on Community Emissions Reduction Plan (CERP) implementation. Additionally, as outlined in the Community Air Protection Blueprint (Blueprint), air districts are required to provide an annual progress report on CERP implementation. Annual progress reports include status updates on all strategies and metrics for tracking progress, qualitative progress assessment, and planned changes based on progress (if any), and completion of required elements. Staff will provide the annual progress report to the Community Steering Committee (CSC) and submit to the California Air Resources Board (CARB) for review. Additional information about the Blueprint can be accessed here: https://ww2.arb.ca.gov/sites/default/files/2018-10/final_community_air_protection_blueprint_october_2018_appendix_c.pdf.

Chapter 2 of the adopted Eastern Coachella Valley (ECV) CERP includes a commitment to develop an outreach plan with CSC input. Therefore, upon adopting the CERP amendments, staff will develop the outreach plan with the CSC during CERP implementation. Based on CSC input, the outreach plan may include engagement details, including types of locations (e.g., community councils, community spaces) and frequency (e.g., twice a year).

Response to Comment A1-2 (part a):

South Coast AQMD staff added action “I” to the proposed CERP amendments to work with the CSC to apply for available funding opportunities from the Unincorporated Communities Initiative for CERP actions. The metric for this action is to submit one to two applications during each program cycle if funding opportunities are identified.

Response to Comment A1-2 (part b):

For comment subpart iv, South Coast AQMD staff added the requested details to the proposed CERP amendments that seek funding opportunities. For example, in Chapter 5a, Action D South Coast AQMD staff added text that specifying the one to two applications shall be submitting for funding opportunities identified.

Response to Comment A1-2 (part c):

South Coast AQMD staff will continue to seek out opportunities to work with AB 617 CSCs and community leaders for funding air quality improvement projects through federal, state and local plans.

Response to Comment A1-3:

Chapter 2 of the adopted ECV CERP includes a commitment to develop an outreach plan with the CSC. Therefore, upon adopting the CERP amendments, staff will develop the outreach plan with the CSC during CERP implementation. The outreach plan can include details such as engagement opportunities and strategies to seek public input and communicate the CSC’s work to the public.

Response to Comment A1-4:

Specific emission reduction targets are in Chapter 5a of the adopted ECV CERP and proposed amendments to the CERP. The CERP is expected to reduce 2.4 tons per year (tpy) of particulate matter 10 microns or smaller (PM10) by 2030. Additionally, the CERP is expected to result in emission reductions that have yet to be quantified (e.g., actions focused on enforcement and outreach). During CERP implementation and as additional monitoring data becomes available, staff will provide annual updates to the CSC on emission reductions. In addition to incentives, the adopted ECV CERP and CERP amendments include a wide range of emission and/or exposure reduction strategies, including collaboration, outreach and education, monitoring, enhanced enforcement, and assessing the feasibility of new requirements to address the air quality priorities. Specific actions to reduce emissions from specific sources are described in the CERP and CERP amendments (Chapter 5).

Response to Comment A1-5:

Chapter 5d - Fugitive Road Dust and Off-Road, Table 2, Action D and Chapter 5e – Open Burning and Illegal Dumping, Table 2, Action A of the adopted ECV CERP commits South Coast AQMD staff to conducting a thorough review and evaluating additional requirements for rules (e.g., Rules 403 – Fugitive Dust/403.1 - Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources and 444 - Open Burning) that address the air quality priorities identified by the CSC. The ECV enforcement incorporates flexibility for modifications based on CSC recommendations, monitoring results, and follow-up investigations from actions during CERP implementation. Enforcement actions resulting from CERP implementation may include citations and other enforcement mechanisms to reduce emissions. As noted in this comment, many actions require collaboration with other entities due to South Coast AQMD's limited jurisdiction to address some of the CSC concerns. Staff will continue working with appropriate entities and modify the enforcement plan as appropriate.

Response to Comment A1-6:

South Coast AQMD staff has made extensive efforts to ensure that the CSC leads the development of the proposed amendments to the ECV CERP. For example, when CSC members requested to increase the frequency and number of meetings to develop the proposed amendments, staff accommodated this request. As a result, since December 2020, staff met with the CSC on over 30 occasions, including 10 CSC meetings, to develop the proposed amendments for the CERP. Staff organized Agenda Setting meetings with the CSC to develop the agendas together. Staff implemented the CSC requests on meeting formats, including the CSC's preference for additional transparency and small group discussions by implementing the use of virtual breakout rooms, enabling the Zoom chat feature, conducting Zoom polls, limiting outside agency presentations until completion of the CERP amendments, and communicating the time allotted for each agenda item before the start of each item.

The CSC had also asked to have Working Team meetings in addition to the CSC meetings. Staff helped the CSC start these Working Team meetings, which were led by CSC members, including

developing the agendas and running the meetings. Staff attended the Working Team meetings and provided information where requested.

Additionally, staff provided initial draft language for the CERP amendments in early April to maximize the opportunity for staff coordination and collaboration with the CSC to develop the details of the proposed CERP amendments.

To further improve community outreach and engagement, South Coast AQMD staff is committed to continuing these types of efforts with the CSC.

Response to Comment A1-7 (part 1):

The timeline for identifying tree planting locations and implementing tree planting projects is in Chapter 5a, Table 1, Action D. This action has also been updated to specify that the identification of tree planting locations will be updated annually. South Coast AQMD staff will work with the CSC to identify potential locations for tree planting upon adoption of the CERP amendments and seek opportunities to apply for funding for tree planting projects during CERP implementation. South Coast AQMD staff will provide updates on tree planting projects in the ECV CERP annual progress report.

Response to Comment A1-7 (part 2):

The California Natural Resources Agency (CNRA) has authority over the dust suppression projects planned for the Salton Sea (e.g., surface roughening, surface stabilizers, and vegetation establishment). The operation and maintenance of these projects is detailed in chapter six of the Dust Suppression Action Plan. This chapter describes the services, processes, and tools required to ensure the built environment will perform the functions for which the projects are designed and constructed. The Dust Suppression Action Plan is available at <https://saltonseaca.gov/wp-content/uploads/2020/10/DSAP-7-31-2020.pdf>. The South Coast AQMD staff will continue to collaborate with the CNRA and Imperial Irrigation District (IID) to implement dust suppression projects and provide air quality expertise and support, as applicable.

Response to Comment A1-7 (part 3):

Chapter 5e, Table 1, Action H is updated to include the recommended timeline.

Response to Comment A1-8 (part 1):

The timeline for Chapter 5b, Table 1, Action D begins in the 1st quarter of 2021 and will be completed in the 4th quarter of 2025 to ensure that any opportunity to supplement the existing monitoring network is supported by the CERP throughout implementation. The CERP implementation process is dynamic and certain action items have been written with built-in flexibility to allow adjustments as new information becomes available. Staff is working with the Monitoring Working Team to identify potential locations for sensors and/or monitors and deployment of these monitors will begin prior to the end of 2023.

Response to Comment A1-8 (part 2):

Given that the CERP amendments will not be considered for adoption until the end of 2nd quarter 2021, it would not be feasible to begin this effort by the requested timeline. However, staff will begin to work with the CSC to identify potential locations for tree planting upon adoption of the CERP amendments. An annual update to the tree planting projects locations list and a milestone target of submitting one to two applications has been added.

Response to Comment A1-8 (part 3):

South Coast AQMD staff will work with the CSC to identify potential locations for tree planting upon adoption of the CERP amendments and seek opportunities to apply for funding for tree planting projects throughout CERP implementation.

Response to Comment A1-8 (part 3):

Chapter 5b, Table 1, Action D commits staff to work with the CSC to create an air quality sensor network in the ECV community. This includes collaborating with Comité Cívico del Valle and supplementing their existing monitoring network. Details related to monitoring can be further discussed in the Monitoring Working Team meetings as part of the CAMP.

Response to Comment A1-8 (part 4):

Chapter 5b, Table 2, Action A requires staff to provide air quality expertise to the State for the implementation of the Salton Sea Management Program and land use agencies for new development projects near the Salton Sea, including the northern shore. The State includes agencies such as the CNRA, Department of Fish and Wildlife (DFW), Imperial Irrigation District (IID), and Salton Sea Authority.

Response to Comment A1-8 (part 5):

South Coast AQMD staff is aware of the geothermal and lithium extraction projects in the Salton Sea region, however these projects are located in Imperial County APCD, not South Coast AQMD. Therefore, these projects are outside of South Coast AQMD's jurisdiction.

Response to Comment A1-8 (part 6):

South Coast AQMD Rule 402 - Nuisance addresses odors from various anthropogenic pollution sources. Our understanding is that anaerobic biological processes cause odors from the Salton Sea. A rule applying to these odors would require the responsible parties to implement measures that reduce them. Unfortunately, South Coast AQMD staff is unaware of any specific measures to reduce odors from anaerobic biological processes in the Salton Sea.

Response to Comment A1-9:

The Department of Pesticide Regulation (DPR) has authority to regulate pesticide sales and use in California pursuant to the Food and Agricultural Codes (e.g., FAC sections 11501 and 11454). Health and Safety Code Section 39650 (g) and 39655 (a), and FAC 14021 further define DPR's jurisdiction for pesticide Toxic Air Contaminants (TACs). As such, South Coast AQMD has limited jurisdiction on pesticides, and cannot regulate pesticide sale or use. Staff has nevertheless collaborated with DPR, the Riverside County Agricultural Commissioner (CAC), United States

Environmental Protection Agency (U.S. EPA), Office of Environmental Health Hazard Assessment (OEHHA), and CARB to address pesticide concerns.

Response to Comment A1-9 (part 1):

As mentioned above, DPR has regulatory authority to address pesticides. In addition, DPR covers activities such as pesticide product evaluation and registration and field enforcement (with county agricultural commissioners) of laws and regulations on pesticide use. Therefore, DPR and the Riverside County Agricultural Commissioner are responsible for leading efforts to complete Chapter 5c, Table 1, Action A, and not South Coast AQMD. Also, DPR compiles reports on pesticide use annually. The public can access the reports at <https://www.cdpr.ca.gov/docs/pur/purmain.htm>.

Chapter 3b – Source Attribution of the adopted ECV CERP shows that diesel particulate matter (DPM) is the primary toxic air contaminant (TAC) in this community and comes from on-road and off-road mobile sources. In ECV, DPM emissions are significantly greater than any other TACs. As a result, the CSC prioritized addressing diesel mobile sources as an air quality priority and Chapter 5f includes actions that will reduce emissions and exposure from diesel mobile sources to address DPM. Diesel exhaust is a complex mixture of many different toxic air contaminants, including benzene, arsenic, and formaldehyde.¹ Therefore, the CERP actions that reduce diesel emissions will reduce not only diesel PM but also benzene, arsenic, and other air toxics contained in diesel exhaust.

Response to Comment A1-9 (part 2):

Chapter 5c, Table 2, Actions B, C, and D aim to reduce exposure by supporting the CSC exploration of pesticide notification systems, providing outreach materials and information on pesticide enforcement, worker protection, and pesticide incident reporting, pursuing exposure reduction projects (e.g., air filtration systems, weatherization projects), and collaborating with Growing Coachella Valley Local Farmers and Growers.

As discussed in the overview paragraph above, South Coast AQMD has limited authority over pesticides, and cannot require DPR to create a pesticide application notification system. However, DPR committed to sharing information on statewide efforts for a pesticide notification system with the ECV CSC. This commitment is in Chapter 5c, Table 1, Action A.

Response to Comment A1-9 (part 3):

Chapter 5c, Table 2, Action C requires staff to identify funding for exposure reduction projects. Funding sources often have specific criteria and eligibility requirements to apply and receive funding; therefore, the Action has been written to maintain flexibility. For example, if staff identify a funding opportunity where only non-profit organizations are eligible applicants, staff would share that funding opportunity with the CSC so that eligible organizations may apply. Staff will continue to work with the CSC through the Budget Working Group to address items related

¹ <https://oehha.ca.gov/air/health-effects-diesel-exhaust>

to funding. During CERP implementation, staff will provide updates as part of the annual progress reports and/or quarterly update meetings and continue to work with the CSC to identify funding sources.

Response to Comment A1-9 (part 4):

Chapter 5c, Table 2, Action D will seek opportunities to reduce exposure to pesticides by collaborating with Growing Coachella Valley, a non-profit organization, to protect the Coachella Valley's resources. An example of an opportunity includes distributing informational materials on reporting pesticide drift and reducing pesticide exposure. Staff will pursue a collaborative partnership with Growing Coachella Valley and evaluate opportunities to reduce pesticide exposure during CERP implementation.

Response to Comment A1-9 (part 5):

Chapter 5c, Table 2, Action B calls upon DPR and the Riverside CAC to identify opportunities to limit pesticide use. DPR and the Riverside CAC will identify opportunities to develop or amend pesticides regulations. These regulations may include limiting the use of certain pesticides, banning aerial applications, mandating tarping, and/or creating buffer zones or vegetative barriers outside agricultural fields.

Response to Comment A1-10:

Chapter 5d includes a number of actions to address emissions and exposure from fugitive dust. Staff through discussions with the CSC have incorporated additional actions throughout the CERP to address fugitive dust. For example, the CSC expressed concerns from fugitive dust from the Salton Sea. To address this, staff included an action in Chapter 5b to support dust suppression projects that will mitigate fugitive dust from the Salton Sea.

Response to Comment A1-10 (part 1):

The CSC prioritized \$4.57 million for road paving projects from the Year 3 CAPP incentive funds. As noted in Chapter 5a, South Coast AQMD will continue to work with the CSC on their budget priorities for incentive projects and hold incentives workshops for interested members to develop project plans for community-identified projects. The workshops will facilitate CSC input on project plan criteria and other considerations (e.g., integrating cool pavement technology). Additionally, Chapter 5d, Table 2, Action A commits staff to work with the CSC to specify a plan to implement paving projects. This action also requires collaboration with appropriate entities (e.g., local non-profit organizations) to identify locations in need of paving. Finally, staff will work with the CSC to identify leads for project implementation during CERP implementation for paving projects.

Response to Comment A1-10 (part 2):

See Response to Comment A1-3.

Additionally, the outreach plan can include extensive and comprehensive approaches to communicating with the public and appropriate entities and conducting outreach to eligible

mobile home parks and Polanco Parks owners with information about the application process for road paving projects and paving maintenance information.

Response to Comment A1-10 (part 3):

Chapter 5e, Table 3, Action C requires staff to identify funding for home weatherization projects in CERP implementation. During this process, staff will work with the CSC to identify potential lead applicants, community engagement opportunities and funding recipients.

Response to Comment A1-10 (part 4):

The CERP amendments include urban greening actions in three chapters (i.e., 5a, 5b, and 5g). These actions require staff to identify locations annually for tree planting projects and a milestone target of submitting one to two applications has been included.

Response to Comment A1-11 (part 1):

The section “Potential Alternatives to Burning” does not list biomass as a sustainable alternative to open agricultural burning. Instead, the section lists potential alternatives as composting or using heavy-duty equipment to break down materials into smaller pieces that can be made into compost or recycled. In the adopted ECV Final CERP, Chapter 5e, Table 2, Action A requires staff to explore the feasibility of other alternatives. Under this action, staff will explore alternatives to burning with the CSC during CERP implementation.

Response to Comment A1-11 (part 2):

Chapter 5e, Tables 1 and 4 identify actions to monitor illegal burning and address illegal dumping and burning, including preventative measures (e.g., fencing or berms) that occur in ECV. For example, in Table 1, Action A requires South Coast AQMD staff to work with the CSC to establish an air quality sensor network to improve our understanding of the PM2.5 levels in various community areas impacted by legal and illegal burning in the community. This action also requires the staff to identify areas within ECV where burning is occurring and to gather information to help identify illegal burning emissions and conduct follow-up investigations, as needed. Additionally, Table 4, Action C, requires South Coast AQMD staff to pursue funding for preventative measures.

Response to Comment A1-11 (part 3):

In the adopted ECV Final CERP, Chapter 5e, Table 3, Action B requires staff to pursue opportunities to develop an online system (e.g., notification system, database) that informs the community when South Coast AQMD permitted burning is expected to occur.

Chapter 5e, Table 2, Action E includes outreach to inform community members and farm owners, operators and workers about rules and regulations on open burning and ways to report it.

Response to Comment A1-11 (part 4):

Chapter 5e, Table 2, Action D commits staff to conduct outreach to farm owners and operators (growers) to best burn practices and methods, which will include sustainable alternatives to agricultural burning.

Response to Comment A1-11 (part 5):

Chapter 5e, Table 2, Action A commits staff to assessing the feasibility of new requirements for open burning. During the assessment of new requirements, crop type, frequency of burns, amount burned by farm, and location of burns may be considered. Staff will work with the CSC on developing a list of available technologies, best practices and alternatives and assessing the feasibility of new requirements during CERP implementation.

Response to Comment A1-11 (part 6):

Chapter 5e, Table 2, Action A includes enhanced enforcement efforts by conducting additional inspections beyond pre-burn inspections (e.g., unannounced inspections on burn days) and Chapter 5e, Table 2, Action E includes community outreach on complaint-reporting. South Coast AQMD does not have the jurisdictional authority to issue citations for open burning activities on tribal lands.

Response to Comment A1-11 (part 7):

State law prohibits air districts and CARB from banning agricultural burning (California Code of Regulations §41850). Additionally, although staff enforces Rule 444 - Open Burning² to address open burning, many of the illegal burns that concern the CSC are on tribal lands, which South Coast AQMD do not fall within South Coast AQMD's authority.

Regarding potential legislation, staff does not believe that such legislation would improve air quality. For example, while legislation (SB 705) has been enacted for the San Joaquin Valley to phase out open burning, recent reports from CARB show that the San Joaquin Valley Air Basin still accounts for 36.5% of PM_{2.5} emissions from agricultural burning statewide.³ In contrast, the Salton Sea⁴ and South Coast Air Basins together account for 8% of PM_{2.5} emissions from agricultural burning statewide. This recent data demonstrate that the provisions of South Coast AQMD's Rule 444 - Open Burning combined with South Coast AQMD's enforcement efforts are more effective than SB 705. Rule 444 - Open Burning places strict daily burn limits on growers that are not required by SB 705. Also, SB 705 allows for exceptions based on economic feasibility and the availability of funding for biomass facilities and has resulted in over \$12 million of incentives for open burn alternatives. During recent participatory budgeting efforts, the ECV CSC opted not to prioritize Community Air Protection Program incentives for alternatives to open burning.

Response to Comment A1-11 (part 8):

See Response to Comments A1-11 (part 5) and (part 7) on new requirements and Rule 444 - Open Burning.

² Rule 444 – Open Burning: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-444.pdf>.

³ San Joaquin Valley Agricultural Burning Assessment: https://ww2.arb.ca.gov/sites/default/files/2021-02/Staff_Recommendations_SJV_Ag_Burn.pdf

⁴ The Salton Sea Air Basin includes Imperial County and portions of Riverside County.

Response to Comment A1-11 (part 9):

See Response to Comments A1-11 (part 5) for information on Action A for new requirements and best practices and alternatives. In addition, during the assessment, on the feasibility of new requirements restrictions during extreme weather events may be considered.

See Response to Comment A1-11 (part 6) for enforcement measures.

See Response to Comment A1-11 (part 2) for monitoring.

See Response to Comment A1-11 (part 3) for reporting illegal burning.

Response to Comment A1-11 (part 10):

See Response to Comment A1-11 (part 5) for Action A.

If feasible, new requirements may be incorporated into South Coast AQMD’s Rule 444 - Open Burning. Staff acknowledges the commenters’ desire to complete a feasibility assessment by the 2nd quarter of 2022 (with one year of the CERP approval in June); however, new requirements will be better determined after conducting monitoring efforts (Table 1) and enhanced enforcement, follow-up investigations, and/or referrals to appropriate agencies. Also, a number of other actions have been prioritized and written in the CERP to begin after CERP amendment adoption.

Response to Comment A1-12:

Staff acknowledges the adoption of the Warehouse Indirect Source Rule (ISR) - Rule 2305. Details for ISR implementation can be found in the staff report and accessed here: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-May7-027.pdf?sfvrsn=10>. South Coast AQMD staff will continue to work with the CSC and the appropriate entities to continue identifying creative ways to mitigate and reduce emissions from these facilities.

Response to Comment A1-12 (part 1):

Pursuant to California’s Innovative Clean Transit rule⁵, Sunline will be required to electrify their fleet. Starting in 2023, a quarter of their new buses must be zero-emission, and by 2026 that requirement will rise to half of all new buses. Sunline will be required to update 100% of their fleet by 2029. Additionally, Action D has been added to Chapter 5f, Table 1 to “Identify funding opportunities to install zero-emission charging infrastructure in ECV”. Staff will inquire with Sunline Transit about establishing a rideshare program in ECV.

Response to Comment A1-12 (part 2):

Chapter 5f, Table a, Action A includes an action to pursue collaborations to implement vegetative barriers along the railroad.

⁵ <https://ww2.arb.ca.gov/resources/fact-sheets/innovative-clean-transit-ict-regulation-fact-sheet>

Response to Comment A1-12 (part 3):

Action D has been added to Chapter 5f, Table 1 to “Identify funding opportunities to install zero-emission charging infrastructure in ECV”.

Response to Comment A1-12 (part 4):

Staff has added “Updates to the CSC” as a metric to Chapter 5, Table 1, Action C to inform the CSC and track progress for school bus replacements.

Response to Comment A1-13:

The Greenleaf Desert View Power Plant is on tribal land and therefore subject to rules and regulations of the U.S. EPA, Tribal EPA and Bureau of Indian Affairs (BIA). Chapter 5g, Table 1, outlines the process staff will use to reduce emissions from the Greenleaf Desert Power View Plant. Staff is in consultation with U.S. EPA to identify permits in place, emissions associated with the facility, and opportunities to reduce those emissions.

Response to Comment A1-13 (part 1):

Chapter 5g, Action B commits staff to pursue a collaborative partnership with the Coachella Valley Association of Governments (CVAG) to consider requiring all future allocations of funds from the Greenleaf Desert View Power Plant in the ECV community to reduce air pollution emissions or exposures.

Response to Comment A1-13 (part 2):

The Budget Monitoring Working team has made progress towards identifying locations for community hosted Aeroqual AQY1 sensors near the facility to supplement the existing monitoring network. Currently, the South Coast AQMD regulatory monitor located in Mecca serves as an appropriate monitoring station to such data. Additionally, staff is currently working to develop a community-friendly dashboard/data display tool to make air monitoring data publicly accessible.

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CHAPTER 5:

DRAFT CERP AMENDMENTS

The following chapters contain portions of the Assembly Bill (AB) 617 Eastern Coachella Valley (ECV) Community Emissions Reduction Plan (CERP), adopted by the Board in December 2020, that have been amended to include additional details based on Community Steering Committee (CSC) input. AB 617 ECV CERP amendments are addressed in Chapters 5a, 5b, 5c, 5f, and 5g. All other chapters of the AB 617 ECV CERP will remain unchanged.

Chapter 5a: Introduction

Introduction

The Community Emissions Reduction Plan (CERP) and the Community Air Monitoring Plan (CAMP) provide an overall path to reducing air pollution in the Eastern Coachella Valley (ECV) community. Through the development of the CERP and CAMP, the Community Steering Committee (CSC) identified air quality priorities based on sources of air pollution that are of concern to the community (e.g., Salton Sea, potentially toxic dust, open burning). To reduce air pollution from these sources, the CSC identified a set of actions for inclusion in the CERP to be implemented by government agencies, organizations, businesses and other entities.

The CSC identified the Salton Sea, pesticides, open burning and illegal dumping, fugitive road dust, diesel mobile sources, and the Greenleaf Desert View Power Plant (formerly Colmac Energy, Inc.) as air quality priorities to address in the CERP and CAMP. These air pollution sources are often near homes, schools, and other community areas where the public can be exposed to harmful pollutants. Therefore, additional air monitoring in the community to inform emissions and exposure reduction measures is also important to the CSC.

Ongoing Efforts

The South Coast AQMD, the California Air Resources Board (CARB), United States Environmental Protection Agency (U.S. EPA), and Tribal EPA have air quality regulations to reduce air pollution from sources such as trucks, diesel farm equipment, open burning, fugitive road dust and electricity-generating facilities such as the Greenleaf Desert View Power Plant. As part of ongoing efforts, staff continues to explore and identify additional funding opportunities to reduce emissions in AB 617 communities. The relevant agencies also enforce these regulations. More information on air pollution related enforcement efforts is available in Chapter 4.

Opportunities for Action

In addition to the ongoing efforts described above, the CSC, in collaboration with South Coast AQMD staff, identified 15 goals to reduce air pollution in the ECV community. The CERP defines how progress toward each goal is assessed by including specified metrics and timelines for each action. Additionally, the CERP identifies the entities responsible for implementing the actions. Responsible entities include collaborating agencies that have jurisdictional authority and/or supporting entities to implement the actions. The actions define a path to reduce emissions and exposures in the ECV community. In some instances, the actions reaffirm ongoing rule development efforts and provide new commitments for localized reductions, sharing emissions data, new or accelerated timelines, and other related information.

Emission Reduction Targets

The actions in the CERP prioritize emissions reductions in the ECV community. The CERP includes emission reduction targets, where quantifiable, for oxides of nitrogen (NOx), diesel particulate matter (DPM), and particulate matter 2.5 microns or smaller (PM2.5). Table 1 below, provides a list of the overall emission reduction targets for the CERP, which is ~~Additionally, the CERP is expected to reduce 2.4 tons per year (tpy) of particulate matter 10 microns or smaller (PM10) by 2030. Baseline emissions refer to expected future emissions without any new action or regulation beyond those already adopted. Additionally, the~~

CERP is expected to result in ~~additional~~ emission reductions that have yet to be quantified (e.g., actions focused on enforcement and outreach).

Table 1 – CERP Emission Reduction Targets		
Emissions	NOx	DPM
2018 Emissions in tons per year (tpy))	1,376	24
Projected 2025 Baseline Emissions [†] (tpy)	982	11
Emission Reductions from CERP, by 2025 (tpy)	54	1
Overall Emission Reductions from 2025 (%)	33	58
Projected 2030 Baseline Emissions ^{±†} (tpy)	878	8
Emission Reductions from CERP, by 2030 (tpy)*	115	2
Overall Emission Reductions from 2030 (%)	45	77

*Estimated emission reduction targets from CERP, by 2030 include 15.6 tpy NOx, 1.4 tpy DPM from projected incentive projects.

[†]Baseline emissions refer to expected future emissions without any new action or regulation beyond those already adopted.

Table 2 – Emission Reduction Targets for Statewide Measures*						
Statewide Measure	Action Date	Implementing Entity	Emission Reductions Targets 2025/2030 (tpy)			
			NOx	VOC	DPM	PM2.5
Advanced Clean Car 2	2020-2021	CARB	-/1.0	-/0.5	-/<0.1	-/<0.1
Heavy-Duty Inspection and Maintenance	2020	CARB	38.4/47.8	-/-	0.7/0.7	0.6/0.7
Low NOx Engine Standard	2019	CARB	2.7/22.3	-/-	-/-	-/-
Small Off-Road Engine Amendment	2020	CARB	13.2/28.0	12.3/56.5	0.1/0.4	0.2/1.4

*Emission reduction targets based on estimates from CARB. Emission reductions are subject to future assessment and regulatory analysis that may result in emission reduction adjustments.

CERP Amendment

During CERP Development, the ECV CSC expressed that more time was needed to fully develop a CERP that was effective, enforceable, and that would result in measurable reductions. On December 4, 2020, the South Coast AQMD Governing Board adopted the ECV CERP, including a resolution that committed staff to continue working with the CSC to develop a CERP Amendment that includes additional details requested by the CSC. Since the adoption of the ECV CERP, staff has met with the CSC on over 30 occasions. This includes 9 CSC meetings focused on the CERP Amendment and incentives budget, 12 Budget and Monitoring Working Teams and agenda setting meetings, and over 10 meetings with small groups or individual CSC members. The CSC meetings focused on developing CERP details for actions to address pesticides, land use, local and regional plans, and alternatives to agricultural burning. These topic areas for developing CERP amendments were specified by the CSC. The budgeting meetings and workshops gathered CSC input on allocation of the Year 3 Community Air Protection Program (CAPP) incentives funds (\$5.57 million) for community-identified projects in the ECV. The Budget and Monitoring Working Teams meetings were organized and led by CSC members and staff participated and provided presentations. CSC members provided regular updates to the entire CSC on topics discussed during the Working Team meetings, which included identifying monitoring locations and discussing the incentives budget.

Incentives Budget Workshop

The ECV CSC asked to provide input on the allocation of available Year 3 CAPP incentive funds (\$5.57 million). Staff held 3 incentives budget workshops and provided the CSC information on eligible projects (e.g., estimated costs, emissions reductions, amount invested in previous CAPP funding cycle). Staff also conducted two polls to gather CSC input. The first poll identified the CSC's top 3 priorities by project type which are road paving, air filtration and purifier systems, and alternatives to agricultural burning. The second poll identified how the CSC would like to distribute the available funds to the top 3 priorities with \$4.57 million to road paving projects and \$1 million to home air filtration/purifier systems. Additionally, the ECV CSC established a Budget Working Team that met once every other week during development of the CERP Amendment to discuss the incentives budget, leveraging other available funds, eligible and desirable projects to potentially fund, and how to distribute the funds to each project.

South Coast AQMD will continue to work with the CSC on their budget priorities for incentive projects and hold incentives-specific workshops for interested members to develop project plans for community identified projects. The workshops will facilitate additional CSC input on project plan criteria and other considerations for the disbursement of Year 3 CAPP incentive funds, including integrating the additional considerations that were raised during the public process thus far (e.g., focusing on funding home filtration and purifier systems at homes near the Salton Sea and occupied by children with asthma). These project plans are required by CARB, as outlined in their CAPP Incentive Guidelines¹.

¹ CAPP Incentives Guidelines: https://ww2.arb.ca.gov/sites/default/files/2020-10/cap_incentives_2019_guidelines_final_rev_10_14_2020_0.pdf

Monitoring Working Team Workshops

During the development of the CERP Amendment, CSC members organized a Monitoring Working Team and held a total of 4 workshops. CSC members led the discussion and staff participated in each of these workshops to answer questions that arose regarding the current monitoring efforts in the ECV, available monitoring technologies, and the overall CAMP implementation. The Monitoring Working Team conducted a survey with the entire CSC to gather input on potential locations to install monitors and/or air quality sensors. Staff will continue working with the Monitoring Working Team to implement the actions in the CAMP, including supplementing the existing air monitoring network and establishing a new air quality sensor network, as well as providing regular updates to the CSC.

Land Use

Land use planning is the process of regulating or managing the use of land to consider factors (e.g., social, economic) to guide the development of a community and preserve its resources and quality of life. These decisions are generally made by city or county planning agencies. Zoning is used to help governments regulate the physical development of land and type of uses on these lands (e.g., residential, commercial, industrial). State law expressly prohibits South Coast AQMD from making land use decisions. Although South Coast AQMD does not have land use jurisdiction, staff works with land use agencies through California Environmental Quality Act (CEQA). CEQA requires state and local agencies to identify and reduce the environmental impacts of land-use decisions. Through the CEQA process, staff has the opportunity to provide technical expertise and recommendations to mitigate air quality impacts. South Coast AQMD has a robust Intergovernmental Review (IGR) program, in which staff reviews and comments on hundreds of CEQA documents per year, focusing on adequacy of air quality analyses. South Coast AQMD CEQA comments are meant as guidance for lead agencies, including local land use agencies or entities, to ensure a reasonable air quality analysis is conducted to estimate air quality impacts, and significant air quality impacts are mitigated to the extent feasible. Local land use agencies often consult with South Coast AQMD staff during preparation of an environmental analysis and staff provides mitigation measures to ensure they are incorporated into projects early in the development process. Existing projects that are already developed, such as the Thermal Racing Club Track² and Thermal Airport, are difficult to change. However, South Coast AQMD recognizes it can take actions to reduce emissions for future development projects (e.g., race tracks, airports, warehouses) in the ECV through the CEQA process and provide the CSC updates on these types of projects. Additionally, the ECV CSC identified concerns around tailpipe emissions from vehicles at the Thermal Racing Club Track. Recognizing the cumulative impacts that the ECV community faces, additional actions were written into the CERP specific to certain air quality priorities. These include:

- working with CARB and land use agencies to develop recommendations on best practices to address light duty mobile sources from local land use (e.g., Thermal Racing Club Track) (see Table 3 below)
- providing additional air quality expertise for new development projects near the Salton Sea and pursuing collaboration with Riverside County, the City of Indio and the City of Coachella to

² California law exempts “racing vehicles” from emissions controls to protect and preserve legitimate racing - Health and Safety Code (HSC) § 43001. “Racing vehicle” is defined as “a competition vehicle not used on public highways - HSC § 39048.

identify, secure and implement greenspace projects near sensitive receptors near the Salton Sea (see Chapter 5b),

- identifying opportunities to collaborate with local land use and transportation agencies to restrict heavy-duty trucks from transiting near sensitive land uses (e.g., residences) and ~~pursuing collaboration with land use agencies to implement vegetative barriers around the railroad that passes through the ECV community (Chapter 5f).~~

Table 3 below provides a goal, action, responsible entity, applicable metrics and an implementation timeline to develop strategies to address land use, and local and regional plans.

Table 3—Goal: ~~Develop strategies with land use agencies to lessen cumulative impacts and reduce emissions and exposure~~

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	Present an overview of the South Coast AQMD CEQA – IGR program to the CSC and present recommended mitigation measures staff generally provides for new and redevelopment projects and provide the CSC with updates on CEQA IGR projects South Coast AQMD has provided comments on	South Coast AQMD	Presentation—on overview provided • Updates provided to CSC	First two quarters, 2021	1 st quarter, 2026
B	Review the community plans (e.g., Coachella Valley Extreme Ozone State Implementation Plan) and identify appropriate areas for coordination and collaboration with the lead agencies to help reduce emissions and/or exposures to the air pollution within the air quality priorities addressed in the CERP	South Coast AQMD	• Number of plans reviewed Areas identified for coordination	First two quarters, 2021	1 st quarter, 2026

Table 3 – Goal: Coordinate with Local and Regional Agencies to facilitate the implementation of community plans and develop strategies with land use agencies to lessen cumulative impacts and reduce emissions and exposures

	<u>Action</u>	<u>Responsible Entity</u>	<u>Metric</u>	<u>Timeline</u>	
				<u>Start</u>	<u>Complete</u>
A	<u>Present an overview of the South Coast AQMD CEQA – IGR program to the CSC and present recommended mitigation measures staff generally provides for new and redevelopment projects and provide the CSC with updates on CEQA-IGR projects where South Coast AQMD has provided comments</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Overview presentation provided</u> <u>Updates provided to CSC</u> 	<u>3rd quarter, 2021</u>	<u>1st quarter, 2026</u>
B	<u>Provide local and regional planning agencies an opportunity to conduct community outreach for plans that affect air quality in the community (e.g., announcements, presentations) through public comments in CSC meetings</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Number of outreach opportunities other agencies participated in</u> 	<u>1st quarter, 2021</u>	<u>1st quarter, 2026</u>
C	<u>Provide air quality information to inform the implementation of local and regional plans that affect air quality</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Number of air quality related comments provided to other agencies</u> 	<u>1st quarter, 2021</u>	<u>1st quarter, 2026</u>
D	<u>Identify appropriate tree planting locations near areas of concern (e.g., mobile home parks and schools), to be updated annually, and seek opportunities to implement tree planting projects that support climate resilience and adaptation policies</u> <ul style="list-style-type: none"> <u>Submit one to two applications if funding</u> 	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Locations identified</u> <u>Number of trees planted per year</u> <u>Updates to the CSC</u> 	<u>1st quarter, 2021</u>	<u>1st quarter, 2026</u>

	<u>opportunities are identified</u>				
E	<u>Incentivize mobile source projects (e.g., electric and hybrid vehicles) in ECV to reduce air toxics, criteria pollutants, and greenhouse gas emissions</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> • <u>Number of mobile source projects funded</u> 	<u>1st quarter, 2021</u>	<u>1st quarter, 2026</u>
F	<u>Identify funds for home weatherization projects in ECV to support climate resilience and adaptation policies</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> • <u>Number of home weatherization projects funded</u> 	<u>1st quarter, 2021</u>	<u>1st quarter, 2026</u>
G	<u>Collaborate with the California Natural Resource Agency (CNRA), the Imperial Irrigation District (IID), and other partnering agencies to implement dust suppression projects identified in the Dust Suppression Action Plan (additional details available in Chapter 5b, Table 2, Action C)</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> • <u>Number of comment letters provided to partnering agencies</u> • <u>Number of dust suppression projects implemented</u> 	<u>4th quarter, 2020</u>	<u>1st quarter, 2026</u>
H	<u>South Coast AQMD and CARB to work with the CSC to develop recommendations for land use agencies on best practices to reduce light duty vehicle emissions from the Thermal Racing Club Track</u>	<u>CARB and South Coast AQMD</u>	<u>TBD</u>	<u>4th quarter, 2021</u>	<u>4th quarter, 2023</u>
I	<u>Work with the CSC to apply for available funding opportunities from the Unincorporated Communities Initiative and American Rescue for CERP actions</u>	<u>South Coast AQMD and ECV CSC</u>	<ul style="list-style-type: none"> • <u>Submit one to two applications during each program cycle if funding opportunities are identified</u> 	<u>3rd quarter, 2021</u>	<u>1st quarter, 2026</u>

Chapter 5b: Salton Sea

Background

The Salton Sea is California's largest lake at approximately 25 miles long and up to 15 miles wide. The largest portion of the Salton Sea is in Imperial County while the northern portion is in the Eastern Coachella Valley (ECV) in Riverside County. It is located in a natural trough which is below sea level. ~~Historically, this lakes was formed—were formed on numerous occasions~~ due to flooding of the Colorado River that filled this natural trough or sink, which is below sea level. The modern-day Salton Sea was formed in 1905 when the Colorado River breached an irrigation inlet and flowed unchecked into the area for 18 months. In the years after the breach, the Salton Sea has been fed largely by small rivers, creeks and drains that include agricultural runoff. The relatively shallow lake has no outlet and inflow does not keep pace with evaporation, causing the Salton Sea to gradually shrink. Salts are left behind when the water evaporates, leading to increasing salinity. The Salton Sea is currently over 50 percent saltier than the Pacific Ocean.



In 2003, multiple parties, including the State and three water districts in the region, entered into a series of agreements to address longstanding issues regarding usage of Colorado River water. These agreements are known collectively as the Quantification Settlement Agreement (QSA). The QSA includes an agreement to transfer water that was historically used to irrigate farm fields near the Sea to other Southern California water districts for residential use. To accommodate the QSA transfer, the Imperial Irrigation District (IID) has reduced its water use by increasing efficiencies and fallowing some fields. By reducing the amount of water available for agricultural uses in the Imperial Valley, these transfers have the effect of decreasing the amount of fresh water that runs off fields into the Sea. The State had required some mitigation inflow water to continue to be provided to the Salton Sea, but that requirement expired in December 2017. This has expedited the rate at which the Sea shrinks and becomes more saline.

The Salton Sea is one of the most important links on the Pacific Flyway, supporting over 400 species of birds and a myriad of invertebrates, although deteriorating conditions may be detrimental to this habitat. As the Salton Sea continues to recede, an average of 4,800 acres of shoreline playa is estimated to be newly exposed each year. The increasing area of exposed playa is expected to increase windblown particulate matter and related health impacts.

Created in 1993, the Salton Sea Authority is a Joint Powers Authority (JPA) responsible for working in consultation and cooperation with the State of California to oversee the comprehensive restoration of the

Salton Sea. Although the Salton Sea Authority and its partner agencies recognize the state and federal roles and responsibilities at the Salton Sea, the Salton Sea Authority is directed by board-adopted policy to assert a leadership role to ensure local priorities are recognized. The State has committed to mitigating the effects of the water transfers through a cooperative effort between State and federal agencies and IID to implement habitat and dust suppression projects. The California Natural Resources Agency (CNRA) Salton Sea Management Program (SSMP) was created to address the urgent public and ecological health issues resulting from the drying and shrinking of the Salton Sea. While the SSMP is a long-range program, its immediate focus is on the development and implementation of the 2018 SSMP Phase I: 10-Year Plan¹, by providing planning, engineering, and environmental expertise for design and implementation of dust-suppression and habitat projects. The Phase I Plan includes projects that will be completed as early as the end of 2022.

Community Concerns

CSC members expressed that dust emissions resulting from the receding Salton Sea is a major concern in the ECV community. As the Salton Sea evaporates, its receding shoreline exposes sediments deposited at the bottom of the Sea, also referred to as “playa.” The loose soil is blown off by strong gusty winds, contributing to PM10 (inhalable particulate matter) emissions that could impact air quality. Windblown PM10 exposure from the playa is expected to increase over time in an area already impacted by high PM10 events from strong winds through the San Gorgonio Pass that blow along the Coachella Valley or from summertime thunderstorm outflows that transport dust from the desert areas to the south and east into the Coachella Valley. While the composition of the playa is variable, current data suggests that the soils are high in salt content and may contain constituents that could be toxic. CSC members further expressed concerns that the playa may also contain components from agricultural runoff, possibly including remnants of fertilizers and pesticides. Previous studies have detected selenium, cadmium and nickel, which could pose a risk to human health if present in sufficient amounts. CSC members have mentioned that they would like IID and the State of California to move more quickly to develop and implement dust suppression projects for the exposed Salton Sea playa, as well as increase air monitoring around the Salton Sea, particularly in the northern region.

Elevated levels of hydrogen sulfide (H₂S) occur from natural processes in the Salton Sea. While H₂S, a gas that smells like rotten eggs, does not have a federal standard, there is a California State standard (30 parts-per-billion). The state standard is exceeded numerous times each year near the shores of the Salton Sea. A few times each year, H₂S odors are transported toward the northwest to inland areas of the Coachella Valley farther from the Salton Sea and, more rarely, through the San Gorgonio Pass into metropolitan Riverside and San Bernardino Counties. H₂S odor events occur most frequently in the hot summer months but can occur whenever local breezes bring H₂S from the Salton Sea into ECV communities.

At levels above the State standard, most individuals can smell the odor and some may experience temporary symptoms such as headaches and nausea. Some individuals can smell H₂S at very low concentrations, down to a few parts-per-billion. The long-term levels of H₂S are unlikely to be above

¹ <https://resources.ca.gov/CNRALegacyFiles/wp-content/uploads/2018/10/SSMP-Phase-1-10-Year-Plan.pdf>

chronic Reference Exposure Levels, and therefore below thresholds where toxic impacts would be a concern. However, because odors can cause temporary health effects, and since H₂S odors occur frequently in some areas of the ECV, the presence of H₂S can lead to negative quality of life impacts. The symptoms associated with this low level of exposure are temporary and are not expected to cause any long-term health effects. CSC members have expressed that they experience acute health effects (e.g., headaches and nosebleeds) during both windblown dust and Salton Sea H₂S odor events. Because there continue to be concerns around the unknown or unquantified health impacts of the Salton Sea emissions, this is an ongoing topic of research at several academic research institutions, including UC Riverside, Loma Linda University and others. The community members requested additional monitoring and improvements to notification systems to better understand emissions from the Salton Sea and reduce exposure in the community. Please see Appendix 5b for more details.

Actions to Address the Salton Sea

To address community concerns and reduce exposure from the Salton Sea in ECV, South Coast AQMD staff developed actions for the Community Emissions Reduction Plan (CERP). Tables 1, 2 and 3 below provide goals, actions, responsible entities, metrics, and a timeline to achieve the exposure reductions from the Salton Sea.

Table 1 - Goal: Expand monitoring networks and improve notification systems

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Expand the existing South Coast AQMD's hydrogen sulfide (H2S) monitoring network in ECV to:</p> <ul style="list-style-type: none"> • Provide near real-time H2S data and inform community members about potential odors, including a notification system for when ambient levels exceed the State standard; continue H2S odor advisories for multi-day odor events when H2S levels are forecasted to exceed the state standard • Use the monitoring data to help assess the odor's origin, community impact and extent to which the odors may transport in the community and beyond 	South Coast AQMD	<ul style="list-style-type: none"> • Monitors installed • Data collected through air monitoring • Updates provided to the CSC 	2 nd quarter, 2021	4 th quarter, 2025
B	<p>Identify opportunities to expand <u>supplement</u> the South Coast AQMD's PM10 monitoring network in the ECV to:</p> <ul style="list-style-type: none"> • Provide real-time PM10 and wind data and inform community members of PM10 levels in ECV, and if they exceed federal and/or State standards • Gain a better understanding of dust emissions and assess methods to distinguish between windblown dust from desert areas and playa dust emissions from the Salton Sea • Track the concentration trends of PM10 over time to help determine the effectiveness of emissions reduction measures as highlighted in the CERP 	South Coast AQMD	<ul style="list-style-type: none"> • Monitors installed • Data collected through air monitoring • Updates provided to the CSC 	4th quarter, 2021	4 th quarter, 2025

C	<p>Establish baseline air monitoring to:</p> <ul style="list-style-type: none"> • Characterize the chemical composition of fugitive dust emissions from different sources to help distinguish between windblown dust from desert areas and playa dust emissions from the Salton Sea • Analyze existing chemical speciation data and work with the CSC and CARB to determine which chemical species should be sampled. For example, this may include certain metals (such as selenium) and sea spray indicators • Track the concentration trends of key indicator pollutants of Salton Sea emissions 	South Coast AQMD	<ul style="list-style-type: none"> • Data collected through air monitoring • Updates provided to the CSC 	1 st quarter, 2021	4 th quarter, 2025
D	<p>Seek new opportunities to work with the CSC to create an air quality sensor network in the ECV community to:</p> <ul style="list-style-type: none"> • Provide real-time PM10 data • Supplement the PM10 monitoring network in the ECV and cover a larger area in the community • Co-locate air quality sensors with a reference PM10 monitor at one <u>or more</u> of South Coast AQMD's air monitoring station(s) to verify the sensors' performance prior to deployment and implement a data calibration and correction protocol to enhance sensor PM10 data quality after deployment 	South Coast AQMD	<ul style="list-style-type: none"> • Air quality sensors deployed • Data collected through air monitoring • Updates provided to the CSC 	4th quarter, 2021	4 th quarter, 2025
E	<p>Pursue a collaborative partnership with UCR School of Medicine, provide support to the ongoing study on soil chemical and microbiome composition of the Salton Sea playa dust samples, and work with the project team to expand this study to include adult populations in the ECV.</p>	South Coast AQMD, UCR School of Medicine	<ul style="list-style-type: none"> • Updates provided to the CSC • Develop strategies list, if appropriate 	1 st quarter, 2021	4 th quarter, 2025

Table 2 - Goal: Reduce emissions from the Salton Sea

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Provide additional air quality expertise to:</p> <ul style="list-style-type: none"> The State for the implementation of the Salton Sea Management Program Land use agencies for new development projects near the Salton Sea 	South Coast AQMD	<ul style="list-style-type: none"> Updates provided to the CSC 	1 st quarter, 2021	1 st quarter, 2026
B	Work with other agencies (e.g., IID and the State of California) to collect emissivity and dust emissions data to improve South Coast AQMD's emissions inventory	South Coast AQMD, IID, the State of California	<ul style="list-style-type: none"> Data collected and incorporated in South Coast AQMD's emissions inventory Updates provided to the CSC 	4 th quarter, 2021	4 th quarter, 2026
C	<p>Pursue a collaborative partnership and support IID, the Salton Sea Authority, Riverside County, Torres Martinez Desert Cahuilla Indians and the State of California with implementing dust suppression projects (e.g., Dust Suppression Action Plan (DSAP) and Salton Sea Management Plan) around the Salton Sea by:</p> <ul style="list-style-type: none"> Helping to identify locations in partnership with residents for future dust suppression projects (includes vegetation to reduce emissivity through the DSAP) in the ECV community; and Providing letters of support for additional funding to help expedite dust suppression projects near population centers (e.g., North Shore) in the Riverside County portion of the Salton Sea 	South Coast AQMD, IID, the State of California	<ul style="list-style-type: none"> Number of projects worked on or supported Updates provided to the CSC 	1 st quarter, 2021	1 st quarter, 2026

	<ul style="list-style-type: none"> Provide updates to the CSC on ongoing Salton Sea efforts (e.g., Coachella Valley Environmental Justice Task Force Meetings) in coordination with AB 617 implementation 				
D	Pursue a collaborative partnership with IID, Regional Water Quality Control Board (RWQCB) Region 7 and State Water Regional Control Board (SWRCB) to identify opportunities to mitigate pesticide runoff into the Sea (e.g., developing alternative disposal options of agricultural runoff or water treatment facilities and filtration systems at all Salton Sea tributary entryways)	South Coast AQMD, IID	<ul style="list-style-type: none"> Number of projects worked on or supported Updates provided to the CSC 	1 st quarter, 2021	1 st quarter, 2026
E	Pursue a collaborative partnership with Imperial County Air Pollution Control District (ICAPCD) to address cross-jurisdictional air pollution emissions from the Sea and dust suppression projects around the Salton Sea and gather air monitoring network data	South Coast AQMD, ICAPCD	<ul style="list-style-type: none"> Number of projects worked on or supported Updates provided to the CSC 	1 st quarter, 2022	1 st quarter, 2026
F	Conduct outreach to facility operators/workers/owners on South Coast AQMD Rules 403 – Fugitive Dust and 403.1 – Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources and best practices to reduce dust during the implementation of projects	South Coast AQMD	<ul style="list-style-type: none"> Development of materials for distribution Number of outreach events staff participates in the ECV Number of entities the information is shared with (i.e., newsletter distribution list) 	4 th quarter, 2021	4 th quarter, 2022

G	<p>Pursue a collaborative partnership with community organizations to conduct outreach in the community (e.g., door hangers, handouts) to inform community members on how to file dust complaints</p> <ul style="list-style-type: none"> Develop a list of potential responses and solutions that South Coast AQMD staff can pursue in response to dust complaints 	<p>South Coast AQMD, community organizations</p>	<ul style="list-style-type: none"> Development of materials for distribution Number of outreach events staff participates in the ECV Number of entities the information is shared with (i.e., newsletter distribution list) 	<p>4th quarter, 2021</p>	<p>4th quarter, 2022</p>
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Table 3 - Goal: Reduce exposure from the Salton Sea

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Identify, secure and utilize funding to install and maintain air filtration systems at schools and homes located near the Salton Sea to reduce exposure to dust emissions; assess the benefits and feasibility of filtered “clean rooms” in public buildings accessible to the community for relief from dust events</p>	<p>South Coast AQMD</p>	<ul style="list-style-type: none"> Number of air filtration systems installed 	<p>3rd quarter, 2021</p>	<p>3rd quarter, 2023</p>
B	<p>Identify, secure and utilize funding and pursue collaboration with appropriate entities (e.g., United States Green Building Council, Southern California Gas Company) to implement home weatherization projects near the Salton Sea</p>	<p>South Coast AQMD</p>	<ul style="list-style-type: none"> Number of weatherization projects implemented 	<p>4th quarter, 2021</p>	<p>4th quarter, 2024</p>

C	Pursue a collaborative partnership with community organizations to conduct outreach in the community (e.g., door hangers, handouts, and community events) to inform community members, schools and other youth groups (e.g., Sierra Club Youth Group), on how to access real-time air quality data, subscribe to air quality alerts, report dust complaints, and use the South Coast AQMD app to obtain air quality information	South Coast AQMD, community organizations	<ul style="list-style-type: none"> • Development of materials for distribution • Number of outreach events staff participates in the ECV • Number of entities the information is shared with (i.e., newsletter distribution list) 	4th quarter, 2021	4th quarter, 2022
D	Pursue a collaborative partnership with community organizations to conduct outreach in the community, including schools and other youth groups (e.g., Sierra Club Youth Group), to inform community members what to do when H2S levels are above the California Ambient Air Quality Standard (0.03 ppm)	South Coast AQMD	<ul style="list-style-type: none"> • Development of materials for distribution • Number of outreach events staff participates in the ECV • Number of entities the information is shared with (i.e., newsletter distribution list) 	1st quarter, 2022	4th quarter, 2022
E	Work with local health care providers to provide requested air quality data (if available)	South Coast AQMD	<ul style="list-style-type: none"> • Data shared with healthcare providers 	3rd quarter, 2021	1st quarter, 2026
F	<u>Identify appropriate tree planting locations near areas of concern (e.g., mobile home parks and schools), to be updated annually, and seek opportunities to implement tree planting projects near sensitive receptors near the Salton Sea.</u>	South Coast AQMD,	<ul style="list-style-type: none"> • <u>Locations identified</u> • <u>Number of trees planted per year</u> • <u>Updates to the CSC</u> 	4th quarter, 2021	1st quarter, 2026

<ul style="list-style-type: none">• <u>If appropriate funding is identified, submit one to two applications.</u> <p>Pursue a collaborative partnership with Riverside County, the City of Indio and the City of Coachella to identify, secure and implement urban greening projects near sensitive receptors near the Salton Sea</p>		<p>implemented urban greening projects</p>		
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Chapter 5c: Pesticides

Community Concerns



The ECV community is home to a large amount of agricultural activities, including the production of dates, grapes, citrus, and other crops. The ECV CSC expressed concerns about the use and application of pesticides and the resulting agricultural run-off that may collect in the Salton Sea sediment. Concerns raised by the CSC include the unknown adverse health effects of pesticides, odors and potential toxicity resulting from possible exposure. CSC members expressed concerns regarding regulatory enforcement. The members reported that pesticides are being applied during restricted hours and drift into

homes and schools near application sites, despite current regulations that are in place. The CSC also raised concerns about farmworker exposure to pesticides, often in excessive amounts and without proper personal protective equipment (PPE) and training. They further CSC members expressed a need for buffer zones between agricultural operations and sensitive receptors and for employers to provide PPE for agricultural workers. Finally, CSC members requested a pesticide application notification system that informs the community before pesticides are applied, allowing residents to make informed decisions about avoiding outdoor activities that could increase their exposure (e.g., outdoor exercise). ~~Please see Appendix 5c for more details.~~

Actions to Address Pesticides

South Coast AQMD staff developed additional actions and details that support for the Community Emissions Reduction Plan (CERP) to address community concerns about pesticide emissions and exposures. ~~Additionally, the Department of Pesticide Regulation (DPR) is initiating efforts to develop a statewide pesticide application notification system.~~ Tables 1 and 2 below provide a goal, action, responsible entity, applicable metrics, and an implementation timeline to achieve the emission and exposure reductions due to pesticide use and applications. These details were developed in collaboration with the United States Environmental Protection Agency (U.S. EPA) Region 9, the California Air Resources Board (CARB), the California Office of Environmental Health Hazard Assessment (OEHHA), the Department of Pesticide Regulation (DPR), the Riverside County Agricultural Commissioner (CAC), and the ECV CSC.

Pesticide control and agency responsibilities in ECV

The Food and Agricultural Codes (e.g., FAC sections 11501 and 11454) provide jurisdiction to DPR over the regulation of pesticide sales and use in California. Health and Safety Code Section 39650 (g)¹ and 39655 (a)², and FAC 14021 further define DPR's jurisdiction for pesticide Toxic Air Contaminants (TACs). Generally, DPR's regulatory authority covers activities, such as:

¹ https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=39650.&lawCode=HSC

² https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=39655.&lawCode=HSC

- Pesticide product evaluation and registration, as well as statewide licensing of commercial applicators, dealers, advisors, and other pesticide professionals;
- Evaluation of health impacts of pesticides through illness surveillance and risk assessment; environmental monitoring of air, water and soil;
- Field enforcement (with CACs) of laws and regulations on pesticide use;
- Residue testing of fresh produce; and
- Encouraging development and adoption of least-toxic pest management practices through incentives and grants.

U.S. EPA-approved pesticide product labels establish use directions and restrictions that must be followed by pesticide users. Additional use restrictions may be established by regulations. For example, DPR regulations set forth distance restrictions for the application of pesticides near school sites and child day care facilities (3CCR 6691(a) to 6691(c)). Local permit conditions may also be established by CACs for pesticides designated as restricted materials by DPR and in limited cases for pesticides that are non-restricted materials. In ECV, the enforcement of pesticide use in the field is carried out by the Riverside CAC.

DPR coordinates with CARB to monitor pesticide use in communities across the state. South Coast AQMD will work with DPR and CARB to conduct pesticide monitoring in ECV based on CSC concerns about pesticide exposure in the community. The Office of Environmental Health Hazard Assessment (OEHHA) is the lead state agency for the assessment of health risks posed by environmental contaminants and provides scientific peer review of pesticide risk assessments. OEHHA works with DPR to develop regulations to protect pesticide worker health and safety and trains physicians to recognize and report pesticide-related illnesses. OEHHA also works with the California Department of Food and Agriculture to provide health information on pesticide applications aimed at combating invasive species.

U.S. EPA regulates pesticides under broad authority granted in two major statutes, the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act. These laws have been amended by the Food Quality Protection Act and the Pesticide Registration Improvement Act. Under this authority the U.S. EPA administers a registration process for pesticides. Through this process, the U.S. EPA assesses potential human health and environmental effects associated with use of pesticides that are submitted for registration. Pesticide products must be registered federally by the U.S. EPA before they can be registered by DPR for sale and use in California. Additional details about the U.S. EPA's pesticide registration program are available at <https://www.epa.gov/pesticide-registration/about-pesticide-registration#laws>.

Table 1—Goal: Air Monitoring for Pesticides

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Pursue a collaborative partnership with CARB and consult with California Department of Pesticide Regulation (DPR) and Riverside County Agricultural Commissioner to consider developing an air monitoring strategy to study the use of pesticides in ECV, and work with scientists at public health agencies with expertise in pesticide toxicity to identify key pesticides of concern for air monitoring:</p> <ul style="list-style-type: none"> • Conduct a screening evaluation of the pesticides used in this community, and work with the CSC to identify the key pesticides of concern for monitoring efforts • Work with DPR to define the purpose of air monitoring, and develop a plan that identifies the sampling locations, extent of sampling, and equipment that will be used • Determine if specific pesticides are present and at what levels to help determine community impact • Assess the monitoring data and if monitoring results show unacceptable pesticide levels in ambient air, work with DPR and Riverside County Agricultural Commissioner to take steps towards identifying potential exposure reduction measures (e.g., development of new use restrictions by the Riverside County Agricultural Commissioner, or pesticide regulations by DPR, if needed) 	South Coast AQMD, CARB	<ul style="list-style-type: none"> • Type of equipment to be deployed and extent of the deployment • Updates provided to the CSC 	3 rd quarter, 2021	1 st quarter, 2026

Table 2—Goal: Reduce Pesticide Emissions and Exposures

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Pursue a collaborative partnership with CARB and consult with the California DPR and the Riverside County Agricultural Commissioner to:</p> <ul style="list-style-type: none"> • Gather data about the use of pesticides in the community (e.g., the frequency, volume, composition, potential for community exposures and toxicity of pesticides applied to agricultural crops) • Evaluate potential community impacts from agricultural pesticide use in ECV • Identify and evaluate opportunities to reduce pesticide emissions and exposures based on the evaluation of community impacts 	South Coast AQMD, CARB	<ul style="list-style-type: none"> • Number of opportunities identified and pursued to reduce pesticide emissions and exposure • If quantifiable, amount of emissions and/or exposure reductions achieved • Updates (e.g., pesticide data, community impacts, monitoring results) provided to the CSC 	1 st quarter, 2021	1 st quarter 2026
B	<p>Consult with DPR and the Riverside County Agricultural Commissioner to:</p> <ul style="list-style-type: none"> • Provide the CSC an annual update on the Shafter Pilot Notification System project • Evaluate the feasibility of a pilot notification system in ECV based on the results of the Shafter Pilot Notification System project • Provide community members with information on the types of pesticides applied in ECV, how to report pesticide drift and ways to reduce pesticide exposure 	South Coast AQMD	<ul style="list-style-type: none"> • Development of a notification system • Number of informational handouts or educational materials provided 	3 rd quarter, 2021	TBD

			<ul style="list-style-type: none"> • Updates provided to the CSC 		
C	Consult with the Riverside County Agricultural Commissioner and scientists at public health agencies with expertise in pesticide toxicity to make pesticide data for the ECV community more easily accessible for community members, including farm workers	South Coast AQMD	<ul style="list-style-type: none"> • Updates provided to the CSC 	3 rd quarter, 2022	TBD
D	Consult with DPR and USEPA Region 9 to provide outreach materials, training, information on personal protective equipment and ways to reduce worker exposure during pesticide application	South Coast AQMD	<ul style="list-style-type: none"> • Number of trainings or information provided (e.g., handouts) 	4 th quarter, 2021	TBD

Table 1 – Goal: Gather Information and Conduct Air Monitoring for Pesticides

	<u>Action</u>	<u>Responsible Entity</u>	<u>Metric</u>	<u>Timeline</u>	
				<u>Start</u>	<u>Complete</u>
A	<ul style="list-style-type: none"> • <u>Identify pesticides used in ECV (e.g., frequency, amount, and ingredients)</u> • <u>Share information on statewide efforts for a pesticide notification system</u> • <u>Provide consultation on field activities</u> • <u>Support data analysis and interpretation</u> 	<u>DPR and Ag. Commissioner</u>	<ul style="list-style-type: none"> • <u>Data collected on pesticide use in ECV</u> • <u>Updates provided to the CSC</u> 	<u>4th quarter, 2021</u>	<u>1st quarter, 2022</u>
B	<ul style="list-style-type: none"> • <u>Develop a screening approach for agricultural pesticides commonly used in ECV</u> • <u>Support prioritization of pesticides for potential air monitoring based on screening criteria and other relevant information</u> 	<u>OEHHA</u>	<ul style="list-style-type: none"> • <u>Updates provided to the CSC</u> 	<u>2nd quarter, 2022</u>	<u>1st quarter, 2023</u>
C	<ul style="list-style-type: none"> • <u>Support protocol development for pesticide sampling and analysis</u> • <u>Coordinate sampling and analysis of pesticides</u> 	<u>CARB and South Coast AQMD</u>	<ul style="list-style-type: none"> • <u>Development of protocols for pesticide sampling and analysis</u> 	<u>1st quarter, 2022</u>	<u>1st quarter, 2023</u>
D	<ul style="list-style-type: none"> • <u>Participate in field activities</u> • <u>Analyze pesticide samples</u> • <u>Support data analysis and interpretation</u> 	<u>CARB, South Coast AQMD, and DPR</u>	<ul style="list-style-type: none"> • <u>Data collected through air sampling</u> • <u>Samples analyzed</u> • <u>Updates provided to the CSC</u> 	<u>2nd quarter, 2023</u>	<u>TBD</u>

Table 2 – Goal: Pursue Pesticides Emissions and Exposure Reductions

	<u>Action</u>	<u>Responsible Entity</u>	<u>Metric</u>	<u>Timeline</u>	
				<u>Start</u>	<u>Complete</u>
A	<u>Evaluate potential community health risks/impacts based on air monitoring results and other relevant information</u>	<u>OEHHA and DPR</u>	<ul style="list-style-type: none"> <u>Presentation of results to CSC</u> <u>Written report on findings</u> <u>Updates to the CSC</u> 	<u>2nd quarter, 2024</u>	<u>TBD</u>
B	<ul style="list-style-type: none"> <u>Assist the ECV CSC in determining pesticide exposures and risks</u> <u>Identify opportunities to develop or amend pesticide regulations. (DPR works through an established pesticide Toxic Air Contaminant (TAC) process with its partner agencies (i.e., OEHHA, CARB, Air Districts, and CACs) to develop TAC-related regulations.)</u> <u>Support the ECV CSC’s exploration of a pesticide notification system</u> <u>In collaboration with U.S. EPA, hold a Pesticides Workshop with the ECV Community and provide outreach materials, and information that include pesticide use enforcement, worker protection (including PPE and exposure reduction), and pesticide incident reporting</u> <u>In consultation with South Coast AQMD, CARB and the CSC, develop community emission reduction plan (CERP) strategies for pesticides, if warranted</u> 	<u>DPR and Ag. Commissioner</u>	<ul style="list-style-type: none"> <u>Workshop held for the community</u> <u>Regulations developed or amended</u> <u>Updates to the CSC</u> 	<u>4th quarter, 2021</u>	<u>1st quarter, 2026</u>
C	<u>Identify funding for exposure reduction projects (e.g., air filtration systems and weatherization projects)</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Number of projects implemented</u> 	<u>4th quarter, 2021</u>	<u>4th quarter, 2024</u>

<u>D</u>	<u>Pursue a collaborative partnership with Growing Coachella Valley Local Farmers and Growers to reduce emissions and exposure in ECV</u>	<u>South Coast AQMD</u>	<ul style="list-style-type: none"> <u>Number of opportunities identified and pursued to reduce pesticide emissions and exposure</u> 	<u>4th quarter, 2021</u>	<u>4th quarter, 2024</u>

Chapter 5f: Diesel Mobile Sources

Community Concerns



The Eastern Coachella Valley (ECV) Community Steering Committee (CSC) expressed concerns about diesel emissions from mobile sources in the ECV community. Specifically, concerns included~~CSC members raised concerns about~~ heavy-duty trucks traveling along the State highways 111 and 86, school buses, freight trains that transit the community and heavy-duty agricultural equipment (e.g., tractors and harvesting equipment). CSC members mentioned that trucks and school buses often transit in residential areas and near sensitive receptors. Further, they ~~CSC members also~~ cited concerns about trucks idling around the Mecca area within ECV. Additional actions to address light-duty mobile sources from local land use are incorporated in Chapter 5a.

Actions to Address Diesel Mobile Sources

To address community concerns and reduce emissions from diesel mobile sources, South Coast AQMD developed actions for the Community Emissions Reduction Plan (CERP). Table 1 below provides goals, actions, responsible entities, metrics, and a timeline to achieve emission reductions from diesel mobile sources.

Table 1 - Goal: Reduce Emissions and Exposure from Diesel Mobile Sources

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Work with the CSC to:</p> <ul style="list-style-type: none"> • Identify air quality concerns related to diesel mobile sources (e.g., trucks, trains), quantify emissions (e.g., baseline, projected) from- diesel mobile sources (trucks , train) , and provide an informational workshop (e.g., summary of regulations and compliance information) on diesel mobile sources • Prioritize actions to address the community’s main concerns around diesel mobile source pollution. For example, actions may include: <ul style="list-style-type: none"> ○ Create an air quality sensor network for measurements of PM2.5 and NO2 supported by black carbon measurements (where possible and for limited duration) to better understand the impact of diesel emissions in the community ○ Collaborating with CARB to identify opportunities for focused enforcement and additional regulatory measures (e.g., Air Toxic Control Measure, Freight Handbook), if needed ○ Identifying opportunities to collaborate with local land use and transportation agencies to restrict heavy-duty trucks from transiting near sensitive land uses (e.g., schools and residences) ○ Collaborating with CARB to conduct outreach on how to report idling trucks ○ <u>CARB working with the CSC to identify and prioritize locations for “No Idling” sign installation and providing outreach materials to the ECV community on idling rules. CARB coordinating with appropriate agencies to install and enforce “No Idling” signs.</u> 	South Coast AQMD, CARB	TBD	4 th quarter, 2021	1 st quarter, 2026

	<ul style="list-style-type: none"> ○ Pursuing collaboration with land use agencies (e.g., City of Indio, City of Coachella, and Riverside County) to implement vegetative barriers around the railroad that passes through the ECV community ○ Identifying funding to implement weatherization projects and to install and maintain air filtration systems at schools, community centers and homes to reduce exposure to diesel mobile sources 				
B	Identify opportunities to incentivize the replacement of older, higher polluting on-road (e.g., trucks) and off-road (e.g., tractors, freight trains, agricultural equipment) equipment with cleaner technology	South Coast AQMD, CARB	TBD (e.g., number of projects incentivized)	1 st quarter, 2021	1 st quarter, 2026
C	Identify funding opportunities to replace older diesel school buses with zero or near-zero emission school buses in ECV in all school districts within ECV	South Coast AQMD, CARB	TBD (e.g., <u>updates to the CSC</u> , number of projects incentivized)	1 st quarter, 2021	1 st quarter, 2026
D	<u>Identify funding to install zero emission charging infrastructure in the ECV</u>	<u>South Coast AQMD</u>	TBD (e.g., number of <u>projects incentivized</u>)	<u>3rd quarter, 2021</u>	<u>1st quarter, 2026</u>

Chapter 5g: Greenleaf Desert View Power Plant

Community Concerns

Greenleaf Desert View Power Plant is a biomass electrical generation facility located on the Cabazon Band of Mission Indians Reservation at 62300 Gene Welmas Dr, Mecca, CA 92254. It has been in operation since 1992, first as Colmac Energy, Inc. and then in 2011, the power plant was purchased by Greenleaf Power. Biomass (e.g., urban wood waste, orchard removal trees) is used at this facility as a fuel to help generate electricity. This facility operates as a steam-electric power plant¹. Typically, these power plants operate by burning fuel in a furnace to generate heat that is used in a boiler to produce steam. The steam flows into the turbine and spins the blades inside a turbine, which is connected to a generator to create electricity.



Since this facility is located on tribal land, it is regulated by Region 9 of the United States Environmental Protection Agency (U.S. EPA).² The ECV CSC expressed concern about visible emissions and smoke from the facility and the limited information about the facility that is available to the community.

Actions to Address the Greenleaf Desert View Power Plant

To address community concerns and reduce emissions from the Greenleaf Desert View Power Plant, South Coast AQMD developed actions for the Community Emissions Reduction Plan (CERP). Table 1 below provides goals, actions, responsible entities, metrics, and a timeline to achieve emission reductions from the Greenleaf Desert View Power Plant.

¹ Greenleaf Power, LLC, Desert View, <http://www.greenleaf-power.com/facilities/desert-view-power.html>, Accessed October 25, 2020.

² U.S. EPA, Title V Permit to Operate, <https://www.regulations.gov/contentStreamer?documentId=EPA-R09-OAR-2020-0266-0001&contentType=pdf>, Accessed October 25, 2020.

Table 1 – Goal: Reduce Emissions from Greenleaf Desert Power View Plant

	Action	Responsible Entity	Metric	Timeline	
				Start	Complete
A	<p>Work with the CSC, tribal government and U.S. EPA to:</p> <ul style="list-style-type: none"> Identify air quality concerns related to Greenleaf Desert View Power Plant (e.g., CSC survey) Compile air quality information about the facility (e.g., emissions, compliance history, applicable air quality regulations, existing air pollution control technologies) Conduct PM monitoring near the facility, identify strategic locations for air quality sensor deployment to capture potential PM2.5 emissions from the facility, and assess the potential impact on the community Identify appropriate tree planting locations near areas of concern (e.g., mobile home parks and schools), to be updated annually, and seek opportunities to implement tree planting projects around the perimeter of the facility <ul style="list-style-type: none"> If appropriate funding is identified, submit one to two applications. Develop strategies to reduce emissions and exposure (e.g. planting shrubs, trees and native plants around the perimeter of the facility) from the facility Identify funding to implement weatherization projects and to install and maintain air filtration systems at schools, community centers and homes to reduce exposure to industrial, commercial and other sources. 	South Coast AQMD	TBD	1 st quarter, 2022	3 rd quarter, 2022
B	Pursue a collaborative partnership with the Coachella Valley Association of Governments (CVAG) to consider requiring all future allocations of funds from the Greenleaf Desert View Power Plant in the ECV community to reduce air pollution emissions or exposures	South Coast AQMD, CVAG	TBD	4 th quarter 2022	TBD

**ATTACHMENT C
RESOLUTION NO. 21-**

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that the Amendments to the Community Emissions Reduction Plan (CERP) for the Eastern Coachella Valley (ECV) community per Assembly Bill 617 (AB 617 ECV CERP Amendments) are exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board Amending the AB 617 ECV CERP.

WHEREAS, the South Coast AQMD Governing Board finds and determines that the AB 617 ECV CERP Amendments are considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that it can be seen with certainty that there is no possibility that the proposed project may have any significant effects on the environment, and is therefore exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because the proposed project is designed to further protect or enhance the environment; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project contains action items which qualify as feasibility or planning studies which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project may result in some minor physical modifications to existing structures or buildings, such as installing air filters or monitoring equipment, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 – Existing Facilities; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project involves the collection or exchange of information or data obtained from inspections and air monitoring, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15306 – Information Collection; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project also involves inspections that require performance or compliance checks which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15309 – Inspections; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project relies on enforcement activities which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, the AB 617 ECV CERP Amendments and other supporting documentation, including but not limited to the Notice of Exemption, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, AB 617 directs the California Air Resources Board (CARB) to select locations around the state for preparation of community emissions reduction programs; and

WHEREAS, in 2019, the South Coast AQMD Governing Board recommended communities to CARB for the AB 617 program; and

WHEREAS, in 2019, CARB selected the community of ECV as one of the communities for which a CERP shall be prepared; and

WHEREAS, the AB 617 statute specifies that the air district must adopt the CERP within one year of the state board's selection of the community; and

WHEREAS, in 2020, the South Coast AQMD Governing Board has adopted the ECV CERP and directed staff to provide additional details on the ECV CERP monitoring objectives, collaborations with other entities, incentive strategies and other emission reduction strategies developed by the Community Steering Committee (CSC) no later than June 30, 2021, including holding two CSC meetings between January 2021 and February 2021 to receive additional feedback on these topics, and two additional CSC meetings between March 2021 and April 2021 to review draft amendments to the AB 617 ECV CERP; and

WHEREAS, staff has held over 30 additional meetings between January 2021 and May 2021 and added details which are contained in the AB 617 ECV CERP Amendments; and

WHEREAS, the AB 617 ECV CERP and the AB 617 ECV CERP Amendments are planning documents designed to assist future regulatory programs and rule development efforts, and to reduce emissions of and exposure to air toxics and other pollutants; and

WHEREAS, the AB 617 ECV CERP is required by AB 617 and it builds upon existing criteria pollutant and air toxic programs, with greater emphasis on cumulative and localized impacts, and

WHEREAS, although the results of the Multiple Air Toxics Exposure Study IV (MATES IV) show regional reductions in health risk from exposure to toxic air contaminants, some communities such as ECV are disproportionately impacted by environmental pollution, as well as social and economic burdens; and

WHEREAS, the ECV CSC has worked with staff to develop the AB 617 ECV CERP and AB 617 CERP Amendments to reflect the community's air quality priorities and strategies to address these priorities; and

WHEREAS, the AB 617 ECV CERP and AB 617 CERP Amendments aim to reduce local sources of air pollutants and other pollutants in the ECV community.

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD

Governing Board does hereby determine, pursuant to the authority granted by law, that the AB 617 ECV CERP Amendments are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. Further, the AB 617 ECV CERP Amendments contain action items which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 – Feasibility and Planning Studies. The proposed project contains action items that are also categorically exempt from CEQA pursuant to, CEQA Guidelines Section 15301 – Existing Facilities, CEQA Guidelines Section 15306 – Information Collection, CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, CEQA Guidelines Section 15309 – Inspections, and CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies. No exceptions to the application of the categorical exemptions set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered and approved the information therein prior to acting on the proposed AB 617 ECV CERP Amendments; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board finds that the ECV CERP and CERP Amendments meet the requirements of AB 617 and will advance the mission of cleaning the air at a community scale in the ECV community and will provide emission reduction benefits toward achieving state and national air quality standards; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt the AB 617 ECV CERP Amendments; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board hereby directs the Executive Officer to forward a copy of this Resolution, the AB 617 ECV CERP, and AB 617 CERP Amendments to the California Air Resources Board for approval; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board directs staff to periodically report to the Stationary Source Committee on the implementation of the AB 617 ECV CERP and AB 617 CERP Amendments, including updates on the actions within the plan and the emissions reductions achieved.

DATE: _____

Clerk of the Boards

ATTACHMENT D



**South Coast
Air Quality Management District**

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT**

**PROJECT TITLE: AMENDMENTS TO THE COMMUNITY EMISSIONS REDUCTION PLAN
FOR THE EASTERN COACHELLA VALLEY COMMUNITY PER
ASSEMBLY BILL 617**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research to be posted on their CEQAnet Web Portal which, upon posting, may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2021>. The electronic filing and posting of the Notice of Exemption is being implemented in accordance with Governor Newsom's Executive Orders N-54-20 and N-80-20 issued on April 22, 2020 and September 23, 2020, respectively, for the State of Emergency in California as a result of the threat of COVID-19.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: Governor's Office of Planning and Research - State Clearinghouse 1400 Tenth St, Suite 222 Sacramento, CA 95814-5502	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Amendments to the Community Emissions Reduction Plan for the Eastern Coachella Valley Community per Assembly Bill 617

Project Location: The proposed project will occur within a portion of the South Coast Air Quality Management District (AQMD) jurisdiction located in the Eastern Coachella Valley (ECV) community in Riverside County. The boundaries of the ECV community extend from the City of Indio south to the Riverside County boundary along the Salton Sea, including the City of Indio, the City of Coachella, a small portion of the City of La Quinta (southern part of the city), and the unincorporated areas of Thermal, Mecca, Oasis and North Shore.

Description of Nature, Purpose, and Beneficiaries of Project: Assembly Bill (AB) 617, signed into state law in 2017 (see Health and Safety Code Section 44391.2), requires air districts to prepare a Community Emissions Reduction Plan (CERP) for environmental justice communities selected by the California Air Resources Board (CARB). CERPs provide a blueprint for achieving reductions of air pollution emission and exposure within selected communities and are tailored to address each community's air quality priorities. The ECV community was selected by CARB to prepare a CERP in December 2019 and the South Coast AQMD Governing Board adopted the AB 617 ECV CERP in December 2020. The purpose of the proposed amendments to the AB 617 ECV CERP is to include additional details to further address the community's concerns as identified by the Community Steering Committee (CSC). The proposed amendments to the AB 617 ECV CERP will benefit the identified ECV community and nearby areas, as well as the entire region within South Coast AQMD's jurisdiction.

The topics that were discussed during the ECV CERP Amendments process included actions to address the use and application of pesticides, actions to address land use concerns and coordination with local and regional planning agencies on plans that affect air quality, alternatives to agricultural burning, actions to address light-duty mobile sources and idling from trucks, and budget priorities and distribution for incentive projects. Specifically, the following amendments to the AB 617 ECV CERP are proposed:

- Chapter 5a – Introduction to Community Emissions Reduction Plan Actions: Additional actions and detailed metrics to address land use concerns and coordinate with planning agencies during the implementation of local and regional plans are proposed which include the following commitments to: 1) provide outreach opportunities and air quality information to local and regional planning agencies; 2) support climate resilience and adaptation policies such as tree planting and home weatherization projects; 3) incentivize mobile source incentive projects; 4) collaborate implementation of dust suppression projects near the Salton Sea; and 5) develop recommendations with the CSC on best practices to reduce light-duty vehicle emissions from the Thermal Racing Club Track. Additional discussion was also included on the Community Air Protection Program (CAPP) Year 3 incentives funds and budget distribution determined by the CSC and selected community-identified projects (such as funding the pavement of unpaved roads and mobile home parks, home air filtration and purifier systems, and alternatives to agricultural burning with alternative equipment or services such as chippers and grinders). Lastly, additional discussion was included on the Community Air Monitoring Plan (CAMP) implementation, which included the Monitoring Working Team (MWT) efforts, and the identification of preliminary locations for air quality monitors and sensor deployment.
 - Chapter 5b – Salton Sea: An amendment is proposed to identify appropriate locations to plant trees on an annual basis near sensitive receptors in proximity to the Salton Sea area.
 - Chapter 5c – Pesticides: Amendments are proposed that include information on the multi-agency process, jurisdictional limitations and collaborating agency responsibilities (i.e., CARB, Department of Pesticide Regulation (DPR), the Office of Environmental Health Hazard Assessment (OEHHA), the United States Environmental Protection Agency (USEPA), and Riverside County Agricultural Commissioner) to address pesticide emissions and exposure.
 - Chapter 5f – Diesel Mobile Sources: An additional action is proposed for CARB to work with the CSC to identify locations for “No Idling” sign installation and coordinate with appropriate agencies to install and enforce “No Idling” signs and provide outreach materials in the ECV community on idling rules. Another additional action is for South Coast AQMD to identify funding for the installation of zero emission charging infrastructure in the ECV community.
 - Chapter 5g – Greenleaf Desert View Power Plant: An amendment is proposed to identify appropriate locations to plant trees around the perimeter of the facility.
-

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15262 – Feasibility and Planning Studies

CEQA Guidelines Section 15301 – Existing Facilities

CEQA Guidelines Section 15306 – Information Collection

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment CEQA

Guidelines Section 15309 – Inspections

CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies

Reasons why project is exempt:

Pursuant to the California Environmental Quality Act (CEQA), South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. Because the physical changes that may occur as a result of implementing portions of the proposed project would only require minimal construction activities and cause negligible physical impacts, it can be seen with certainty that there is no possibility that any physical actions that may be associated with the proposed project may have a significant adverse effect on the environment. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). Further, the overall purpose of this project is to improve the environment of the ECV community and nearby areas, and all of the action items within the ECV CERP Amendments support this goal, the action items are also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308.

The ECV CERP Amendments contain the following action items, which are speculative at this time as they require collaboration with other entities, might have some secondary air quality impacts: 1) funding paving of unpaved roads and mobile home parks and installing home air filtration and purifier systems and 2) replacing agricultural open burning with alternative equipment or services such as chippers and grinders. However, activities associated with those action items are subject to existing South Coast AQMD rule requirements. For instance, South Coast AQMD Rules 403, 1120 and 1186 cover paving-related activities and South Coast AQMD Rule 1133.1 covers chipping and grinding activities. These existing South Coast AQMD rules not only require reducing any potential air quality impact to the minimum, but also have gone through CEQA review during the rulemaking process. If a discretionary action triggering CEQA is needed to implement those action items, a CEQA review will be conducted at that time.

The proposed amendments to the AB 617 ECV CERP contain action items involving feasibility and planning studies, because information needs to be collected to make an informed decision about further actions such as rule development. However, these action items neither prescribe or commit to specific rule requirements, nor require advance approval or adoption of future actions because they require an open public process. Thus, the proposed amendments contain action items involving feasibility or planning studies which are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262. The proposed amendments also contain action items requiring minor physical modifications to existing structures or buildings, such as installing home air filters or monitoring equipment, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301. The proposed amendments contain action items involving the collection or exchange of information or data obtained from inspections and air monitoring, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15306. The proposed amendments contain action items involving inspections requiring performance or compliance checks, which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15309. The proposed amendments also contain action items relying on enforcement activities which are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15321. Finally, there is no substantial evidence indicating that any of the exceptions to the categorical exemptions apply to the proposed project pursuant to CEQA Guidelines Section 15300.2 – Exceptions. Therefore, the proposed project is exempt from CEQA.

PROPOSED AMENDMENTS TO THE AB 617 EASTERN COACHELLA VALLEY (ECV) COMMUNITY EMISSIONS REDUCTION PLAN (CERP)



BOARD MEETING
JUNE 4, 2021



EASTERN COACHELLA VALLEY AB 617 COMMUNITY

ECV AIR QUALITY (AQ) PRIORITIES*

Reduce emissions/exposures and address concerns about:



Salton Sea



Pesticides



**Fugitive Road
Dust and Off-
Roding**



**Open Burning
and Illegal
Dumping**



**Diesel Mobile
Sources**



**Greenleaf
Desert View
Power Plant
(former Colmac
Power Plant)**

* In addition to these priorities, the Community Steering Committee (CSC) identified other areas of concern, such as land use and increasing tree population in the community

CERP AMENDMENTS TIMELINE

CERP Development and Adoption (January – December 2020)

- Established CSC, developed and finalized Charter, and identified AQ Priorities
- Developed goals, strategies, and actions for AQ Priorities
- Board adopted CERP and directed staff to work with CSC to develop additional details

Draft CERP Amendments (January – April 2021)

- CSC focused on:
 - Pesticides
 - Local and regional plans
 - Alternatives to agricultural burning
 - Diesel mobile sources
 - Incentives budget
- Staff developed Draft CERP amendments based on CSC input (e.g., discussions, breakout rooms)

CSC and Stationary Source Committee Review (May 2021)

- CSC review of Draft CERP amendments
- Stationary Source Committee Meeting

PUBLIC PROCESS AND COLLABORATION FOR CERP AMENDMENTS

Community-Led Process

- **Over 30 meetings** with CSC since December 2020
- Staff implemented the CSC's requests to **amplify community voices** in the CERP development process by:
 - Hosting pre-meetings to set CSC meeting agenda
 - Asking CSC for their priority topics for CERP amendments
 - Implementing virtual breakout rooms
 - Using virtual chat box and live polls
 - Participating in CSC-led Working Team meetings



Inter-agency Collaboration

- **Developed new actions** in the CERP to address AQ priorities



SUMMARY OF PROPOSED AMENDMENTS TO AB 617 ECV CERP

Chapters 5a, 5b and 5g



Land Use and Coordination with Local and Regional Plans

- **Outreach** to the community on plans that affect air quality
- Collaborate with agencies to provide **air quality information** and implement local/regional plans, including Salton Sea **dust suppression projects**
- Develop best practices to reduce **light-duty vehicle emissions** from the Thermal Racing Club Track

Chapter 5c Pesticides



- Conduct **air monitoring for high priority pesticides**, based on pesticide use data and screening criteria (e.g., toxicity)
- Present information about pesticide exposures and **health risks** (OEHHA)
- Identify opportunities (w/DPR and other agencies) to develop or amend **pesticide regulations**
- Provide information on statewide efforts for a **pesticide notification system** (DPR)

SUMMARY OF PROPOSED AMENDMENTS TO AB 617 ECV CERP (CONTINUED)

Chapter 5f Diesel Mobile Sources



- CARB to provide **outreach materials** in the ECV community on idling rules
- CARB to work with the CSC to identify locations and install and enforce **“No Idling” signs**
- Identify funding for **zero-emission charging infrastructure**

Chapter 5a Community Air Protection Program (CAPP) Incentive Funds – Community Identified Projects



- Incentives budget distribution of \$4.57 million allocated to eligible **road paving projects** (e.g., Polanco Parks and access roads), and
- \$1 million for installing **home air filtration and purifier systems** (e.g., homes near sources of air pollution and with children with asthma)

Chapter 5a Community Air Monitoring Plan (CAMP) Details



- Details about **Monitoring Working Team** efforts
- Prioritized **locations** for monitor or sensor deployment

SUMMARY OF KEY ISSUES

Key Issue	Staff response
Proposed CERP amendments do not include a pesticide notification system	<ul style="list-style-type: none">● DPR has jurisdiction over the regulation of pesticides and their use (Health and Safety Code Section 39655(a))● Proposed amendments commit DPR to:<ul style="list-style-type: none">○ Share information on statewide efforts for a pesticide notification system○ Support the CSC’s exploration of a pesticide notification system
Proposed CERP amendments do not pursue a ban on agricultural burning	<ul style="list-style-type: none">● South Coast AQMD is prohibited from banning agricultural burning (California Code of Regulations §41850)● South Coast AQMD Rule 444 is more effective than the state law (Health and Safety Code 41855.5 and 41855.6) that “bans” open burning in the San Joaquin Valley, for example, the law:<ul style="list-style-type: none">○ Allows for exceptions based on economic feasibility, and○ Excludes daily burn limits

NEXT STEPS & STAFF RECOMMENDATIONS

June 2021

Board consideration of amendments to the AB 617 ECV CERP

July 2021

If adopted, submit amended AB 617 ECV CERP for CARB Board approval and continue CERP implementation

Fall/Winter 2021

CARB Board consideration of amended AB 617 ECV CERP

STAFF RECOMMENDATIONS:

1. Determine that the proposed amendments to the AB 617 ECV CERP are exempt from the requirements of the California Environmental Quality Act; and
2. Amend the AB 617 ECV CERP

[↑ Back to Agenda](#)

BOARD MEETING DATE: June 4, 2021

AGENDA NO. 36

PROPOSAL: Approve Compensation Adjustments for Board Member Assistants and Board Member Consultants for FY 2021-22

SYNOPSIS: The Board Member Assistant and Board Member Consultant compensation is proposed to be amended to adjust the compensation level the South Coast AQMD may make per Board Member, per fiscal year, based on the Board approved assignment-of-points methodology. The points are calculated based on the level of complexity, number of meetings, and role.

COMMITTEE: No Committee Review

RECOMMENDED ACTIONS:

Approve adjustments to compensation for Board Member Assistants and Board Member Consultants for FY 2021-22 in accordance with the Administrative Code and described in Attachment A.

Wayne Nastri
Executive Officer

SJ:jk

Background

Board Members must address an ever-increasing range of complex issues related to performance of their duties, requiring increased assistance, and it is appropriate to make adjustments to the maximum support level expenditure the South Coast AQMD may make per Board Member, per fiscal year, based on the assignment-of-points methodology that was approved at the July 2015 Board meeting and incorporated into the Administrative Code.

The Administrative Code describes an assignment-of-points methodology that is based on the level of complexity, number of meetings, and role (such as Chair or Vice-Chair). Additionally, the Administrative Code defines the minimum and maximum amounts that may be allocated per Board Member.

Proposal

This action is to approve the support level of expenditures for Board Member Assistants and Board Member Consultants for FY 2021-22 in accordance with the Administrative Code. Upon approval, Board Members will select Board Assistants and Consultants and allocate their funds.

Resource Impacts

Sufficient funding will be requested in the FY 2021-22 Budget to accommodate the recommended adjustments.

Attachment

Proposed Board Member Committee/Advisory/Other Group Assignment Points Calculation for FY 2021-22.

ATTACHMENT A

Board Member Committee/Advisory/Other Group Assignment Points Calculation for FY 2021-22

Governing Board Member	Committee/Advisory/Other Group Assignment Points *	Calculated Maximum Support Level **
Perez	88	\$44,231
Bartlett	89	\$44,734
McCallon	90	\$45,237
Richardson	96	\$48,252
Padilla-Campos	101	\$50,766
Kuehl	108	\$54,284
Cacciotti	118	\$59,310
Rutherford	134	\$67,352
Rodriguez	123	\$61,823
Buscaino	128	\$64,337
Kracov	205	\$103,039
Delgado (Vice-Chair)	236.5	\$118,872
Benoit (Chair)	274	\$118,872
* Point Calculation does not account for additional responsibilities for Chair and Vice-Chair.		
** Calculated Maximum Support Level based on the Board Member's total points in comparison to the Vice-Chair's total points (not to go below \$39,624 and above \$118,872).		