

BOARD MEETING DATE: April 1, 2022

AGENDA NO. 20

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a meeting remotely on Friday, March 18, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Ben J. Benoit, Chair
Stationary Source Committee

JA:cr

Committee Members

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

Absent: Vice Mayor Rex Richardson

Call to Order

Chair Benoit called the meeting to order at 10:30 a.m.

INFORMATIONAL ITEM:

1. Summary of Proposed Rule 403.2 – Fugitive Dust from Large Roadway Projects

Ian MacMillan, Assistant Deputy Executive Officer/Planning Rules Development and Implementation, presented a background and summary of Proposed Rule 403.2 including key comments received from stakeholders.

Dan McGivney, SoCalGas, Mike Lewis, Construction Industry Air Quality Coalition, and David Rothbart, Southern California Alliance of Publicly Owned Treatment Works (SCAP), requested an additional month to allow the public more time to review the changes.

Harvey Eder, Public Solar Power Coalition, expressed appreciation for the rule and expressed disappointment with the construction industry and gas industry.

Supervisor Kuehl and Senator Delgado acknowledged the comments from industry on needing more time.

Board Member Padilla-Campos agreed and asked what types of chemicals could be found in the fugitive dust and the associated health effects. She also asked whether the rule would apply to light and high-speed rail projects. Mr. MacMillan answered that the main sources of dust would be from digging up dirt or the roadway, and not much a toxic concern as it is a particulate matter and a nuisance concern.

Chair Benoit inquired about the prohibition buffer for piles and crushing/grinding and if recordkeeping for water use on piles and crushing/grinding could be added.

Senator Delgado commented that recordkeeping should show the measure of water used per cubic yard or ton of dirt. Mr. MacMillan answered that the prohibition buffer is measured from the activity to the land use, suggested adding recordkeeping for water usage, and the 100 feet buffer was selected due to the tightness of these sites and the importance heard from industry to allow recycling of material onsite.

Chair Benoit agreed with delaying the rulemaking for one month. He asked to extend the prohibition buffer up to 250 feet for residential, and notification should be required for receptors within 1,000 feet of the activity. He expressed concern that the rule might cause activities to be relocated away from the freeway to other areas.

Supervisor Kuehl commented on the important consideration of this rule for health protection, rather than just the complaints received.

WRITTEN REPORTS:

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

The report was acknowledged by the committee.

3. Notice of Violation Penalty Summary

The report was acknowledged by the committee.

OTHER MATTERS:

4. Other Business

There was not other business to report.

5. Public Comment Period

Sarah Wiltfong, Los Angeles County Business Federation (BizFed), recommended that staff begin working on the MATES VI study, work with CARB to update the CalEnviro Screen database to use MATES V and to share MATES V data with the AB 617 Steering Committees. Supervisor Rutherford requested a report back on the MATES timeline at the next meeting. Executive Officer Wayne Nastri stated it is the recommendation that any reporting on the MATES report go through the Mobile Source Committee and then to the Board. Chair Benoit said he would bring up the item with the Chair of the Mobile Source Committee.

Mr. Eder expressed support for solar electric vehicles and concern about renewable natural gas, methane emissions and climate change.

Stephen Jepsen, SCAP, and David Rothbart, Los Angeles County Sanitation Districts and SCAP, requested the support of staff to reduce the permit backlog for SCAP members that operate essential public services. They recommended increasing the number of full-time staff positions and to retain consultants as a solution to reduce the permit backlog.

Mr. Nastri indicated that he is aware of the concerns for the permit backlog, which is closely monitored and tracked. Jason Aspell, Deputy Executive Officer/Office of Engineering and Permitting, stated that the high vacancy rate has contributed to the backlog. He acknowledged reducing the backlog is an ongoing effort and has requested that staffing resources be prioritized. He also stated that there have been discussions to use consulting firms, to reduce the backlog. Chair Benoit requested that this issue be brought to the Administrative Committee to discuss staffing needs prior to the budget and Mr. Nastri agreed.

Rita Loof, RadTech International, referenced staff's comments from the February Board meeting on UV/EB technology. She stated that staff mentioned that UV materials could potentially contain solvents, and a wood coatings operation in Corona was referenced. She noted that this facility is not related to the automotive coatings issue that was before the Board. Ms. Loof clarified that this wood coatings operation is using conventional solvents and they are fully permitted, and the entire operation is vented to an afterburner. Ms. Loof also requested that her Association be included in staff's discussions with EPA regarding test methods for thin films.

6. Next Meeting Date

The next Stationary Source Committee meeting is scheduled for Friday, April 15, 2022 at 10:30 a.m.

Adjournment

The meeting was adjourned at 11:34 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 –March 18, 2022

Mayor Ben J. Benoit	South Coast AQMD Governing Board
Senator Delgado (Ret.)	South Coast AQMD Governing Board
Supervisor Sheila Kuehl	South Coast AQMD Governing Board
Board Member Veronica Padilla-Campos.....	South Coast AQMD Governing Board
Supervisor Janice Rutherford	South Coast AQMD Governing Board

Ruthanne Taylor Berger	Board Consultant (Benoit)
Tom Gross	Board Consultant (Benoit)
Loraine Lundquist	Board Consultant (Kuehl)
Debra Mendelsohn.....	Board Consultant (Rutherford)
Mark Taylor.....	Board Consultant (Rutherford)
Amy Wong	Board Consultant (Padilla-Campos)

Mark Abramowitz	Community Environmental Services
Curtis Coleman.....	Southern California Air Quality Alliance
Chris Chavez	Coalition for Clean Air
Harvey Eder.....	Public Solar Power Coalition
Stephen Jepsen.....	SCAP
Michael Lewis	Construction Industry Air Quality Coalition
Rita Loof.....	RadTech
Bridget McCann	Chevron
Dan McGivney	SoCalGas
David Rothbart	SCAP
Peter Whittingham.....	Whittingham Public Affairs Advisors
Sarah Wiltfong.....	BizFed

Jason Aspell.....	South Coast AQMD staff
Bayron Gilchrist	South Coast AQMD staff
Anissa Heard-Johnson	South Coast AQMD staff
Mark Henninger.....	South Coast AQMD staff
Aaron Katzenstein	South Coast AQMD staff
Michael Krause.....	South Coast AQMD staff
Terrence Mann.....	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
Susan Nakamura.....	South Coast AQMD staff
Lisa Tanaka O'Malley	South Coast AQMD staff
Nicholas Sanchez.....	South Coast AQMD staff
Sarah Rees	South Coast AQMD staff
Jillian Wong.....	South Coast AQMD staff
Paul Wright.....	South Coast AQMD staff
Victor Yip.....	South Coast AQMD staff

March 2022 Update on Work with U.S. EPA and CARB on New Source Review Issues for the RECLAIM Transition

At the October 5, 2018 Board meeting, the Board directed staff to provide the Stationary Source Committee with a monthly update of staff's work with U.S. EPA regarding resolving NSR issues for the transition of facilities from RECLAIM to a command-and-control regulatory structure. The table below summarizes key activities with U.S. EPA and CARB since the last report.

- Planning to schedule next meeting late March

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

Settlement Penalty Report (02/01/2022 - 02/28/2022)

Total Penalties

Civil Settlement: \$402,000.00
MSPAP Settlement: \$8,195.00
Hearing Board Settlement: \$10,000.00

Total Cash Settlements: \$420,195.00

Fiscal Year through 02/28/2022 Cash Total: \$2,886,787.35

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
35409	BARTON BRANDS	203(B)	02/17/2022	BT	P69537	\$375,000.00
25638	BURBANK CITY, BURBANK WATER & POWER	2004	02/17/2022	VT	P66175	\$1,000.00
109471	DURA COAT PRODUCTS INC	203(b)	02/18/2022	VT	P69365	\$1,000.00
187521	MEGATOYS INC.	1403, 40 CFR 61.145	02/17/2022	NS	P66711	\$7,500.00
157676	THE SHERWIN-WILLIAMS COMPANY	1113, 1143, 1168	02/17/2022	BT/WW	P55313, P61803, P64805, P64808, P67002, P67006, P67007, P67009	\$15,000.00
189970	WEBER LOGISTICS/RANCHO 107	1415.1	02/18/2022	SH	P64773	\$2,500.00
Total Civil Settlements: \$402,000.00						
Hearing Board						
104234	SCAQMD v. Mission Foods	202, 203(b), 1153.1, 1303	02/17/2022	KCM	5400-4	\$10,000.00
Total Hearing Board Settlements: \$10,000.00						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
MSPAP						
111825	CONOCOPHILLIPS CO-255510 A.H.B. PROPER	461	02/18/2022	GC	P67237	\$300.00
151837	DUKE SERVICE CORNER	461	02/18/2022	GC	P67700	\$1,020.00
184450	EASTERN MUNICIPAL WATER DISTRICT	403	02/18/2022	GC	P69102	\$2,250.00
189862	GUTIERREZ CLEANERS INC	203(a), 1421	02/22/2022	GC	P68371	\$1,200.00
97547	LARRY JACINTO CONSTRUCTION	403	02/22/2022	TCF	P68273	\$500.00
178234	M1 FUEL, INC, DBA PASADENA 76	461	02/22/2022	TCF	P70356	\$375.00
188464	MYNOR AUTO REPAIR	1151	02/22/2022	TCF	P68724	\$375.00
39979	OMNITRANS	1151	02/22/2022	TCF	P68710	\$800.00
190953	RAHIM FAMILY TRUST	1403	02/22/2022	TCF	P69743	\$375.00
181390	SEVENTEEN TWENTY OIL COMPANY	203(b)	02/22/2022	TCF	P73051	\$1,000.00
Total MSPAP Settlements: \$8,195.00						

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

REGULATION II - PERMITS

Rule 202 Temporary Permit to Operate
Rule 203 Permit to Operate

REGULATION IV - PROHIBITIONS

Rule 403 Fugitive Dust
Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1113 Architectural Coatings
Rule 1143 Consumer Paint Thinners & Multi-Purpose Solvents
Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations
Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens
Rule 1168 Adhesive and Sealant Applications

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303 Requirements

REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
Rule 1415.1 Reduction of Refrigerant Emissions from Stationary Refrigeration Systems
Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations

REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements

CODE OF FEDERAL REGULATIONS

40 CFR 61.145 Standard for Demolition and Renovation