



# South Coast Air Quality Management District

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

## A G E N D A

### HYBRID GOVERNING BOARD MEETING JANUARY 6, 2023

Pursuant to Assembly Bill 361, a meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, January 6, 2023 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

Given health and safety concerns, seating availability may be limited, and the meeting format may be changed to full remote via webcast. Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates if the meeting is changed to a full remote via webcast format, and details on how to participate:

<http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

#### Face Coverings

In accordance with state and local public health department guidelines, masks are strongly recommended for people attending the meeting at South Coast AQMD Headquarters.

#### Electronic Participation Information

(Instructions provided at  
the bottom of the  
agenda)

#### Join Zoom Meeting - from PC, Laptop or Phone

<https://scagmd.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 que Habla Español

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

Meeting ID/Identificación de la reunión: **932 0955 9643**

One tap mobile: +16699006833,,93209559643#

#### Public Comment Will Still Be Taken

#### Audience will be allowed to provide public comment in person and through Zoom connection or telephone.

Phone controls for participants:

The following commands can be used on your phone's dial pad while in 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.

## Meeting Procedures

- 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.
- 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 for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at [www.aqmd.gov](http://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](mailto:cob@aqmd.gov)

### **A webcast of the meeting is available for viewing at:**

<http://www.aqmd.gov/home/news-events/webcast>



## **CALL TO ORDER**

- Pledge of Allegiance
- Roll Call
- Opening Comments: Ben J. Benoit, Chair  
Other Board Members  
Wayne Nastri, Executive Officer
- Election of Chair for Term January 2023 – January 2025
- Election of Vice Chair for Term January 2023 – January 2025

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Staff/Phone (909) 396-

## **CONSENT AND BOARD CALENDAR (Items 1 through 15)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 16

### **Items 1 through 3 – Action Items/No Fiscal Impact**

1. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely **Gilchrist/3459**  
  
This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See California Government Code Section 54953(e)(3). (No Committee Review)
2. Approve Minutes of December 2, 2022 **Thomas/3268**
3. Set Public Hearings February 3, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: **Nastri/3131**  
  
Determine That Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, Is Exempt from CEQA and Amend Rule 1148.2 **Krause/2706**  
  
Rule 1148.2 - Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers is a notification rule for operators that conduct certain well working operations. Proposed Amended Rule 1148.2 (PAR 1148.2) will revise notification and reporting requirements of certain well activities and to address actions in the Community

Emission Reduction Plans that were raised by the Wilmington, Carson, and West Long Beach and South Los Angeles AB 617 communities. This action is to adopt the Resolution: 1) Determining that the Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, is exempt from the requirements of the California Environmental Quality Act, and 2) Amending Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers. (Review: Stationary Source Committee, January 20, 2023)

**Item 4 through 6 – Budget/Fiscal Impact**

4. Amend FY 22-23 Budget by Adding and Deleting Positions Throughout the Agency to Address Operational Needs, and Adopt a New Class Specification **Olvera/2309**

This item is to amend the FY 2022-23 Budget to add and delete positions throughout the agency in order to address operational needs. This action will result in an increased annual cost of \$137,250. Sufficient funding is available in the FY 2022-23 Budget and will be requested in future budgets. This item is also to adopt a new Supervising Graphic Arts Illustrator class specification. Funding for this position is in the current budget. (Reviewed: Administrative Committee, December 9, 2022; Recommended for Approval)
5. Issue RFP and Approve Contract Modifications as Approved by MSRC **McCallon**

As part of their FYs 2021-24 Work Program, the MSRC approved an RFP for micro-transit operations. The MSRC also approved exercising the contract option with Geographics for continuation of website hosting and maintenance services for two more years. Additionally, the MSRC approved a modification to two contracts under the Local Government Partnership Program as part of their FYs 2016-18 Work Program. At this time, the MSRC seeks Board approval of the contract modifications and to release the RFP as part of the FYs 2016-18 and 2021-24 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, December 15, 2022; Recommended for Approval)
6. Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2019-20 and 2020-21 **Jain/2804**

Health and Safety Code Section 44244.1 requires any agency receiving fee revenues pursuant to Section 44243 or 44244 to be subject to an audit of each program or project funded at least once every two years. On September 2, 2022, the Board approved the release of an RFP to select an auditor to perform the biennial audit for FYs 2019-20 and 2020-21. This action is to award a contract to Simpson & Simpson, CPAs. (Reviewed: Administrative Committee, December 9, 2022; Recommended for Approval)

**Items 7 through 12 – Information Only/Receive and File**

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 7.  | <b>Legislative, Public Affairs and Media Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Alatorre/3122</b>   |
|     | <p>This report highlights the November 2022 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. This item transmits the annual reports for Why Healthy Air Matters and Clean Air Programs for Elementary Students. (No Committee Review)</p> |                        |
| 8.  | <b>Hearing Board Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Verdugo-Peralta</b> |
|     | <p>This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2022. (No Committee Review)</p>                                                                                                                                                                                                                                                                                                                                                                                                                |                        |
| 9.  | <b>Civil Filings and Civil Penalties Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Gilchrist/3459</b>  |
|     | <p>This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from November 1 through November 30, 2022. An Index of South Coast AQMD Rules is attached with the penalty report. (No Committee Review).</p>                                                                                                                                                                                                                                                                                                          |                        |
| 10. | <b>Lead Agency Projects and Environmental Documents Received</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Rees/2856</b>       |
|     | <p>This report provides a listing of CEQA documents received by South Coast AQMD between November 1, 2022 and November 30, 2022, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (No Committee Review)</p>                                                                                                                                                                                                                                                                                                        |                        |
| 11. | <b>Rule and Control Measure Forecast</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Rees/2856</b>       |
|     | <p>This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2023 and provides a summary of implementation of the 2016 AQMP in 2022. (No Committee Review)</p>                                                                                                                                                                                                                                                                                                                                                       |                        |
| 12. | <b>Status Report on Major Ongoing and Upcoming Projects for Information Management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Moskowitz/3329</b>  |
|     | <p>Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, December 9, 2022)</p>                                                                                                                                                                                                                                                            |                        |

**Items 13 through 15 -- Reports for Committees and CARB**

*Note: The Legislative, Mobile Source, Stationary Source, and Technology Committees did not meet in December 2022. The next regularly scheduled meeting of the Legislative Committee is January 13, 2023, and the Mobile Source, Stationary Source and Technology Committees on January 20, 2023.*

- |     |                                                                                    |                       |                         |
|-----|------------------------------------------------------------------------------------|-----------------------|-------------------------|
| 13. | <b>Administrative Committee (Receive &amp; File)</b>                               | Chair: Benoit         | <b>Nastri/3131</b>      |
| 14. | <b>Mobile Source Air Pollution Reduction Review Committee (Receive &amp; File)</b> | Board Liaison: Benoit | <b>Katzenstein/2219</b> |

- |     |                                                                |                    |             |
|-----|----------------------------------------------------------------|--------------------|-------------|
| 15. | California Air Resources Board Monthly Report (Receive & File) | Board Rep.: Kracov | Thomas/3268 |
| 16. | <u>Items Deferred from Consent and Board Calendar</u>          |                    |             |

## **PUBLIC HEARINGS**

- |     |                                                                                                                                                                                                           |             |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 17. | Determine That Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products, Are Exempt From CEQA; and Amend Rules 1106 and 1107 | Krause/2706 |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|

Rule 1106 establishes VOC limits for marine and pleasure craft coatings and Rule 1107 establishes VOC limits for coatings used on metal parts and products. Proposed Amended Rules 1106 and 1107 will remove references to ASTM D7767 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers and Blends and Thin Coatings Made from Them” to address U.S. EPA’s proposed limited disapproval. Since ASTM D7767 is a test method that has not been approved by U.S. EPA, this method cannot be used to enforce a SIP-approved rule. Proposed Amended Rule 1106 will also remove references to Elastomeric Adhesives and Metallic Heat Resistant Coatings, as recommended by U.S. EPA to align Rule 1106 with the U.S. EPA 1996 Marine Coatings Control Techniques Guidelines. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings and Proposed Amended Rule 1107 – Coating of Metal Parts and Products, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rules 1106 and 1107. (Reviewed: Stationary Source Committee, November 18, 2022)

- |     |                                                                                                                                |             |
|-----|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| 18. | Determine That Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares Is Exempt from CEQA; and Amend Rule 1118 | Krause/2706 |
|-----|--------------------------------------------------------------------------------------------------------------------------------|-------------|

Rule 1118 establishes requirements to monitor and record data on refinery and related flaring operations, and to control and minimize flaring and flare-related emissions. On September 21, 2022, U.S. EPA issued a limited SIP disapproval of the July 2017 amended rule. Proposed Amended Rule 1118 will address the disapproval by modifying an existing provision, so that ASTM standards not currently listed in the rule must be approved by CARB and U.S. EPA, along with approval by the Executive Officer. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1118. (Reviewed: Stationary Source Committee, November 18, 2022)

## **BOARD MEMBER TRAVEL – (No Written Material)**

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

## **CLOSED SESSION -- (No Written Material)**

Gilchrist/3459

### **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

- In the Matter of SCAQMD v. 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;
- 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 1925894;
- 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;
- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985); Fourth District Court of Appeal, Division One, No. D080902;
- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341;
- In the Matter of SCAQMD v. Baker Commodities, SCAQMD Hearing Board Case No. 6223-1 (Order for Abatement); Baker Commodities, Inc. v. South Coast Air Quality Management District Hearing Board; South Coast Air Quality Management District; South Coast Air Quality Management District Hearing Board Members: Cynthia Verdugo-Peralta, Robert Pearman, Micah Ali, and Allan Bernstein, DPM MBA, in their official capacities only: and 100 Does and Roes, Los Angeles County Superior Court, Case No. 22STCP03597; and
- East Yard Communities for Environmental Justice v. South Coast Air Quality Management District, (Refinery monitoring lawsuit) Los Angeles County Superior Court, Case No. 22STCP04398.

### **CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION**

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (two cases).

### **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).

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

## **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 Chair 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.

#### **Directions to provide public comment on ZOOM from a DESKTOP/LAPTOP or SMARTPHONE:**

Click on the "Raise Hand" feature at 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 to provide public comment via TELEPHONE:**

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 (+1 669 900 6833)
- 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 93209559643)
- 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: January 6, 2023

AGENDA NO. 1

**PROPOSAL:** Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Meet Remotely

**SYNOPSIS:** This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See California Government Code Section 54953(e)(3).

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution finding that the Board:

1. Has reconsidered the circumstances of the state of emergency; and
2. State or local officials continue to impose or recommend measure to promote social distancing.

Wayne Nastri  
Executive Officer

BTG:lal

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**Background**

Governor Newsom previously issued Executive Orders (EOs) N-29-20 and N-35-2 in March 2020, as a response to the public health crisis brought about by the COVID-19 pandemic. These EOs authorized local legislative bodies subject to the Ralph M. Brown Act to conduct meetings entirely via telephonic or other electronic means in lieu of requiring the physical presence of Board members or members of the public. On June 11, 2021, the Governor issued EO N-08-21, which continued suspension of the Brown Act's teleconferencing requirements, without requiring that members of the public be given the right to access all teleconference locations, through September 30, 2021, in anticipation of the State's proposed re-opening.

Assembly Bill 361, signed into law by Governor Newsom on September 16, 2021, amends the Brown Act and will stay in effect from October 1, 2021 through January 1, 2024. In part, AB 361 amends subparagraph (e) of Section 54953 of the California Government Code to state that local agencies may continue to use teleconferencing without complying with the teleconferencing requirements of the Brown Act in any of the following circumstances:

- A. When the legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to propose social distancing;
- B. When the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- C. When the legislative body holds a meeting during a proclaimed state of emergency and has already determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In the event of an ongoing proclaimed state of emergency, or where state or local officials have imposed or recommended measures to promote social distancing, in order to continue to utilize the teleconferencing measures set forth above, a legislative body must, no later than 30 days after teleconferencing for the first time pursuant to Government Code Section 54953(e)(1), and every 30 days thereafter, make the following findings by majority vote:

- A. The legislative body has reconsidered the circumstances of the state of emergency.
- B. Any of the following circumstances exist:
  - i. The state of emergency continues to directly impact the ability of the members to meet safely in person; or
  - ii. State or local officials continue to impose or recommend measures to promote social distancing.

See California Government Code Section 54953(e)(1). Governor Newsom first declared a statewide emergency resulting from the COVID-19 pandemic on March 4, 2020. Furthermore, although the State no longer requires physical distancing, local officials have recommended measures to promote social distancing.

### **Proposal**

This action is to address the requirements of AB 361 to allow South Coast AQMD Board and South AQMD Brown Act Committees to continue to meet remotely. The recommended action is to adopt the attached Resolution finding that the Board: 1) has

reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See California Government Code Section 54953(e)(3).

**Resource Impacts**

No fiscal impact.

**Attachment**

Resolution

**RESOLUTION 23-\_\_\_\_\_**

**A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMMITTEES SUBJECT TO THE BROWN ACT, FOR THE PERIOD OF JANUARY 6, 2023 THROUGH FEBRUARY 5, 2023 PURSUANT TO PROVISIONS OF THE BROWN ACT.**

**WHEREAS**, the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) is committed to preserving and nurturing public access and participation in all meetings subject to the provisions of the Ralph M. Brown Act (Cal. Gov. Code §§54950-54963, hereafter Brown Act); and

**WHEREAS**, pursuant to the provisions of the Brown Act, all meetings of legislative bodies of the South Coast AQMD, which include the South Coast AQMD Governing Board, all Brown Act standing committees ultimately reporting to the South Coast AQMD Governing Board, and all advisory committees and groups subject to the Brown act, (collectively, hereinafter, “legislative bodies”), are required to be open and public so that any member of the public may attend, participate, and watch the South Coast AQMD’s legislative bodies conduct their business; and

**WHEREAS**, the Brown Act Government Code §54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency has been declared by the Governor pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code §8558; and

**WHEREAS**, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California as a result of the threat of the novel coronavirus (COVID-19); and

**WHEREAS**, the jurisdiction of the South Coast AQMD includes portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino areas as set forth in Health & Safety Code §40410 and South Coast AQMD Rule 103; and

**WHEREAS**, the South Coast AQMD headquarters is located in the County of Los Angeles; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting would present imminent risks to the health and safety of attendees; and

**WHEREAS**, local officials still recommend measures promoting social distancing; and

**WHEREAS**, the spread of COVID-19 poses a continued risk to the health and safety of members of the South Coast AQMD legislative bodies, South Coast AQMD staff, and members of the general public who attend such meetings in that unvaccinated or partially vaccinated persons are at a high risk of contracting COVID-19 and even fully vaccinated persons can contract and potentially unknowingly spread COVID-19; and

**WHEREAS**, the Governing Board of the South Coast AQMD does hereby find that the legislative bodies of the South Coast AQMD shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code §54953, as authorized by subdivision (e) of §54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of §54953; and

**WHEREAS**, the legislative bodies of the South Coast AQMD will continue to ensure access to their meetings by making them available telephonically and via virtual access for both members of the legislative bodies and the general public; and

**WHEREAS**, a notice of meetings along with information regarding all methods which may be used for public participation in such meetings will continue to be published in the newspaper, posted at the South Coast AQMD's headquarters, posted at any teleconference locations which are officially noticed on the agenda, posted on the South Coast AQMD's website, provided to anyone who requests such information, and clearly printed on any agendas produced for such meetings.

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the South Coast AQMD hereby finds that the highly contagious nature of COVID-19 poses an imminent risk to large numbers of persons meeting indoors in a single location; and

**BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD hereby finds that the Governor of California issued a Proclamation of Emergency on March 4, 2020; and

**BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD hereby finds that local officials continue to impose or recommend measures to promote social distancing in the South Coast AQMD's jurisdiction and where the South Coast AQMD's headquarters is located; and

**BE IT FURTHER RESOLVED**, that the Governing Board of the South Coast AQMD authorizes and directs staff to take all actions necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption and remain in effect until February 5, 2023, or until such time as the South Coast AQMD Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which legislative bodies of the South Coast AQMD may continue to teleconference without strict compliance with paragraph 3 of Government Code section 54953(b).

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

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BOARD MEETING DATE: January 6, 2023

AGENDA NO. 2

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the December 2, 2022  
Board Meeting.

RECOMMENDED ACTION:

Approve the December 2, 2022 Board Meeting Minutes.

Faye Thomas  
Clerk of the Boards

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**FRIDAY, DECEMBER 2, 2022**

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was conducted in a hybrid format (in person and remotely via videoconferencing and telephone). Members present:

Mayor Ben J. Benoit, Chair  
Cities of Riverside County

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

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

Gideon Kracov  
Governor's Appointee

Supervisor Sheila Kuehl  
County of Los Angeles

Mayor Larry McCallon  
Cities of San Bernardino County

Veronica Padilla-Campos  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez  
County of Riverside

Council Member Nithya Raman  
City of Los Angeles

Mayor Carlos Rodriguez  
Cities of Orange County

Supervisor Janice Rutherford  
County of San Bernardino

Members Absent: Supervisor Andrew Do  
Vice Mayor Rex Richardson

For additional details of the Governing Board Meeting, please refer to the recording of the Webcast at: Live Webcast ([aqmd.gov](http://aqmd.gov))

**CALL TO ORDER:** Chair Benoit called the meeting to order at 9:08 a.m.

- Pledge of Allegiance: Led by Mayor McCallon
- Roll Call
- Opening Comments

Supervisor Rutherford requested that everyone observe a moment of remembrance to mark the seventh anniversary of the December 2, 2015 terrorist attack in San Bernardino County and honor the 14 people who lost their lives that day: Robert Adams, Isaac Amanios, Bennetta Betbadal, Harry Bowman, Sierra Clayborn, Juan Carlos Espinosa, Aurora Luz Godoy, Shannon Johnson, Daniel Kaufman, Damian Meins, Tin Nguyen, Nicholas Thalasinis, Yvette Velasco, and Michael Wetzel.

Mayor Rodriguez announced the departure of Board Consultant Matt Holder to serve as the Chief of Staff for Andrew Hamilton, the Orange County Auditor-Controller. He thanked Mr. Holder for serving over the years.

Wayne Nastri, Executive Officer, stated that the Clean Air Awards will be held in January 2023 and invited everyone to participate. He reminded everyone that the general public comment period is for items not on the agenda and that comments on the Draft 2022 AQMP will be taken under Agenda Item No. 26. He also acknowledged and expressed appreciation to the staff that worked on the 2022 AQMP.

- Recognize Employees with 20, 25, 30, and 35 Years of Service

John Olvera, Deputy Executive Officer/Administrative & Human Resources, introduced a video presentation of employees that have reached the following employment milestones.

20 Years: Candy Boyajian, Diane Casas, Rodolfo Chacon, Heather Farr, Kambiz Hadjforoosh, John Kampa, Patricia Kwon, Thomas Lee, Khang Nguyen, John Olvera, Kevin Pahl, Shawn Perry, Marilyn Potter, Cynthia Ravenstein, Angelica Reyes, Noe Sosa, Lora Trapp, and Gregory Ushijima

25 Years: Hariyanto Janto, Donald Kho, Robert Paud and Hoan Thai

30 Years: David Madsen and Paul Wright

35 Years: Kimberly Bolander, Scott Caso, George Haddad, Kathryn Higgins, Linda Dejbakhsh, Lisa Dowyak, Laurance Israel, Tom Lee, Matthew Mackenzie, Kenny Matsuda, Velisa Ramos, Ricardo Rivera, and Mark Von Der Au

Chair Benoit expressed appreciation to the employees for their years of service and commitment to the South Coast AQMD.

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

The Public Comment Period was opened. There being no requests to speak, the Public Comment Period was closed.

*The following comment was mistakenly made during the comment period for Agenda Item No. 10, and subsequently moved under the public comment period for non-agenda items.*

Eva Escobar, a member of the public, expressed concerns regarding allegations made about the business and employment practices of the firm that provides security guard services at the South Coast AQMD Diamond Bar headquarters.



**CONSENT AND BOARD CALENDAR**

**Items 1 Through 3 – Action Items/No Fiscal Impact**

1. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely
2. Approve Minutes of November 4, 2022 Board Meeting
3. Set Public Hearings January 6, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:
  - A. Determine That Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products, Are Exempt from CEQA; and Amend Rule 1106 and Rule 1107
  - B. Determine That Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares Is Exempt from CEQA; and Amend Rule 1118

**Items 4 through 10 -- Budget/Fiscal Impact**

4. Appropriate Funds and Authorize Execution of Grant Agreements to Replace Onboard CNG Fuel Tanks on School Buses, and Recognize Funds, Execute Contracts and Reimburse the General Fund for Zero-Emission School Bus Funding Using CARB Supplemental Environmental Project Funds
5. Issue RFPs, Execute Contracts and Approve Vouchers for Commercial Electric Lawn and Garden Equipment Incentive and Exchange Program Projects
6. Adopt Resolution Recognizing Funds for FY 2022-23 Carl Moyer Program and Issue Program Announcements for Carl Moyer and SOON Programs

7. Recognize Revenue, Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring Equipment and One Vehicle
8. Transfer Funds and Authorize Executive Officer to Initiate a Contract with Shah Dabirian for Socioeconomic Analysis Consulting Services
9. Appropriate Funds and Amend Contract with Strumwasser & Woocher, LLP to Provide Representation and Advice to South Coast AQMD Hearing Board
10. Transfer and Appropriate Funds, Issue Purchase Orders for Building-Related Equipment, and Execute Sole Source Contract for Replacement of Pollution Control Unit Exhaust Systems

**Items 11 through 17 – Information Only/Receive and File**

11. Legislative, Public Affairs and Media Report
12. Hearing Board Report
13. Civil Filings and Civil Penalties Report
14. Lead Agency Projects and Environmental Documents Received
15. Rule and Control Measure Forecast
16. Annual Audited Financial Statements for FY Ended June 30, 2022
17. Status Report on Major Ongoing and Upcoming Projects for Information Management

**Item 18 – Staff Presentation/Board Discussion/Receive and File**

18. Address AB 2449 Requirements to Allow Members of South Coast AQMD Governing Board and South Coast AQMD Brown Act Committees and Groups to Meet Remotely in Cases of Emergency or for Just Cause

**Items 19 through 24 -- Reports for Committees and CARB**

19. Administrative Committee
20. Investment Oversight Committee
21. Legislative Committee
22. Stationary Source Committee
23. Technology Committee
24. California Air Resources Board Monthly Report
25. Items Deferred from Consent and Board Calendar

There were no items pulled for discussion.

## **Disclosures**

Mayor Rodriguez reported through General Counsel Bayron Gilchrist that he had no financial interest in Agenda Item No. 4 but is required to identify for the record that he is a committee member for the Placentia-Yorba Linda Unified School District, which is involved in this item.

Board Member Kracov reported through Mr. Gilchrist that he had no financial interest in Agenda Item Nos. 4 and 6 but is required to identify for the record that he is a board member of CARB, which is involved in this item.



Agenda Item Nos. 1-24 were opened for public comment; and the following individuals addressed the Board.

### **Agenda Item No. 15**

Fernando Gaytan, Earthjustice, thanked staff for their work in promulgating important rules this year. He was pleased to see that the Railyard and Port indirect source rules (ISR) were on the Rule Forecast Report and hoped that staff would stick to the timeline as those rules are essential to meeting air quality needs. He commented on the need to hasten the rule development schedule for rules that will accelerate the transition to zero emissions. For additional details, please refer to the Webcast beginning at 20:33.

Yassi Kavezade, Sierra Club, expressed support for Mr. Gaytan's comments and encouraged staff to stay timely with the rule development for the Railyard and Port ISRs. She emphasized the need for zero-emission building measures to be consistent with agencies across the state. For additional details, please refer to the Webcast beginning at 21:57.

Theral Golden, West Long Beach Association, expressed support for statements made by the two previous commenters and commented on the negative health impacts that results from delaying efforts aimed at achieving clean air.

### **Agenda Item No. 3A**

Rita Loof, RadTech, expressed opposition to the staff proposal for Rules 1106 and 1107. She stated that the decision to remove the definition of energy curable materials to avoid disapproval by the U.S. EPA is premature because U.S. EPA has not issued a final action of disapproval, but rather has asked for public comments on a proposed disapproval. Furthermore, the South Coast AQMD should retain the definition of energy curable materials because U.S. EPA has never questioned the actual definition, which contains the reference to the test method. Since the UV/EB technology association has submitted formal comments to U.S. EPA on this matter, she requested that the rules be delayed to allow U.S. EPA to review their comments. For additional details, please refer to the Webcast beginning at 22:53.

Supervisor Rutherford stated that she believes Ms. Loof's request is reasonable and requested this item be tabled until such time as U.S. EPA has had the opportunity to hear from new members of Congress who might be able to have an influence on U.S. EPA. She requested a separate vote on Agenda Item No. 3A. For additional details, please refer to the Webcast beginning at 27:55.

Mr. Nastri pointed out the mischaracterization of the facts on this issue and noted that it is unlikely that a new Congress would change the definition. For additional details, please refer to the Webcast beginning at 28:41.

Dr. Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, acknowledged that U.S. EPA has not taken final action yet but based on subsequent conversations, U.S. EPA confirmed that there is a specified timeframe to correct the deficiency before sanctions are imposed. For additional details, please refer to the Webcast beginning at 29:24.

In response to Senator Delgado's inquiry regarding future development of a test method, Mr. Nastri responded that there is nothing preventing the UV/EB industry from working with U.S. EPA to develop a new test method and then staff could revise the rule for the Board's consideration. For additional details please refer to the Webcast beginning at 30:28.

Mayor Rodriguez expressed support for Supervisor Rutherford's request to pull Agenda Item No. 3A for a separate vote.

#### Agenda Item No. 10

*Eva Escobar (This public comment was not relevant to Agenda Item No. 10 and was therefore moved to the public comment period for non-agenda items.)*

There being no further comments, the Public Comment Period was closed

#### **Board Action (Items 1–2; 3B; and 4-24)**

MOVED BY MCCALLON, SECONDED BY CACCIOTTI  
TO APPROVE AGENDA ITEMS 1, 2, 3B, AND 4  
THROUGH 24 AS RECOMMENDED TO:

ADOPT RESOLUTION NO. 22-37, RECOGNIZING THE  
PROCLAMATION OF A STATE OF EMERGENCY BY  
GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT  
LOCAL OFFICIALS CONTINUE TO RECOMMEND  
MEASURES TO PROMOTE SOCIAL DISTANCING;  
AND AUTHORIZING FULLY OR PARTIALLY REMOTE  
TELECONFERENCE MEETINGS OF THE  
GOVERNING BOARD OF THE SOUTH COAST AIR  
QUALITY MANAGEMENT DISTRICT, AND SOUTH  
COAST AIR QUALITY MANAGEMENT DISTRICT  
COMMITTEES SUBJECT TO THE BROWN ACT, FOR  
THE PERIOD DECEMBER 2, 2022 THROUGH  
JANUARY 1, 2023 PURSUANT TO PROVISIONS OF  
THE BROWN ACT; AND

ADOPT RESOLUTION NO. 22-38, RECOGNIZING UPON RECEIPT UP TO \$47 MILLION IN FY 2022-23 CARL MOYER PROGRAM FUNDS FROM CARB INTO THE CARL MOYER PROGRAM SB 1107 FUND (32); AND

RECEIVE AND FILE THE COMMITTEE REPORTS AND CARB REPORT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, Raman, Rodriguez, and Rutherford

NOES: None

ABSENT: Do and Richardson

**Board Action (Item 3A)**

MOVED BY MCCALLON, SECONDED BY CACCIOTTI TO SET THE PUBLIC HEARING ON JANUARY 6, 2023 TO DETERMINE THAT PROPOSED AMENDED RULE 1106 – MARINE AND PLEASURE CRAFT COATINGS, AND PROPOSED AMENDED RULE 1107 – COATING OF METAL PARTS AND PRODUCTS, ARE EXEMPT FROM CEQA; AND AMEND RULE 1106 AND RULE 1107.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Delgado, Kracov, Kuehl, McCallon, Padilla-Campos, Perez, and Raman

NOES: Rodriguez and Rutherford

ABSENT: Do and Richardson



26. Certify Final Program Environmental Impact Report for 2022 AQMP and Adopt Draft Final 2022 AQMP

Dr. Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, gave the staff presentation on this item.

Board members expressed appreciation to staff for their hard work and robust public engagement in the development of the Draft 2022 AQMP.



Agenda Item No. 26 was opened for public comment; and the following individuals addressed the Board.

Fernando Gaytan, Earthjustice, expressed support for an AQMP that focuses on zero emissions but was concerned with attempts to delay its adoption. He commented on the importance of the 2022 AQMP to the community and the substantial public health benefits it will deliver. He emphasized the need to start pivoting towards implementing rules that address large combustion sources and indirect source rules for railyards and the Ports. For additional details please refer to the Webcast beginning at 56:51.

John Heinz, Regulatory Flexibility Group, expressed concerns with the proposed fundamental shift from the tiered cost effectiveness approach based on control measure cost. Without the benefit of an established tiered cost effectiveness analysis at a reasonable threshold, there is concern that future rulemakings could fail under the Health and Safety Code. Therefore, he requested that the Board retain the control measure based on cost effectiveness threshold approach for stationary sources. For additional details please refer to the Webcast beginning at 58:14.

Yassi Kavezade, Sierra Club, expressed support for the staff recommendation to use the health-based screening threshold of \$325,000 per ton NOx for future rulemakings. She commented on the role of the South Coast AQMD to influence the transition of the building, energy and transportation markets towards zero emissions by funding technologies that exhibit clean air benefits. For additional details please refer to the Webcast beginning at 59:39.

Michael Carroll, Latham and Watkins on behalf of the Western States Petroleum Association, expressed concerns about the extent to which the Draft 2022 AQMP relies on zero-emission technology, and whether deployment of zero-emission technologies will be commensurate with what is anticipated in the Draft 2022 AQMP. He expressed additional concerns about whether improvements to the grid will be sufficient to support the technology and requested that guardrails be put in place to address those contingencies. To analyze the pace of technology development and the costs, he circulated two proposed provisions that he requested the Board include in the 2022 AQMP Resolution. For additional details please refer to the Webcast beginning at 1:01:23.

In response to Chair Benoit's request, Mr. Carroll explained that the provisions he presented would require annual reporting to the Mobile Source Committee on the status of the development and deployment of zero-emission technology called for in the 2022 AQMP, and the infrastructure necessary to support it, and the associated costs. The second provision addresses the uncertainty regarding the cost of some of the technologies and requires that the South Coast AQMD evaluate technology feasibility and cost effectiveness for subsequent rulemakings consistent with the Health and Safety Code. For additional details please refer to the Webcast beginning at 1:03:02.

Sarah Wiltfong, Los Angeles County Business Federation (BizFed), commented on the need for South Coast AQMD to remain technology- and fuel-neutral and the importance of competition and innovation to reducing emissions in a way that is

cost effective, affordable and practical. She expressed concern that the grid infrastructure is not ready and capable of sustaining widespread deployment of electrification, the costs related to the installation of zero-emission infrastructure, and the estimated 29,000 jobs per year that will be lost. For additional details please refer to the Webcast beginning at 1:05:21.

For additional details, please refer to the Webcast beginning at the times shown below.

Whitney Amaya, East Yard Communities for Environmental Justice (EYCEJ) and West Long Beach resident ([1:28:07](#))  
Jan Victor Andasan, EYCEJ ([1:34:36](#))  
Angie Balderas, Sierra Club and Inland Empire resident ([1:54:43](#))  
Sylvia Betancourt, Long Beach Alliance for Children with Asthma ([1:36:22](#))  
Renate Boronowsky, EYCEJ and Long Beach resident ([1:46:07](#))  
Chris Chavez, Coalition for Clean Air ([1:06:48](#))  
Jocelyn Del Real, EYCEJ ([1:56:20](#))  
Theral Golden, West Long Beach Association ([1:15:37](#))  
Jed Holtzman, California Office of RMI ([1:11:56](#))  
Lizbeth, Sierra Club ([1:32:20](#))  
Marcos Lopez, EYCEJ and Long Beach resident ([1:26:55](#))  
Jennifer Cardenas, Sierra Club and Fontana resident ([1:50:47](#))  
\*Julia May, Communities for a Better Environment ([1:41:16](#))  
Diego Mayen, Active Streets and West Long Beach resident ([1:44:22](#))  
Rodry Sosa, Fontana resident, ([1:53:10](#))  
Kathleen Woodfield, San Pedro Peninsula Homeowners Coalition ([1:25:20](#))  
\*(Submitted Written Comments)

These commenters provided testimony on the Draft 2022 AQMP regarding the following issues:

- Support adoption of a strong AQMP
- Urge aggressive widespread adoption of zero-emissions technology
- Reject attempts to delay or weaken the Draft 2022 AQMP
- Emphasized the need to:
  - Ensure that the Draft 2022 AQMP has stronger emission reduction commitments with measurable targets
  - Address federal sources
  - Adopt and implement indirect source rules as soon as possible
  - Expedite the replacement of diesel-powered equipment and vehicles with the cleanest available technologies
- Support efforts to reduce emissions from residential commercial buildings in an equitable manner
- Ensure fuel sources are clean
- Questioned the last-minute provisions that Mike Carroll presented

Gabrielle Alvira, Pacific Environment, expressed support for the adoption of a stronger AQMP with necessary revisions to address the urgent climate and health risks posed by emissions in the South Coast Air Basin. She urged strong emission reduction targets for commercial marine ports, a zero-emission standard by 2040 for all vessel

categories, and an interim mandate to allow Tier 3 main engines to visit the San Pedro Bay Ports by 2025. She also called for the acceleration of At-Berth requirements for tanker vessels and a zero-emission standard for commercial harbor craft by 2035. For additional details please refer to the Webcast beginning at 1:08:33.

Bill Quinn, California Council for Environmental and Economic Balance, expressed concerns that the Draft 2022 AQMP relies heavily on zero-emission technologies that may not exist in the time frame necessary. He further raised concerns with the increase of the cost effectiveness threshold to \$325,000 per ton NOx that would eliminate additional public meeting options at or below the cost-effectiveness threshold. Mr. Quinn suggested a screening cost effectiveness threshold of \$162,500 or 50 percent of the proposed cost effectiveness threshold. He also suggested that a process with an additional public meeting should be retained. For additional details please refer to the Webcast beginning at 1:10:14.

Topher Mathers, Active San Gabriel Valley, expressed support for the adoption of a strong AQMP that calls out zero-emission technology solutions across the sectors. He commented on the health impacts of indoor air pollution from gas appliances, noting that funding sources are available to help communities with less resources transition to zero emissions. For additional details please refer to the Webcast beginning at 1:13:52.

Resa Barillas, California Environmental Voters, expressed support for a strong AQMP, noting that the Plan could be more aggressive on timelines and technologies. She emphasized the need to abandon subsidies for combustion or provide greater incentives to programs promoting zero emissions. She expressed disappointment that last minute amendments are being proposed to the Resolution. For additional details please refer to the Webcast beginning at 1:17:16.

Vice Chair Delgado announced that she read the additional provisions proposed for the Resolution and noted that the changes seem minimal but asked for staff to clarify. For additional details please refer to the Webcast beginning at 1:18:41.

Mr. Nastri agreed and noted that the first proposed provision is to comply with the existing law, which the South Coast AQMD already does. He then read the second proposed provision that would direct staff to report to the Mobile Source Committee beginning in March 2024, and every 12 months thereafter, the status of the pace of development and deployment of zero-emission technology, the infrastructure necessary to support it, and the associated costs. He suggested that the Board take a short recess to allow staff to determine where within the Resolution it would be appropriate to include the two proposed provisions. He added that the proposed provisions would be posted on the website and distributed to the board members, board assistants and the public. For additional details please refer to the Webcast beginning at 1:19:10.

Rubina Suwol, California Safe Schools and Los Angeles Environmental Justice Network, urged to prioritize zero-NOx emissions for residential and commercial sources, noting that the technology is readily available and is necessary for the region to reach attainment under the federal Clean Air Act. She emphasized the need to target environmental justice communities for incentives and subsidies. For additional details please refer to the Webcast beginning at 1:21:09.

In response to Council Member Raman's request, Mr. Nastri read the first proposed provision, noting that it does not change the existing process as the South Coast AQMD is bound to comply with the Health and Safety Code 40920.6. For additional details please refer to the Webcast beginning at 1:22:17.

Board Member Kracov suggested taking a break after public comments to give staff time to digest the provisions and report back to the Board with details. For additional details please refer to the Webcast beginning at 1:24:07.

Adrian Martinez, Earthjustice, on behalf of the Los Angeles County Electric Truck and Bus Coalition commented that the Draft 2022 AQMP focuses on zero-emission technology because the science supports zero emissions to achieve clean air. He recommended that staff be directed to provide regular reports to the Stationary Source Committee as they are provided to the Mobile Source Committee.

Mr. Nastri explained that briefing more than one committee on the same item would be a violation of the Brown Act. For additional details please refer to the Webcast beginning at 1:31:20.

Mark Abramowitz, Community Environmental Services, commended the Draft 2022 AQMP for its focus on zero-emission technologies. He emphasized the need to quantify the costs and benefits and recommended that staff seek changes to eliminate the incremental cost effectiveness in the Health and Safety Code. For additional details please refer to the Webcast beginning at 1:33:11.

Bill LaMarr, California Small Business Alliance, expressed concerns that the Draft 2022 AQMP will not achieve its intended purpose because it is over reliant on the timely actions by other government agencies and entities, and radical improvements in our electrical grid and infrastructure, which are unlikely to be completed by the attainment deadlines. He cautioned about approving a plan that requires stationary sources to invest substantial sums of money in a host of costly technologies knowing that it will not be sufficient to achieve attainment goals. For additional details, please refer to the [Webcast](#) beginning at 1:37:53.

Al Sattler, a member of the public, commented on the importance of the costs and benefits, as well as co-benefits from reducing ozone. For additional details please refer to the Webcast beginning at 1:39:30.

Bethmarie Quiambao, Southern California Edison, commended the significant efforts South Coast AQMD staff has taken leading up to an innovative and effective AQMP. She expressed support for the rapid transition to zero-emissions technology but urged that while doing so, the South Coast AQMD should balance technological feasibility, maturity, availability, and cost effectiveness. She also expressed support for the increase in cost effectiveness threshold amounts but remains concerned how they would be applied. For additional details, please refer to the [Webcast](#) beginning at 1:42:59.

Harvey Eder, Public Solar Power Coalition, advocated for a Plan that focuses on total solar conversion and commented on the threat of climate change.

Curtis Coleman expressed support for the additions to the Resolution proposed by Mike Carroll. He commented on the significant costs to implement the 2022 AQMP, emphasizing the need to track the costs as the electrification movement moves forward. For additional details, please refer to the [Webcast](#) beginning at 1:49:16.

Many of the commenters commended staff for their hard work and the extensive stakeholder process and public engagement.

There being no further requests to speak, the public comment period for Agenda Item No. 26 was closed.

Written Comments Submitted by

- Airlines for America (letter dated November 29, 2022)
- One letter (dated November 30, 2022) signed by the following organizations: Earthjustice, California Safe Schools, Center for Community Action and Environmental Justice, Coalition for A Safe Environment, Communities for a Better Environment, East Yard Communities for Environmental Justice, Jobs to Move America, Los Angeles County Electric Truck and Bus Coalition, and People's Collective for Environmental Justice

Further discussion among the Board Members ensued regarding how to address the additional provisions to the Resolution that Mike Carroll proposed and the concerns that many of the commenters expressed about the proposal.

Mike Carroll notified the Board that he was withdrawing his proposal, to avoid any perception of dishonest activity or special treatment. For additional details, please refer to the [Webcast](#) beginning at 2:00:47

Chair Benoit expressed his opinion that the two proposed provisions seem to be minor and are actions that staff would otherwise take without them included in the Resolution. For additional details, please refer to the [Webcast](#) beginning at 2:01:46

Council Member Raman expressed gratitude to Mr. Carroll for withdrawing his request and highlighted the spirit of collaboration and significant public engagement that went into developing the Draft Plan that was presented today. For additional details, please refer to the [Webcast](#) beginning at 2:02:46

Supervisor Perez made a motion to approve Agenda Item No. 26 as recommended by staff, seconded by Mayor Cacciotti.

Mayor McCallon expressed his continued concern about the conversion of residential appliances and its negative impact on lower income communities and seniors who typically live in older neighborhoods, as well as the costs that will have to be incurred to make those upgrades. He also expressed concern with pursuing a railyard ISR instead of an MOU approach. He added that despite those concerns he would be supporting the adoption of the Draft 2022 AQMP. For additional details, please refer to the [Webcast](#) beginning at 2:05:34

Mayor Rodriguez expressed concern about the estimated 29,000 jobs that would be foregone and the \$34.1 billion in total incremental cost, the cost implications for the decarbonization of buildings, and the uncertainty about the infrastructure needed

and its cost to meet the enormous demands of electrification. He added that he would not be voting in favor of adopting the Draft 2022 AQMP. For additional details, please refer to the [Webcast](#) beginning at 2:07:05

Supervisor Rutherford also expressed concern about the significant costs that will be required to implement the Plan, its reliance on technology that does not exist, the grid infrastructure needed to support the transition to zero-emission technology, and that it does not balance cost effectiveness with technological feasibility. Additionally, instead of relying on ISRs the federal government needs to deal with the largest sources of emissions under their purview. Supervisor Rutherford noted that for these reasons she would be voting no. For additional details, please refer to the [Webcast](#) beginning at 2:09:08

**Board Action (Agenda Item 26)**

MOVED BY PEREZ, SECONDED BY CACCIOTTI TO  
APPROVE AGENDA ITEM NO. 26 AS RECOMMENDED  
TO:

CERTIFY THE FINAL PROGRAM ENVIRONMENTAL  
IMPACT REPORT FOR THE 2022 AQMP;

ADOPT THE 2022 AQMP IN ACCORDANCE WITH  
RESOLUTION 22-39;

AUTHORIZE THE EXECUTIVE OFFICER TO MAKE  
APPROPRIATE CHANGES TO THE ADOPTED 2022  
AQMP AND ITS APPENDICES, IF NECESSARY, TO  
REFLECT AMENDMENTS ADOPTED AT THE  
PUBLIC HEARING;

DIRECT THE EXECUTIVE OFFICER TO SUBMIT THE  
ADOPTED 2022 AQMP INCLUDING ITS  
APPENDICES TO CARB FOR ITS APPROVAL AND  
SUBSEQUENT SUBMITTAL TO U.S. EPA FOR  
INCLUSION IN THE STATE IMPLEMENTATION  
PLAN.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: Benoit, Cacciotti, Delgado, Kracov, Kuehl,  
McCallon, Padilla-Campos, Raman, and  
Perez

NOES: Rodriguez and Rutherford

ABSENT: Do and Richardson



**CLOSED SESSION**

The Board did not adjourn to Closed Session.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Mr. Gilchrist at 12:29 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on December 2, 2022.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

Date Minutes Approved: \_\_\_\_\_

\_\_\_\_\_  
Ben J. Benoit, Chair

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**ACRONYMS**

AQMP = Air Quality Management Plan  
CARB = California Air Resources Board  
CEQA = California Environmental Quality Act  
FY = Fiscal Year



BOARD MEETING DATE: January 6, 2023

AGENDA NO. 3

PROPOSAL: Set Public Hearing February 3, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

Determine That Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, Is Exempt from CEQA and Amend Rule 1148.2

Rule 1148.2 - Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers is a notification rule for operators that conduct certain well working operations. Proposed Amended Rule 1148.2 (PAR 1148.2) will revise notification and reporting requirements of certain well activities and to address actions in the Community Emission Reduction Plans that were raised by the Wilmington, Carson, and West Long Beach and South Los Angeles AB 617 communities. This action is to adopt the Resolution: 1) Determining that the Proposed Amended Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, is exempt from the requirements of the California Environmental Quality Act, and 2) Amending Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers. (Review: Stationary Source Committee, January 20, 2023)

The complete text of the proposed amended rules, staff report and other supporting documents will be available from the South Coast AQMD's Public Information Center at (909) 396-2001, or Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov) and on the Internet ([www.aqmd.gov](http://www.aqmd.gov)) as of January 3, 2023.

RECOMMENDED ACTION:

Set public hearing February 3, 2023 to determine that: PAR 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, is Exempt from CEQA and Amend Rule 1148.2.

Wayne Natri  
Executive Officer

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 4

**PROPOSAL:** Amend FY 22-23 Budget by Adding and Deleting Positions Throughout the Agency to Address Operational Needs, and Adopt a New Class Specification

**SYNOPSIS:** This item is to amend the FY 2022-23 Budget to add and delete positions throughout the agency in order to address operational needs. This action will result in an increased annual cost of \$137,250. Sufficient funding is available in the FY 2022-23 Budget and will be requested in future budgets. This item is also to adopt a new Supervising Graphic Arts Illustrator class specification. Funding for this position is in the current budget.

**COMMITTEE:** Administrative, December 9, 2022; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Amend the FY 2022-23 Budget to add and delete positions, resulting in the addition of 2 net authorized/funded position(s), as set forth in Attachment A; and
2. Adopt a new Supervising Graphic Arts Illustrator class specification, as set forth in Attachment B, and add it to Section 53 (Table of Classes) of the Salary Resolution.

Wayne Natri  
Executive Officer

AJO:mm

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**Background**

Under the direction of the Executive Officer and the Chief Operating Officer, each division continually reviews and assesses staffing resources and functionality to determine whether changes should be made to increase efficiency and effectiveness of South Coast AQMD programs. In addition, current and potential future staff changes are assessed to determine measures to implement management's succession planning program. The annual budget reflects short- and long-term staffing allocations and changes are being proposed to address operational needs.

**Proposal**

Staff is recommending changes to the position allocation in the FY 2022-23 Budget. (See Attachment A). These changes include permanent and short-term positions. For succession planning, a short-term supervisor position is being added to the Executive Office, and a short-term senior manager position is being deleted. This action will balance the types of positions available for succession planning purposes. Short-term positions are assigned to divisions as the need arises and are only budgeted for the remainder of FY 2022-23 and for FY 2023-24. The Executive Officer will evaluate whether these or other measures will be necessary in future budgets for succession planning or other workforce development goals.

In addition, there is periodic evaluation of management and executive management functions to ensure programs have appropriate guidance and supervision. In this regard, a Monitoring Operations Manager position is being deleted in the Technology Advancement Office and a Clean Fuels Officer position is being added. The Clean Fuels Officer will be assigned to the MSRC Administration unit.

Other proposed changes will improve the effectiveness and efficiency of agency programs and support functions. A Staff Assistant position is being added to the Office of Diversity, Equity & Inclusion to provide administrative and program support. In addition, Administrative Assistants are being added or deleted in accordance with operational needs in the Finance, Information Management and Monitoring and Analysis divisions.

This item also recommends the approval of a new class specification for a position to be added in the Legislative, Public Affairs & Media Office. The Supervising Graphic Arts Illustrator will supervise and coordinate the activities of the Graphics Department in the Media Office. The position will also facilitate agency communication efforts, by providing technical and artistic advice on standards and procedures.

**Resource Impacts**

Funding for the net cost of adding and deleting positions is estimated to be \$137,250 annually. Sufficient funding is available in the FY 2022-23 Budget and will be requested in future budgets. Funding for the new Supervising Graphic Arts Illustrator class specification was previously appropriated into the FY 2022-23 Budget.

**Attachments**

A - Amendments to FY 2022-23 Budget, positions added/deleted

B - Supervising Graphic Arts Illustrator Class Specification

## Attachment A

### Amend the FY 2022-23 Budget to Add and Delete Positions

Division	ADD	DELETE
DEI	1- Staff Assistant	
EO	1- Supervisor (AQ Analysis & Compliance Supervisor or Program Supervisor) (short-term)	1- Senior AQ Engineering Manager (short-term)
Finance	1- Administrative Assistant I	
IM	1- Administrative Assistant I	
MAD		1- Administrative Assistant II (ID # 1617)
TAO	1- Clean Fuels Officer	1 – Monitoring Operations Manager (ID # 1674)

## **ATTACHMENT B**

### **TITLE: SUPERVISING GRAPHIC ARTS ILLUSTRATOR**

\$31.06 - \$42.04 Hourly

\$2,484.73 - \$3,363.59 Biweekly

\$5,383.59 - \$7,287.77 Monthly

\$64,603.08 - \$87,453.24 Annually

**DEFINITION:** The Supervising Graphic Arts Illustrator directs the production and layout of agency graphics needs, facilitating communication and collaboration across departments to ensure standards are met. Under direction, the Supervising Graphic Arts Illustrator plans, organizes, supervises, and coordinates the activities of agency Graphics Department; provides technical and artistic advice, develops procedures and manages agency equipment and resources; compiles, prepares, and maintains a variety of statistical and production records and reports; and does other work as required.

**CLASSIFICATION STANDARDS:** This single-position class reports to the Media Manager in Legislative, Public Affairs and Media. Responsibility to plan, organize, and supervise the activities of staff engaged in performing a variety of complex illustrative, graphic arts and video responsibilities produced by the Graphics Department. This class is further characterized by the responsibility to independently establish and ensure work standards, methods, and operation procedures for the unit. The Supervising Graphic Arts Illustrator class is distinguished from the classes of Graphic Arts Illustrator II in that the position performs complex and specialized graphics arts and supervision.

#### **EXAMPLES OF DUTIES:**

Plans, organizes, supervises, and coordinates the work of staff engaged in illustrative and graphic arts related activities.

Oversees day-to-day workflow and output of the unit, prioritizing and assigning projects.

Reviews and oversees graphics requests completed by staff to ensure that tasks meet deadlines and are completed consistent with the agency brand, quality, and set standards.

Reviews graphics request for accuracy, completeness, quality, visual effectiveness, and confers with immediate supervisor concerning staff, equipment, and any operational problems.

Ensures district procedures for logo use, design, colors, branding and language used is in line with agency standards.

Provides guidance and leadership on projects; creates and implements additional training and development as needed.

Schedules and leads regular departmental meetings to discuss projects and priorities for team members and to address questions or concerns regarding company policies and procedures.

## **TITLE: SUPERVISING GRAPHIC ARTS ILLUSTRATOR**

Maintains portfolio of completed projects.

Attends design consultation meetings for unusual or large-scale projects and oversees the creation of designs, concepts and layouts.

Assists team members with projects as needed including video, computer graphics, web page graphics, logos, illustrations, advertisements, brochures, and photography.

Serves as liaison to other departments regarding graphic work and works with graphics staff to complete projects.

Stays updated on the latest techniques and procedures used in design and suggest new ways of improving the quality of designs.

Assists the team members to choose the right style, attractive graphics, images, and other visual elements to adept them according to the objectives of the project.

Evaluates current graphic design trends and techniques to ensure that the agency is using the latest styles in its marketing materials.

Evaluates software, equipment, audio/visual and materials needed to complete work; initiates proper procurement procedures.

Plans, develops, and revises unit procedures, controls, work methods, reports, charts, and forms.

Trains and instructs employees on operational procedures, equipment usage, and work priorities; provides technical guidance to staff and responds to difficult or unusual problems, requests and inquiries; resolves problems with unit equipment.

Participates in the selection of staff; arranges work schedules and approves vacations, and time off requests; prepares written documentation for overtime requests and submits for supervisory review; reviews and approves employee timecards.

Maintains performance records and prepares and reviews annual and probationary performance appraisals with staff; initiates and documents corrective or disciplinary actions taken to resolve work performance problems.

Operates color graphics, word processing, phototypesetting, and peripheral equipment as required.

Performs other duties as required.

## **TITLE: SUPERVISING GRAPHIC ARTS ILLUSTRATOR**

### **MINIMUM REQUIREMENTS:**

#### **Education**

- Graduation with a bachelor's degree from an accredited college or university, preferably with a major in graphic design, art, business administration, public administration, or a closely related field may substitute for up to one year of the required non-supervisory experience.

And/Or

- Certifications that demonstrate expert knowledge, skill, and abilities in graphic arts

#### **Experience**

- Four years of progressively responsible experience in graphic arts, one year of which must have included the formulation and development of original artwork and designs freehand drawing and lettering.
- One year at the lead worker level

### **SKILLS AND ABILITIES:**

- Project management and managerial experience
- Desktop publishing software skills such as Photoshop, InDesign, Microsoft Office Suite, and Video Editing experience.
- Thorough understanding of typography, drawing, and lettering techniques.
- Proficient in Microsoft Office Suite or related software and graphic design software such as Adobe Creative Suite.
- Understanding of, or ability to learn, art and print methods that relate to the organization's product and packaging needs.
- Excellent organizational skills and attention to detail.
- Excellent creative and innovative skills
- Excellent sense of design.
- Strong leadership skills.
- Excellent verbal and written communication skills.

**KNOWLEDGE OF:** Principles, techniques, and methods to plan, organize, and coordinate complex graphic arts projects; principles of graphic and layout designs, photography, videography, composition and color, and graphic arts equipment, materials, and supplies; lettering styles and methods, and techniques of drawing, charting, and diagraming; modern office practices and procedures; Business English to review and edit finished copy for correct spelling, grammar, and function; arithmetical computations required for recordkeeping purposes.

**TITLE: SUPERVISING GRAPHIC ARTS ILLUSTRATOR**

**ABILITY TO:** Plan, organize, and review complex graphic arts projects for accuracy, quality, visual effectiveness, and adherence to instructions and prescribed work methods; develop and revise procedures, forms, controls, and work methods; identify, analyze, and resolve problems related graphic arts projects and equipment; develop and maintain accurate and detailed records; effectively communicate in both verbal and written forms; establish and maintain cooperative relations with staff, District personnel, vendors, and representatives of other agencies.



BOARD MEETING DATE: January 6, 2023

AGENDA NO. 5

**PROPOSAL:** Issue RFP and Approve Contract Modifications as Approved by MSRC

**SYNOPSIS:** As part of their FYs 2021-24 Work Program, the MSRC approved an RFP for micro-transit operations. The MSRC also approved exercising the contract option with Geographics for continuation of website hosting and maintenance services for two more years. Additionally, the MSRC approved a modification to two contracts under the Local Government Partnership Program as part of their FYs 2016-18 Work Program. At this time, the MSRC seeks Board approval of the contract modifications and to release the RFP as part of the FYs 2016-18 and 2021-24 Work Programs.

**COMMITTEE:** Mobile Source Air Pollution Reduction Review, December 15, 2022; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Approve modified contract with City of Temecula, specifying the installation of at least sixteen electric vehicle charging ports instead of the installation of at least sixteen electric vehicle charging stations; as part of approval of the FYs 2016-18 Work Program, as described in this letter;
2. Approve modified contract with City of Rialto, specifying the installation of at least six electric vehicle charging ports instead of the installation of at least six electric vehicle charging stations, as part of approval of the FYs 2016-18 Work Program, as described in this letter;
3. Approve exercising option with Geographics to continue website hosting and maintenance services for two additional years, increasing contract value by \$7,200, as part of approval of the FYs 2021-24 Work Program, as described in this letter;
4. Authorize the Chair (or by the Chair's designation, the Executive Officer) to execute the contracts under the FYs 2016-18 and 2021-24 Work Programs, as described above and in this letter; and

5. Issue RFP for Microtransit Service, as part of approval of the FYs 2021-24 Work Program, with a targeted funding level of \$2,500,000, as described in this letter and in the attached.

Larry McCallon  
Chair, MSRC

AK:CR

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### **Background**

In September 1990, Assembly Bill 2766 (AB 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.

### **Proposals**

At its December 15, 2022 meeting, the MSRC considered recommendations from the MSRC Technical Advisory Committee (MSRC-TAC) and approved the following:

#### **Local Government Partnership Program**

In September 2018, as part of the FYs 2016-18 Local Government Partnership Program, the MSRC approved an award to the City of Temecula to install at least 16 electric vehicle charging stations. Subsequently, the City clarified that their intention had always been to install 8 dual-port charging stations. The City requested to change the specifications in their contract to the installation of stations providing at least 16 charging ports. The MSRC considered and approved the City's requested contract modification.

Similarly, in October 2018 as part of the FYs 2016-18 Local Government Partnership Program, the MSRC approved an award to the City of Rialto to procure up to 9 light-duty zero emission vehicles and to install at least six electric vehicle charging stations. The City subsequently determined that the same number of charging ports could be provided more efficiently through the use of some dual-port charging stations. The City requested to change the specifications in their contract to the installation of stations providing at least six charging ports. The MSRC considered and approved the City's requested contract modification.

### Exercise Option for Website Services

Following an open RFP process, the MSRC entered into its current \$12,952 contract with Geographics for hosting and maintenance of the MSRC website. The contract allows for a two-year extension, contingent upon allocation of funds by the MSRC and approval by the Board. MSRC staff recently reviewed Geographics' performance and found that Geographics was performing well in hosting and maintaining the site. The MSRC approved exercising the option and increasing the contract value by \$7,200 as part of the FYs 2021-24 Work Program.

### Microtransit Operations

The MSRC approved the release of RFP #RFP2023-07 under the FYs 2021-24 Work Program. The RFP, with an initial targeted funding amount of \$2,500,000, solicits proposals from qualifying transportation and mobility providers to provide technology-enabled, shared transportation that fills the void between traditional "fixed route" transit and "ride hailing" technology. The MSRC seeks to invest in microtransit service which is either new within a specified area, or the expansion of an existing service. MSRC funding should serve as seed money and the proposer should present a strong business case, including a service continuation plan that thoroughly explains how the proposed service will be sustainable beyond the MSRC funding period. All microtransit vehicles must be zero emission, and a minimum of 50 percent co-funding is required. A geographical funding minimum has been set at \$312,500 per county, which will be made available to projects from other counties if there are insufficient qualifying projects within a county. Proposals may be submitted between January 6, 2023 to March 24, 2023.

### Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, public notices advertising the Microtransit Operations RFP will be 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 RFP will be advertised in the Desert Sun newspaper for expanded outreach in the Coachella Valley. Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the diverse spectrum of Legislative Caucuses and chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.agmd.gov>), where it can be viewed by making the selection "Grants and Bids". Further, the RFP will be posted on the MSRC's website at <http://www.cleantransportationfunding.org> and electronic notifications will be sent to those subscribing to this website's notification service.

At this time, the MSRC requests the South Coast AQMD Board approve the contract modifications and the release of the RFP as part of approval of the FYs 2016-18 and 2021-24 AB 2766 Discretionary Fund Work Programs as outlined above.

**Resource Impacts**

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.

**Attachments**

RFP2023-07 – Microtransit Operations



Implementation of New or Expanded

# MICROTRANSIT SERVICE

Funding for the Implementation of Zero Emission Shared  
Mobility in the South Coast Air Quality Management District

## Request for Proposals

P2023-07

January 6, 2023

## SECTION 1 - INTRODUCTION

For over 30 years, the Mobile Source Air Pollution Reduction Review Committee (MSRC) has sought to deploy cutting-edge transportation demand management (TDM) and “smart mobility” programs that expand the boundaries of how we live, work, and play in the South Coast AQMD region – striving for faster, cheaper, and *greener* transportation solutions. As an investor in clean mobility, collaboration with expert project partners is essential to achieve the MSRC’s objective of improving air quality by reducing motor vehicle pollution in the South Coast AQMD region.

The MSRC has identified **Microtransit** as a mobility strategy that closely aligns with MSRC objectives. For the purpose of this Request for Proposals, microtransit is defined broadly as technology-enabled, shared transportation, that fills the void between traditional “fixed route” transit and “ride hailing” technology.

This. As discussed in subsequent sections of this RFP, the MSRC places a high level of emphasis on deploying microtransit in areas that will most directly benefit from this mobility solution. These include, but are not limited to:

- ☆ Areas where Microtransit can be directly integrated into other transit systems – enhancing transit in areas where deploying traditional fixed-route service would prove challenging;
- ☆ High-density urban or suburban communities where deployment of traditional fixed-route transit does not meet the mobility needs of the residents, including areas in proximity to activity centers that attract patrons from other areas;
- ☆ Disadvantaged Communities (DAC) or other regions that lack adequate transportation and mobility options;
- ☆ Areas that suffer disproportionately from air pollution.

Additionally, the MSRC seeks to invest in Microtransit service with the following features:

- ⇒ The applicant proposes a **New** microtransit mobility solution within a specified geographic area, or the **Expansion** of an existing microtransit service(s) targeting new service area(s), new riders, and additional reductions in automobile vehicle miles traveled (VMT);
- ⇒ The MSRC funding serves as **Seed Money** – an initial investment to launch or expand innovative microtransit mobility solutions;
- ⇒ The applicant presents a strong **Business Case** for the new or expanded microtransit service, including a service continuation plan that thoroughly explains how the proposed microtransit service will be sustainable beyond the MSRC funding period.

The following Sections describe the eligibility requirements to participate in the MSRC Microtransit Services Program, and guidelines for proposal preparation. It is important to recognize that the

MSRC must ensure that the use of Clean Transportation funds will result in direct, tangible, and quantifiable air quality benefits. To this end, this RFP stipulates specific performance thresholds and participation obligations that must be met in order to be deemed eligible for an MSRC funding award.

MSRC staff members are available to answer questions and provide technical and programmatic guidance as appropriate. Please refer to Section 6 of this document for a list of MSRC Staff contacts.

## SECTION 2 – RFP OVERVIEW & ELIGIBILITY REQUIREMENTS

2.1 - Available Funding - The total amount of MSRC Clean Transportation Funding™ allocated for the Microtransit Services Program is **\$2.5M**. This funding level is a targeted amount – should meritorious projects be received totaling greater than \$2.5M, the MSRC reserves the right to increase the amount of total funding available.

Also, should the MSRC receive proposals with total requests less than the amount allocated, or if proposals are deemed non-meritorious, the MSRC reserves the right to reduce the total funding available and reallocate funds to other Work Program categories. The MSRC also reserves the right to not fund any of the proposals received, irrespective of the merits of the proposals submitted.

Please note that the source of MSRC Clean Transportation Funding™ for projects submitted in response to this RFP is motor vehicle registration fees collected by the California Department of Motor Vehicles (DMV) in accordance with the California Health and Safety Code. Thus, the availability of MSRC Clean Transportation Funding™ is contingent upon the timely receipt of funds from the DMV. Neither the MSRC nor South Coast AQMD can guarantee the collection or remittance of registration fees by the DMV.

2.2 - Geographical Funding Minimum - The MSRC has established a Geographical Funding Minimum for each county within the SCAQMD. The geographical funding minimum amount has been set at \$312,500 per county. This funding set-aside guarantees a minimum level of funding for each county to implement microtransit service. Following the completion of proposal evaluation, scoring, and ranking, if any county has funds remaining in its geographical funding minimum, these funds will be made available to qualifying projects from any other county in rank order of project score.

2.3 – Eligibility Requirements - For the purpose of this RFP, the following eligibility requirements apply:

- Eligible Microtransit Service Providers – includes but is not necessarily limited to a) public transit agencies, including regional and municipal transit agencies and authorities; b) private transportation operators, including subcontractor service providers to public transit agencies; and c) paratransit providers and other licensed, private transportation and shuttle service providers;

- Qualifying Microtransit Vehicles – all microtransit vehicles must meet the following requirements:
  - ✓ All vehicles must be California Air Resources Board certified zero-emission vehicles (i.e., no tailpipe emissions);
  - ✓ There is flexibility as it pertains to vehicle range and size; however eligible vehicles must accommodate a minimum of four (4) seated passengers in addition to the driver. Eligible vehicles can include neighborhood electric vehicles, low-speed vehicles, vans, shuttles, etc.;
  - ✓ Vehicles must meet all Americans with Disabilities Act (ADA), US Department of Transportation (DOT), California Department of Motor Vehicles (DMV), and other applicable regulatory agency standards.
- Eligible Uses of MSRC Funds – MSRC funds may be used to offset Direct Operating Costs associated with new or expanded microtransit service, as follows:
  - ✓ Transportation Operations – Direct costs associated with operations of microtransit services;
  - ✓ Marketing, outreach, and promotion of the availability of the microtransit service;
  - ✓ Reasonable administrative costs. The determination of what constitutes “reasonable” costs is within the sole discretion of the MSRC.
- Ineligible Uses of MSRC Funds – MSRC funds cannot be used to pay for the following project elements. Costs associated with these project elements are required to be co-funded by the microtransit project applicant:
  - ✓ Capital costs associated with microtransit vehicle purchase or lease;
  - ✓ Acquisition of real property;
  - ✓ Costs associated with electric vehicle charging infrastructure (EVSE) purchase or installation;

### SECTION 3 – CONDITIONS & FUNDING CONSTRAINTS

3.1 – Maximum MSRC-Funded Operations Period – the maximum length of time MSRC funding can be used to subsidize new or expanded microtransit service operations is **eighteen (18) months**.

3.2 – Microtransit Service Outreach, Marketing, and Promotion – all microtransit service projects that receive an MSRC Clean Transportation Funding™ award must include advertising and promotion of the availability of the service as a project element.



3.3 – Project Co-Funding Requirements – microtransit service projects funded by the MSRC are required to provide minimum project co-funding. Co-funding must be greater than or equal to **50% of the total project cost**, i.e., a maximum of 50% of total project costs to be co-funded by the MSRC.

Eligible project co-funding includes the following:

- Direct Cost Share – Cash, direct labor, and microtransit vehicle, facilities, and support equipment use contributions from the transportation provider can be accounted for as co-funding;
- Indirect Cost Share – Overhead costs and general and administrative expenses can be accounted for as co-funding;
- Fare Box Revenue – Fare box revenue collected to augment MSRC-funded transportation program can be documented and applied as co-funding;
- Microtransit Service Outreach, Marketing, and Promotion – Direct costs associated with advertising the availability of microtransit service projects may be applied as co-funding.

3.4 – MSRC Funds Remitted on a Reimbursement Basis - MSRC funds will be distributed on a reimbursement basis only upon completion of approved project milestones and submittal of all required reports and invoices.

3.5 – Additional Conditions on MSRC Funding – the following conditions apply to all MSRC-funded microtransit service projects:

- MSRC microtransit service projects are funded on a “area-specific” basis; that is, each project is evaluated with respect to the proposed service area’s location, activity centers, traffic congestion, availability of other transportation options, etc. Proposals that result in an award of MSRC funds are not allowed to change the microtransit service location under any circumstances. In the event the proposed service area becomes unavailable, nonviable, or no longer cost-effective, either contract negotiations will terminate, or the contract will terminate, as applicable.
- Certifications – All Proposers must complete and submit the included Attachment G forms as an element of their Proposal (unless specifically exempted below):
  - Internal Revenue Service Form W-9 – Request for Taxpayer Identification Number and Certification, and Franchise Tax Board Form 590 – Withholding Exemption Certificate. If you are selected for an award, you cannot be established as a vendor without this information.
  - Campaign Contributions Disclosure. This information must be provided at the time of application in accordance with California law. You may be asked for an update when awards are considered.

- Certification Regarding Debarment, Suspension and Other Responsibility Matters – The SCAQMD needs this information for their vendor database.
- Disadvantaged Business Certification. The SCAQMD needs this information for their vendor database. It will not be considered in the determination of your MSRC funding award. Governmental entities do not need to complete this form.
- Finally, in accordance with state law, all projects awarded MSRC Clean Transportation Funding™ are subject to audit. The provisions of audits are discussed in the Sample Contract, attached to this RFP.

## SECTION 4 – RFP TIMELINE

The MSRC has established an approximately ten (10) week period for proposal preparation and submittal as shown below in Table 4-1:

Table 4-1 – Key RFP Dates

Program Event	Date
RFP Release	January 6, 2023
Online Bidders' Conference	January 19, 2023
Latest Date/Time for Electronic Proposal Submittal	March 24, 2023 @ 4:00 p.m.

**IMPORTANT!** Proposals must be submitted to the MSRC website no later than 4:00 pm on March 24, 2023. Late proposals cannot be accepted for any reason. Please refer to Section 5, below, for instructions on how to submit a proposal.

4.1 – Online Bidders' Conference – this Zoom Webinar will further explain the requirements of this RFP and provide an opportunity for participants to ask questions. Participation in the online bidders' conference is voluntary. The webinar will take place on Thursday, January 19<sup>th</sup> at 10:00 am and can be accessed using the following link:

When: Thursday, January 19, 2023, 10:00 AM-11:30 AM (UTC-08:00) Pacific Time (US & Canada).

Where: <https://scaqmd.zoom.us/j/99515157106>

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://scaqmd.zoom.us/j/99515157106>

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301

715 8592 or +1 312 626 6799

Webinar ID: 995 1515 7106

In addition, proposers seeking clarification to this RFP can contact the MSRC staff at any time – see Section 6 for MSRC staff contact information.

## SECTION 5 - PROPOSAL PREPARATION & SUBMITTAL INSTRUCTIONS

Microtransit Service Proposals must be prepared and submitted in accordance with the instructions outlined below.

5.1 – Proposal Preparation – The following information must be included in all Proposals seeking MSRC Clean Transportation Funding™ under the Microtransit Service Program:

- a) Attachments A-H – Proposals must include the following completed Attachments, including all required supporting documentation as requested. Proposal Templates and Instructions are included in Section 8 of this Program Announcement:
  - Attachment A: Proposer and Project Participant Information
  - Attachment B: Project Description
  - Attachment C: Project Cost Breakdown
  - Attachment D: Project Implementation Schedule
  - Attachment E: Proof of Permit, Memorandum of Understanding, or Operating Authorization between service area authority and microtransit service provider (as applicable)
  - Attachment F: Microtransit Service Ridership Estimates
  - Attachment G: Microtransit Service Continuation Plan
  - Attachment H: Certifications, including:
    - i. Disadvantaged Business Certification Form
    - ii. IRS Form W-9
    - iii. California Form 590 Withholding Exemption Certificate
    - iv. Certification Regarding Debarment, Suspension, and Other Responsibility Matters
    - v. Campaign Contribution Disclosure Form

5.2 – Electronic Application Submittal Process – the Microtransit Service Program requires that proposals be submitted electronically in PDF format using the MSRC Website. The proposal will be submitted as a PDF document comprised of eight (8) primary sections – these correspond to the

application Attachments A-H noted above. These eight sections, including Attachment H certifications, are to be compiled into a single PDF document for submittal to the MSRC Clean Transportation Funding™ Website. **Please note that ONLY PDF format can be accepted.** Microsoft Word documents cannot be accepted by the MSRC Website.

#### **APPLICANTS WILL NEED TO REGISTER ON THE MSRC CLEAN TRANSPORTATION FUNDING WEBSITE!**

A tutorial has been developed to guide proposers step by step through the electronic proposal submittal process. This tutorial is available on the MSRC Website at [www.cleantransportationfunding.org](http://www.cleantransportationfunding.org). Look for the tutorial on the “Proposal Process – Proposal Upload Tutorial” page:

<http://www.cleantransportationfunding.org/sites/default/files/downloads/Guide%20to%20Using%20the%20Website.pdf>

5.3 – Addenda – The Mobile Source Air Pollution Reduction Review Committee may modify the Program Announcement and/or issue supplementary information or guidelines relating to the Program Announcement during the Proposal preparation and acceptance period of January 6, 2023, to March 24, 2023. Amendments will be posted on the MSRC website at [www.cleantransportationfunding.org](http://www.cleantransportationfunding.org).

5.4 – Proposal Modifications - Once submitted, Proposals cannot be altered without the prior written consent of the Mobile Source Air Pollution Reduction Review Committee.

5.5 – Certificates of Insurance - Upon notification of an MSRC funding award, a certificate(s) of insurance naming the South Coast Air Quality Management District (SCAQMD) as an additional insured will be required within forty-five (45) days. Entities that are self-insured will be required to provide proof of self-insurance prior to contract execution.

#### **SECTION 6 - IF YOU NEED HELP...**

This RFP can be obtained by accessing the MSRC website at [www.cleantransportationfunding.org](http://www.cleantransportationfunding.org). MSRC staff members are available to answer questions during the proposal acceptance period. In order to help expedite assistance, please direct your inquiries to the applicable staff person, as follows:

- For General or Technical Assistance, please contact:  
Ray Gorski  
MSRC Technical Advisor  
Phone: 909-396-2479  
E-mail: [Ray@CleanTransportationFunding.org](mailto:Ray@CleanTransportationFunding.org)

- For Contractual or Administrative Assistance, please contact:  
Cynthia Ravenstein  
MSRC Contracts Administrator  
Phone: 909-396-3269  
E-mail: [Cynthia@CleanTransportationFunding.org](mailto:Cynthia@CleanTransportationFunding.org)

## SECTION 7 - PROPOSAL EVALUATION & SCORING PROCESS

All proposals received prior to the RFP deadline will undergo evaluation, scoring, and ranking by a Subcommittee comprised of members of the MSRC Technical Advisory Committee (MSRC-TAC). Proposals will be evaluated and scored against four (4) evaluation criteria:

1. Overall Project Cost-Effectiveness (35 points maximum)
2. Project Sustainability and Continuation Plan (35 points maximum)
3. Connectivity and integration with other public transit (15 points maximum), and
4. The extent to which the proposed project serves Disadvantaged Communities (DAC), areas that lack adequate transportation and mobility options, or are disproportionately impacted by unhealthful air quality (15 points maximum).

The total maximum points available is 100.

1. MICROTRANSIT SERVICE COST-EFFECTIVENESS (0 – 35 Points). Proposals will be evaluated as to their ability to displace automobile trips and VMT and corresponding reductions in reactive organic gases, oxides of nitrogen (NO<sub>x</sub>), and particulate matter exhaust pollution. Cost-effectiveness will be computed as the ratio of the MSRC funding request amount to the quantified emission reductions, using the methodology included in the California Air Resources Board publication “*Methods to Find the Cost-Effectiveness of Funding Air Quality Projects For Evaluating Motor Vehicle Registration Fee Projects*”. The maximum score of 35 points will be assigned to the project deemed most cost-effective, with points assigned to all other proposals received on a prorated basis.
2. SERVICE CONTINUATION PLAN (0 – 35 Points). MSRC microtransit service funding is intended as “seed money” for new or expanded service and is not intended to serve as an ongoing funding source for microtransit operations. Proposers are required to discuss how the proposed microtransit service will continue beyond the MSRC funding period, including the sources of internal and external revenue that will be pursued to augment and ultimately replace MSRC funding. Projects that have a definitive plan for continuing the microtransit service well beyond the MSRC funding period will be awarded a higher point allocation.
3. CONNECTIVITY TO AND INTEGRATION WITH OTHER PUBLIC TRANSIT SERVICES (0 - 15 Points). The extent to which the proposed microtransit service is coordinated and

integrated with other existing public transportation services, including connectivity with existing regional or municipal bus service, Metrolink, light rail, transit centers, etc. Proposers should clearly outline the proposed microtransit service connectivity with other existing public transit services in their proposal.

4. MOBILITY ENHANCEMENT IN DISADVANTAGED OR UNDERSERVED AREAS (0 – 15 Points).

The extent to which the proposed microtransit service project serves disadvantaged Communities (DAC), areas that lack adequate transportation and mobility options, or are disproportionately impacted by unhealthful air quality.

Following scoring, proposals will be ranked based on the numerical score assigned as well as the Geographic Funding requirements discussed above in Section 2.2. The highest ranked proposals will be forwarded to the MSRC for funding consideration.

## SECTION 8 - PROPOSAL ATTACHMENTS

## ATTACHMENT A: PROPOSAL CONTACT INFORMATION

A. Please provide the following Proposer information in the space provided (This is information about the entity submitting the proposal):

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			
State		Zip	
Phone	(     )     -     Ext	Fax	(     )     -
Contact Name		Title	
E-mail Address			
Payment Name if Different			

## B. Funding Request Summary:

MSRC Clean Transportation Funding™ Requested: \$ \_\_\_\_\_

Other Co-Funding Applied to Project: \$ \_\_\_\_\_

**Total Project Cost:** \$ \_\_\_\_\_

D. Please provide the following information about the Microtransit Service Provider in the space provided (If this information was provided in Section 8.A, simply type "See Above"):

Business Name	
Division of:	
Subsidiary of:	
Website Address	
Type of Business	

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



## ATTACHMENT B: PROJECT DESCRIPTION

1. Proposed Microtransit Service Description – Provide a detailed description of the proposed microtransit service. This should include, at a minimum:
  - a) A description of the vehicles proposed to perform transportation services, including the make and model, seating positions, and total capacity (seated and standing, as applicable) for each vehicle proposed to be utilized in microtransit service.
  - b) The geographic area(s) where the microtransit service will be deployed, including a description of the trip attractors, activity centers, population density and demographics, etc. **Discuss whether the proposed microtransit service will provide mobility within a DAC, areas that lack adequate transportation and mobility options, or are disproportionately impacted by unhealthful air quality.**
  - c) A description of how the microtransit service will be conducted, including passenger pickup locations, passenger drop-off locations, anticipated headways, hours of operation, etc.
  - d) For circulator-type transportation services, please include a map of the vehicle route(s) that graphically illustrates vehicle routing, passenger pickup and drop-off locations, etc.
  - e) A description of the microtransit service mobile smartphone app, compatibility, where it can be downloaded, alternative ride hailing methods, etc.
  - f) A description of the microtransit cost model, proposed fares, farebox return estimates, etc.
2. Microtransit Continuation Plan – Please describe what efforts will be made by the microtransit service provider to identify and secure necessary resources to continue microtransit service beyond the MSRC funding period.
3. Connectivity and Integration with Other Public Transit Service - Please discuss potential connectivity with other public transit services, including but not limited to potential connectivity with existing regional or municipal bus lines, Metrolink, light rail, transit centers, park and ride lots, etc.
4. Advertising, Marketing, Outreach, and Promotion of the Microtransit Service – Please describe the plan for conducting outreach and promotion of the availability of microtransit service.

**ATTACHMENT C: COST BREAKDOWN**

Please provide a detailed cost breakdown of the proposed microtransit service project. Please note that MSRC Clean Transportation Funding™ is intended to help offset the cost of transportation program, and cannot be applied to capital equipment purchases. The MSRC reserves the right to exclude cost elements deemed unallowable, as well as award funding in an amount less than the requested amount.

**ATTACHMENT D: PROJECT IMPLEMENTATION SCHEDULE**

Please provide a Milestone Schedule for your proposed microtransit service project. This should include, at a minimum, the anticipated date service will commence, as well as any additional information regarding special events to be supported by microtransit services.

**ATTACHMENT E: PROOF OF PERMIT, MOU, OR AUTHORIZATION BETWEEN MICROTRANSIT SERVICE PROVIDER AND SERVICE AREA (IF APPLICABLE)**

If the microtransit service provider requires permits or other authorization to operate in the proposed geographic area, proof of permit or other authorizing documentation should be provided, if applicable.

**ATTACHMENT F: MICROTRANSIT SERVICE RIDERSHIP ESTIMATES**

Please provide an estimate of the anticipated utilization of the microtransit service as proposed. Please include any empirical information used to generate ridership estimates, including but not limited to survey results, focus group results, etc.

Please note that as a condition of funding award, the contractor will be required to survey, document, or otherwise quantify the patronage of the microtransit service in order for the MSRC to quantify motor vehicle emission reductions achieved by the microtransit service at the completion of the MSRC funding period.

**BUSINESS STATUS CERTIFICATIONS**

Federal guidance for utilization of disadvantaged business enterprises allows a vendor to be deemed a small business enterprise (SBE), minority business enterprise (MBE) or women business enterprise (WBE) if it meets the criteria below.

- is certified by the Small Business Administration or
- is certified by a state or federal agency or
- is an independent MBE(s) or WBE(s) business concern which is at least 51 percent owned and controlled by minority group member(s) who are citizens of the United States.

Statements of certification:

As a prime contractor to South Coast AQMD, \_\_\_\_\_ (name of business) will engage in good faith efforts to achieve the fair share in accordance with 40 CFR Section 33.301, and will follow the six affirmative steps listed below **for contracts or purchase orders funded in whole or in part by federal grants and contracts.**

1. Place qualified SBEs, MBEs, and WBEs on solicitation lists.
2. Assure that SBEs, MBEs, and WBEs are solicited whenever possible.
3. When economically feasible, divide total requirements into small tasks or quantities to permit greater participation by SBEs, MBEs, and WBEs.
4. Establish delivery schedules, if possible, to encourage participation by SBEs, MBEs, and WBEs.
5. Use services of Small Business Administration, Minority Business Development Agency of the Department of Commerce, and/or any agency authorized as a clearinghouse for SBEs, MBEs, and WBEs.
6. If subcontracts are to be let, take the above affirmative steps.

(a) Self-Certification Verification: Also for use in awarding additional points, as applicable, in accordance with South Coast AQMD Procurement Policy and Procedure:

Check all that apply:

- |                                                                                 |                                                                                        |
|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Small Business Enterprise/Small Business Joint Venture | <input type="checkbox"/> Women-owned Business Enterprise                               |
| <input type="checkbox"/> Local business Venture                                 | <input type="checkbox"/> Disabled Veteran-owned Business Enterprise/DVBE Joint Venture |
| <input type="checkbox"/> Minority-owned Business Enterprise                     | <input type="checkbox"/> Most Favored Customer Pricing Certification                   |

Percent of ownership: \_\_\_\_\_ %

Name of Qualifying Owner(s): \_\_\_\_\_

**State of California Public Works Contractor Registration No. \_\_\_\_\_ MUST BE INCLUDED IF BID PROPOSAL IS FOR PUBLIC WORKS PROJECT.**

I, the undersigned, hereby declare that to the best of my knowledge the above information is accurate. Upon penalty of perjury, I certify information submitted is factual.

\_\_\_\_\_  
**B. NAME**

\_\_\_\_\_  
**TITLE**

\_\_\_\_\_  
**C. TELEPHONE NUMBER**

\_\_\_\_\_  
**DATE**

**(a) Definitions**

**Disabled Veteran-Owned Business Enterprise** means a business that meets all of the following criteria:

- is a sole proprietorship or partnership of which is at least 51 percent owned by one or more disabled veterans, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- the management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.
- is a sole proprietorship, corporation, partnership, or joint venture with its primary headquarters office located in the United States and which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.

**Joint Venture** means that one party to the joint venture is a DVBE and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that DVBE will receive at least 51 percent of the project dollars.

**Local Business** means a business that meets all of the following criteria:

- has an ongoing business within the boundary of South Coast AQMD at the time of bid application.
- performs 90 percent of the work within South Coast AQMD's jurisdiction.

**Minority-Owned Business Enterprise** means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more minority persons or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons.
- is a business whose management and daily business operations are controlled or owned by one or more minority person.
- is a business which is a sole proprietorship, corporation, partnership, joint venture, an association, or a cooperative with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

"Minority" person means a Black American, Hispanic American, Native American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian American (including a person whose origins are from India, Pakistan, or Bangladesh), Asian-Pacific American (including a person whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, or Taiwan).

**Small Business Enterprise** means a business that meets the following criteria:

- a. 1) an independently owned and operated business; 2) not dominant in its field of operation; 3) together with affiliates is either:
  - A service, construction, or non-manufacturer with 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or
  - A manufacturer with 100 or fewer employees.
- b. Manufacturer means a business that is both of the following:
  - 1) Primarily engaged in the chemical or mechanical transformation of raw materials or processed substances into new products.
  - 2) Classified between Codes 311000 to 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.

**Small Business Joint Venture** means that one party to the joint venture is a Small Business and owns at least 51 percent of the joint venture. In the case of a joint venture formed for a single project this means that the Small Business will receive at least 51 percent of the project dollars.

**Women-Owned Business Enterprise** means a business that meets all of the following criteria:

- is at least 51 percent owned by one or more women or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more women.
- is a business whose management and daily business operations are controlled or owned by one or more women.
- is a business which is a sole proprietorship, corporation, partnership, or a joint venture, with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign business.

**Most Favored Customer** as used in this policy means that the South Coast AQMD will receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services.

Form <b style="font-size: 1.5em;">W-9</b> (Rev. October 2018) Department of the Treasury Internal Revenue Service	<b style="font-size: 1.2em;">Request for Taxpayer Identification Number and Certification</b> <b>► Go to <a href="http://www.irs.gov/FormW9">www.irs.gov/FormW9</a> for instructions and the latest information.</b>	<b>Give Form to the requester. Do not send to the IRS.</b>												
Print or type. See Specific instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.													
	2 Business name/disregarded entity name, if different from above													
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes. <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input type="checkbox"/> Individual/sole proprietor or single-member LLC   <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►         </div> <div> <input type="checkbox"/> C Corporation    <input type="checkbox"/> S Corporation    <input type="checkbox"/> Partnership    <input type="checkbox"/> Trust/estate   <input type="checkbox"/> Other (see instructions) ►         </div> </div> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p>	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <small>(Applies to accounts maintained outside the U.S.)</small>												
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)												
	6 City, state, and ZIP code													
7 List account number(s) here (optional)														
<b>Part I Taxpayer Identification Number (TIN)</b> Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. <b>Note:</b> If the account is in more than one name, see the Instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"><b>Social security number</b></td> <td style="width: 20%; text-align: center;">-</td> <td style="width: 20%; text-align: center;">-</td> <td style="width: 40%;"></td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>or</b></td> </tr> <tr> <td><b>Employer identification number</b></td> <td colspan="3"></td> </tr> </table>			<b>Social security number</b>	-	-		<b>or</b>				<b>Employer identification number</b>			
<b>Social security number</b>	-	-												
<b>or</b>														
<b>Employer identification number</b>														
<b>Part II Certification</b> Under penalties of perjury, I certify that: <ol style="list-style-type: none"> <li>The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and</li> <li>I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and</li> <li>I am a U.S. citizen or other U.S. person (defined below); and</li> <li>The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.</li> </ol> <p><b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the Instructions for Part II, later.</p>														
<b>Sign Here</b>	Signature of U.S. person ►	Date ►												
<b>General Instructions</b> Section references are to the Internal Revenue Code unless otherwise noted. <b>Future developments.</b> For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to <a href="http://www.irs.gov/FormW9">www.irs.gov/FormW9</a> . <b>Purpose of Form</b> An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following. <ul style="list-style-type: none"> <li>• Form 1099-INT (Interest earned or paid)</li> <li>• Form 1099-DIV (dividends, including those from stocks or mutual funds)</li> <li>• Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)</li> <li>• Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)</li> <li>• Form 1099-S (proceeds from real estate transactions)</li> <li>• Form 1099-K (merchant card and third party network transactions)</li> <li>• Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)</li> <li>• Form 1099-C (canceled debt)</li> <li>• Form 1099-A (acquisition or abandonment of secured property)</li> </ul> <p>Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.</p> <p><i>If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.</i></p>														



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	Individual/sole proprietor or single-member LLC
• Sole proprietorship, or	
• Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	
• LLC treated as a partnership for U.S. federal tax purposes,	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• 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.	
• 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 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> 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](http://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](http://www.irs.gov/Businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. Go to [www.irs.gov/Forms](http://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](http://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 <sup>1</sup>
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 <sup>2</sup>
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>1</sup> The actual owner <sup>1</sup>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
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 <sup>4</sup>
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

<sup>1</sup> 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.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> 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.

<sup>4</sup> 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](mailto: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](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

Visit [www.irs.gov/IdentityTheft](http://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.



TAXABLE YEAR

CALIFORNIA FORM

**2021 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 Information**

Name

☐ 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&amp;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](https://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

# 2021 Instructions for Form 590

## Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

### General Information

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California. For more information, See General Information B, Income Subject to Withholding.

**Registered Domestic Partners (RDPs)** – For purposes of California income tax, references to a spouse, husband, or wife also refer to a California RDP unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

### A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **backup withholding**.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD). For more information, go to [edd.ca.gov](http://edd.ca.gov) or call 888.745.3886.

**Do not** use Form 590 to certify an exemption from withholding if you are a **seller of California real estate**. Sellers of California real estate use Form 593, Real Estate Withholding Statement, to claim an exemption from the real estate withholding requirement.

**The following are excluded from withholding and completing this form:**

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities.
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

### B Income Subject to Withholding

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners, members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding, get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

### C Who Certifies this Form

Form 590 is certified (completed and signed) by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN).

The certification does not need to be renewed annually. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. **Do not** submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

### D Definitions

For California nonwage withholding purposes:

- **Nonresident** includes all of the following:
  - Individuals who are not residents of California.
  - Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
  - Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
  - Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.
- **Foreign** refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRRA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

### E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. If a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

**Domicile** is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.



**MSRC Clean Transportation Funding™**  
Microtransit Zero-Emission Shared Mobility Service

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders.

California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRR.

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California.

For additional information or assistance in determining whether the applicant meets the MSRRR requirements, get FTB Pub. 1032.

The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, [Form 592-PTE](#), Pass-Through Entity Annual Withholding Return, Form 592-Q, Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

#### Internet and Telephone Assistance

Website: [ftb.ca.gov](http://ftb.ca.gov)

Telephone: 800.852.5711 from within the United States  
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech disability  
711 or 800.735.2929 California relay service

#### Asistencia Por Internet y Teléfono

Sitio web: [ftb.ca.gov](http://ftb.ca.gov)

Teléfono: 800.852.5711 dentro de los Estados Unidos  
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 para personas con discapacidades auditivas o del habla  
711 ó 800.735.2929 servicio de relevo de California

## Specific Instructions

### Payee Instructions

Enter the withholding agent's name.

Enter the payee's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp no.); or CA SOS file number.

**Private Mail Box (PMB)** – Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

**Foreign Address** – Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. Do not abbreviate the country name.

**Exemption Reason** – Check the box that reflects the reason why the payee is exempt from the California income tax withholding requirement.

### Withholding Agent Instructions

Do not send this form to the FTB. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request.

## Additional Information

Website: For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for nonwage.

**MyETB** offers secure online tax account information and services. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and login or register for **MyETB**.

Telephone: 888.792.4900 or 916.845.4900, Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND COMPLIANCE MS F182  
FRANCHISE TAX BOARD  
PO BOX 942867  
SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the TTY/TDD numbers, see the Internet and Telephone Assistance section.

## **Certification Regarding Debarment, Suspension, and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them or commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statute or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

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Typed Name & Title of Authorized Representative

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Signature of Authorized Representative Date

☐ I am unable to certify to the above statements. My explanation is attached.

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## 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). Where a proposed rule or proposed amended rule impacts three or fewer facilities, those facilities will be treated in much the same manner as contracting parties and so must also complete this form, disclosing information relating to any campaign contributions made to any SCAQMD Board Members. *See Quadri Advice Letter (2002) A-02.096.1* In the event that a qualifying campaign contribution is made, the Board Member to whom it was made may be disqualified from participating in the actions involving that donor.

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 the 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 the SCAQMD website ([www.aqmd.gov](http://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):** \_\_\_\_\_

<input type="checkbox"/>	DBA, Name _____, County Filed in _____
<input type="checkbox"/>	Corporation, ID No. _____
<input type="checkbox"/>	LLC/LLP, ID No. _____

**List any parent, subsidiaries, or otherwise affiliated business entities of Contractor:**  
(See definition below).

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### **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

<sup>1</sup> The information provided on this form does not, and is not intended to, constitute legal advice. To the extent that you may have questions regarding any case law, citations, or legal interpretations provided above please seek the guidance of your own



independent counsel.

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

**I declare the foregoing disclosures to be true and correct.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

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.

## Sample Contract – actual terms subject to change



### AB 2766/MSRC WORK PROGRAM GRANT AGREEMENT

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#### 1. PARTIES

The parties to this Grant Agreement ("Agreement") are the South Coast Air Quality Management District (referred to here as "SCAQMD") whose address is 21865 Copley Drive, Diamond Bar, California 91765-4178, and \*\*\* (referred to here as "RECIPIENT") whose address is \*\*\*.

#### 2. RECITALS

- A. SCAQMD is the local agency with primary responsibility for regulating stationary source air pollution within the geographical boundaries of the South Coast Air Quality Management District in the State of California (State).
- B. Under State Health & Safety Code Sections 44225, *et seq.* (AB 2766), SCAQMD's Governing Board has authorized the imposition of the statutorily set motor vehicle fee for the purpose of reducing air pollution from motor vehicles and to implement the California Clean Air Act. By taking such action, the State's Department of Motor Vehicles (DMV) is required to collect such fee and remit it periodically to SCAQMD.
- C. AB 2766 further mandates that thirty (30) percent of such vehicle registration fees be placed by SCAQMD into a separate account for the sole purpose of implementing and monitoring programs to reduce air pollution from motor vehicles.
- D. AB 2766 creates a regional Mobile Source Air Pollution Reduction Review Committee (MSRC) to develop a work program to fund projects from the separate account. Pursuant to approval of the work program by SCAQMD's Governing Board, SCAQMD authorized this Agreement with RECIPIENT for equipment or services described in Attachment 1 - Statement of Work, expressly incorporated herein by this reference and made a part hereof of this Agreement.
- E. RECIPIENT met the requirements for receipt of AB 2766 Discretionary Funds as set forth in RECIPIENT's \*\*\* Program Application/Proposal dated \*\*\* and was awarded a grant under the work program.
- F. RECIPIENT is authorized to do business in the State of California and attests that it is in good tax standing with the California Franchise Tax Board.
- G. All parties to this Agreement have had the opportunity to have this Agreement reviewed by their attorney.

#### 3. DMV FEES

RECIPIENT acknowledges that SCAQMD cannot guarantee that the amount of fees to be collected under AB 2766 will be sufficient to fund this Agreement. RECIPIENT further acknowledges that payment under this Agreement is contingent upon SCAQMD receiving sufficient funds from the DMV, and that SCAQMD assumes no responsibility for the collection and remittance of motor vehicle registration fees.

#### 4. AUDIT AND RECORDS RETENTION

- A. RECIPIENT shall, at least once every two years, or within two years of the termination of the Agreement if the term is less than two years, be subject to an audit by SCAQMD or its authorized representative to determine if the revenues received by RECIPIENT were spent for the reduction of pollution from motor vehicles pursuant to the Clean Air Act of 1988.

- B. RECIPIENT agrees to maintain records related to this Agreement during the Agreement term and continue to retain these records for a period of two years beyond the Agreement term, except that in no case shall RECIPIENT be required to retain more than the most recent five years' records. SCAQMD shall coordinate such audit through RECIPIENT'S audit staff.
- C. If an amount is found to be inappropriately expended, SCAQMD may withhold funding, or seek reimbursement, from RECIPIENT in the amount equal to the amount that was inappropriately expended. Such withholding shall not be construed as SCAQMD's sole remedy and shall not relieve RECIPIENT of its obligation to perform under the terms of this Agreement.

5. TERM

The term of this Agreement is for \*\*\* (\*\*) months from the date of execution by both parties, unless terminated earlier as provided for in the TERMINATION clause of this Agreement or the EARLY TERMINATION clause, [INCLUDE IF APPLICABLE] or the term is extended by amendment of this Agreement in writing. No work shall commence prior to the Agreement start date, except at RECIPIENT's cost and risk, and no charges are authorized until this Agreement is fully executed, subject to the provisions stated in the PRE-AGREEMENT COSTS clause of this Agreement.

6. SUCCESSORS-IN-INTEREST

This Agreement, and the obligations arising under the Agreement, shall be binding on and inure to the benefit of RECIPIENT and their executors, administrators, successors, and assigns.

7. REPORTING

RECIPIENT shall submit reports to SCAQMD as outlined in Attachment 1 - Statement of Work. SCAQMD reserves the right to review, comment, and request changes to any report produced as a result of this Agreement.

8. TERMINATION

- A. In the event any party fails to comply with any term or condition of this Agreement or fails to provide services in the manner agreed upon by the parties, including, but not limited to, the requirements of Attachment 1 - Statement of Work, this failure shall constitute a breach of this Agreement. The non-breaching party shall notify the breaching party that it must cure this breach or provide written notification of its intention to terminate this Agreement. Notification shall be provided in the manner set forth in the NOTICES clause of this Agreement. The non-breaching party reserves all rights under law and equity to enforce this Agreement and recover damages.
- B. SCAQMD reserves the right to terminate this Agreement, in whole or in part, without cause, upon thirty (30) days' written notice. Once such notice has been given, RECIPIENT shall use all reasonable efforts to mitigate its expenses and obligations. RECIPIENT will be paid in accordance with this Agreement for tasks performed and costs incurred that could not be mitigated before the effective date of termination.
- C. RECIPIENT shall be paid in accordance with this Agreement for all Work performed before the effective date of termination under section B of the TERMINATION clause of this Agreement. Before expiration of the thirty (30) days' written notice, RECIPIENT shall promptly deliver to SCAQMD all copies of documents and other information and data prepared or developed by RECIPIENT under this Agreement with the exception of a record copy of such materials, which may be retained by RECIPIENT.

9. EARLY TERMINATION

This Agreement may be terminated early due to the following circumstances: The infrastructure identified in Attachment 1, Statement of Work, becomes inoperable, and is either not technically able to be repaired, or is too costly to repair, and such failure is not caused by RECIPIENT's negligence, misuse, or malfeasance. [INCLUDE IF APPLICABLE]

10. INSURANCE

- A. RECIPIENT shall furnish evidence to SCAQMD of workers' compensation insurance for each of its employees, in accordance with either California or other states' applicable statutory requirements prior to commencement of any work on this Agreement.
- B. RECIPIENT shall furnish evidence to SCAQMD of general liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in a general aggregate prior to commencement of any work on this Agreement. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by RECIPIENT to SCAQMD.
- C. RECIPIENT shall furnish evidence to SCAQMD of automobile liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries, and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage, prior to commencement of any work on this Agreement. SCAQMD shall be named as an additional insured on any such liability policy, and thirty (30) days written notice prior to cancellation of any such insurance shall be given by RECIPIENT to SCAQMD.
- D. RECIPIENT shall furnish evidence to SCAQMD of Professional Liability Insurance with an aggregate limit of not less than \$5,000,000. **[INCLUDE IF APPLICABLE]**
- E. If RECIPIENT fails to maintain the required insurance coverage set forth above, SCAQMD reserves the right either to purchase such additional insurance and to deduct the cost thereof from any payments owed to RECIPIENT or terminate this Agreement for breach.
- F. RECIPIENT must provide annual updates on the insurance coverage throughout the term of the Agreement to ensure that there is no break in coverage during the period of Agreement performance. Failure to provide evidence of current coverage shall be grounds for termination for breach of Agreement.
- G. For MSRC Contracts Administrator: All insurance certificates shall be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. **The SCAQMD Agreement Number must be included on the face of the certificate.**
- H. For Risk Management Department: All insurance certificates and other documents evidencing coverage shall also be sent to SCAQMD Risk Management, by email ([insurancecertificate@aqmd.gov](mailto:insurancecertificate@aqmd.gov)). **The SCAQMD Agreement Number must be included on the face of the certificate.**

**Self-Insurance Clause:**

INSURANCE

RECIPIENT represents that it is permissibly self-insured and will maintain such self-insurance in accordance with applicable provisions of California law throughout the term of this Agreement. RECIPIENT shall provide evidence of sufficient coverage during the term of this Agreement and any extensions thereof that meet or exceed the minimum requirements set forth by the SCAQMD below. All insurance certificates and other documents evidencing coverage must be sent to SCAQMD Risk Management, by email ([insurancecertificate@aqmd.gov](mailto:insurancecertificate@aqmd.gov)) or by fax (909-396-3979). The certificate of self-insurance shall also be mailed to: SCAQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, Attention: Cynthia Ravenstein, MSRC Contracts Administrator. **The SCAQMD Agreement Number must be included on the face of the certificate.** If RECIPIENT fails to maintain the required insurance coverage, SCAQMD reserves the right to terminate the Agreement or purchase such additional insurance and bill RECIPIENT or deduct the cost thereof from any payments owed to RECIPIENT. Minimum insurance coverages are as follows:

- A. Worker's compensation insurance in accordance with either California or other state's applicable statutory requirements.
- B. General Liability insurance with a limit of at least \$1,000,000 per occurrence, and \$2,000,000 in general aggregate.
- C. Automobile Liability insurance with limits of at least \$100,000 per person and \$300,000 per accident for bodily injuries and \$50,000 in property damage, or \$1,000,000 combined single limit for bodily injury or property damage.

11. INDEMNIFICATION

RECIPIENT agrees to hold harmless, defend and indemnify SCAQMD, its officers, employees, agents, representatives, and successors-in-interest against any and all loss, damage, costs, lawsuits, claims, demands, causes of action, judgments, attorney's fees, or any other expenses arising from or related to any third party claim against SCAQMD, its officers, employees, agents, representatives, or successors in interest that arise or result in whole or in part, from any actual or alleged act or omission of RECIPIENT, its officers, its employees, contractors, agents or representatives in the performance of this Agreement. This Indemnification Clause shall survive the expiration or termination (for any reason) of the Agreement and shall remain in full force and effect.

12. DISCLAIMER OF WARRANTY

The purchase or lease of funded vehicles/equipment is the RECIPIENT's decision. The SCAQMD does not make any express or implied warranty of merchantability, fitness for a particular purpose or otherwise, quality or usefulness of the technology or product. Without limiting the foregoing, the SCAQMD will not be financially responsible, or otherwise liable, for the installation or performance of the vehicle/equipment. **[INCLUDE IF APPLICABLE]**

13. VIOLATION OF LABOR LAWS

RECIPIENT shall promptly notify SCAQMD in writing if RECIPIENT has been found by a court or federal or state agency to have violated labor laws. RECIPIENT shall complete a yearly certification in which RECIPIENT shall either state it has not been found by a court or federal or state agency to have violated labor laws or, if such violations have been found, RECIPIENT shall give SCAQMD details about those violations in the certification. If RECIPIENT has previously provided that information to the SCAQMD, it shall reattach that previous notification to the certification and provide any additional details about those violations that have not previously been provided. RECIPIENT's yearly certification shall be due at the same time as the annual progress report(s) **set forth in Attachment 1 - Statement of Work**. SCAQMD reserves the right to terminate this Agreement upon such a finding, and RECIPIENT shall, at SCAQMD's request, return any and all Agreement funds, as determined by SCAQMD. RECIPIENT shall ensure that the provisions of this clause are included in all subcontracts. **[INCLUDE IF APPLICABLE]**

14. PAYMENT

- A. SCAQMD shall reimburse RECIPIENT up to a total amount of **\*\*\*** Dollars (\$**\*\*\***) in accordance with Attachment 2 - **Payment/Cost** Schedule expressly incorporated herein by this reference and made a part hereof of the Agreement.
- B. A withhold amount or percentage (if any) shall be identified in the **Payment/Cost** Schedule, and such amount shall be withheld from each invoice. Upon satisfactory completion of project and final acceptance of work and the final report, RECIPIENT's invoice for the withheld amount shall be released. Proof of

project completion shall include a Final Report detailing the project goals and accomplishments, data collected during project performance, if any, documentation of significant results, and emissions reduction input data needed for calculation of emissions reductions.

- C. Any funds not expended upon early Agreement termination or Agreement completion shall revert to the AB 2766 Discretionary Fund. Payment of charges shall be made by SCAQMD to RECIPIENT within thirty (30) days after approval by SCAQMD of an itemized invoice prepared and furnished by RECIPIENT.
- D. An invoice submitted to SCAQMD for payment must be prepared in duplicate, on company letterhead, and list SCAQMD's Agreement number, period covered by invoice, and RECIPIENT's social security number or Employer Identification Number and submitted to:

South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
Attn: Cynthia Ravenstein, MSRC Contracts Administrator

- 1. Charges for equipment, material, and supply costs, travel expenses, contractor, and other charges, as applicable, must be itemized by RECIPIENT. Reimbursement for equipment, material, supplies, contractor, and other charges, as applicable, shall be made at actual cost. Supporting documentation must be provided for all individual charges (with the exception of direct labor charges provided by RECIPIENT).
- 2. SCAQMD shall pay RECIPIENT for travel-related expenses only if such travel is expressly set forth in Attachment 2 - **Payment/Cost** Schedule of this Agreement or pre-authorized by SCAQMD in writing.
- 3. RECIPIENT's failure to provide receipts shall be grounds for SCAQMD's non-reimbursement of such charges. SCAQMD may reduce payments on invoices by those charges for which receipts were not provided.
- 4. RECIPIENT must submit final invoice no later than ninety (90) days after the termination date of this Agreement or invoice may not be paid.

15. COMPLIANCE WITH APPLICABLE LAWS, LICENSES, PERMITS

RECIPIENT agrees to comply with all federal, state, and local laws, ordinances, codes and regulations and orders of public authorities in the performance of this Agreement, including complying with all licensing and permitting requirements and obtaining all clearances from appropriate agencies applicable to the project. RECIPIENT must also ensure that the vehicles and/or equipment to be purchased, leased or installed in the performance of this Agreement are in compliance with all applicable federal, state, and local air quality rules and regulations, and that it will maintain compliance for the full Agreement term. RECIPIENT shall ensure that the provisions of this clause are included in all contracts and subcontracts.

16. MOBILE SOURCE EMISSION REDUCTION CREDITS (MSERCs)

- A. The MSRC has adopted a policy that no MSERCs resulting from AB 2766 Discretionary Funds may be generated and/or sold.
- B. RECIPIENT has the opportunity to generate MSERCs as a by-product of the project if a portion of the air quality benefits attributable to the project resulted from funding sources other than AB2766. These MSERCs, which are issued by SCAQMD, are based upon the quantified vehicle miles traveled (VMT) by project vehicles or other activity data as appropriate. Therefore, a portion of prospective MSERCs, generated as a result of AB 2766 Funds, must be retired. The portion of prospective credits funded by the AB 2766 program, and which are subject to retirement, shall be referred to as "AB 2766-MSERCs."



C. The determination of AB 2766-MSERC's is to be prorated based upon the AB 2766 program's contribution to the cost associated with the air quality benefits. In the case where AB 2766 Discretionary Funds are used to pay for the full differential cost of a new alternative fuel vehicle or for the retrofitting or repowering of an existing vehicle, all MSERCs attributable to AB 2766 Discretionary Funds must be retired. The determination of AB 2766-MSERCs for infrastructure and other ancillary items is to be prorated based upon the AB 2766 program's contribution to the associated air quality benefits. Determination of the project's overall cost will be on a case-by-case basis at the time an MSERC application is submitted. SCAQMD staff, at the time an MSERC application is submitted, will calculate total MSERCs and retire the AB 2766-MSERCs. RECIPIENT would then receive the balance of the MSERCs not associated with AB 2766 funding.

17. NOTICES

All notices that are required under this Agreement shall be provided in the manner set forth herein, unless specified otherwise. Notice to a party shall be delivered to the attention of the person listed below, or to such other person or persons as may hereafter be designated by that party in writing. Notice shall be in writing sent by email, U.S. Mail, express, certified, return receipt requested, or a nationally recognized overnight courier service. In the case of email communications, valid notice shall be deemed to have been delivered upon sending, provided the sender obtained an electronic confirmation of delivery. Email communications shall be deemed to have been received on the date of such transmission, provided such date was a business day (Tuesday-Friday) and delivered prior to 5:30pm Pacific Standard Time. Otherwise, receipt of email communications shall be deemed to have occurred on the following business day. In the case of U.S. Mail notice, notice shall be deemed to be received when delivered or five (5) business days after deposit in the U.S. Mail. In the case of a nationally recognized overnight courier service, notice shall be deemed received when delivered (written receipt of delivery).

SCAQMD:  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
Attn: Cynthia Ravenstein, MSRC Contracts Administrator, email: [cravenstein@aqmd.gov](mailto:cravenstein@aqmd.gov)

RECIPIENT:

\*\*\*  
\*\*\*  
\*\*\*

Attn: \*\*\*, email: \*\*\*

18. INDEPENDENT CONTRACTOR

RECIPIENT, its officers, employees, agents, or representatives shall act in an independent capacity, and shall in no sense be considered employees or agents of SCAQMD, nor shall RECIPIENT, its officers, employees, agents, or representatives be entitled to or eligible to participate in any benefits, privileges, or plans, given or extended by SCAQMD to its employees. SCAQMD will not supervise, direct, or have control over, or be responsible for RECIPIENT's means, methods, techniques, work sequences or procedures, or for the safety precautions and programs incident thereto, or for any failure by them to comply with any local, state, or federal laws, or rules or regulations, including state minimum wage laws and OSHA requirements.



19. OWNERSHIP

Title and full ownership rights to any equipment purchased under this Agreement shall at all times remain with RECIPIENT.

**USE ABOVE CLAUSE, OR USE CLAUSE BELOW FOR PROFESSIONAL SERVICES**

OWNERSHIP

Title and full ownership rights to any products purchased or developed under this Agreement shall at all time remain with RECIPIENT. RECIPIENT shall also retain title and full ownership rights to any documents or reports developed under this Agreement. All of the above shall be subject to the following limitations:

- A. PATENT RIGHTS - RECIPIENT shall have patent rights, as well as title and full ownership rights, for invention(s) developed under this Agreement, subject to SCAQMD retaining a no-cost, nonexclusive, nontransferable, irrevocable license to use or test such invention(s) for SCAQMD purposes. RECIPIENT must obtain agreements to effectuate this clause with all persons or entities obtaining an ownership interest in the patented subject invention(s). Previously documented (whether patented or unpatented under the patent laws of the United States, 35 U.S.C. Sections 1 *et seq.*, or any foreign country) inventions are exempt from this provision. RECIPIENT shall submit a written report to SCAQMD's Agent disclosing each subject invention and specifying patents applied for, patents issued, and patent application(s) abandoned and/or cosponsored participants on subject invention(s).
- B. RIGHTS OF TECHNICAL DATA - SCAQMD shall have unlimited right to use technical data resulting from performance of RECIPIENT under this Agreement. RECIPIENT shall have the right to use data for its own benefit.
- C. COPYRIGHT - RECIPIENT agrees to grant SCAQMD a royalty free, nonexclusive, irrevocable, nontransferable license to produce, translate, publish, use, and dispose of all copyrightable material first produced or composed in the performance of this Agreement.
- D. SOFTWARE RIGHTS - RECIPIENT agrees to grant SCAQMD a worldwide, royalty free, nonexclusive, irrevocable, nontransferable license in perpetuity to use any software developed by RECIPIENT in performing its obligations under this Agreement. RECIPIENT further agrees to obtain the rights required from any third party for SCAQMD to have a worldwide, royalty free, nonexclusive, irrevocable license in perpetuity to use any other software essential to performance of RECIPIENT'S obligations under this Agreement or necessary to the operation of the software developed by RECIPIENT. RECIPIENT shall provide SCAQMD with documentation confirming RECIPIENT'S right to assign the use of such software. RECIPIENT shall also provide SCAQMD with all documentation and manuals required to operate the software developed by it or third parties.
- E. RECIPIENT'S INSOLVENCY OR BANKRUPTCY, or PROJECT'S DISCONTINUATION - RECIPIENT agrees that in the event that RECIPIENT becomes insolvent or files for bankruptcy during the term of the Agreement or does not complete the intent of the Agreement, title to goods, services software, and equipment purchased for the performance of this Agreement with AB 2766 Discretionary Funds shall revert to the SCAQMD.

20. SECURITY INTEREST

RECIPIENT hereby grants SCAQMD a security interest in any and all equipment purchased, in whole or in part, with funding provided by SCAQMD pursuant to this Agreement. RECIPIENT acknowledges and agrees that SCAQMD shall have all lien rights as a secured creditor on any and all equipment purchased in whole or in part by the RECIPIENT, under this Agreement or any amendments thereto. The SCAQMD shall have lien rights in effect until the RECIPIENT satisfies all terms under the Agreement, including but not limited to, the use and reporting requirements. **Accordingly, RECIPIENT further agrees that SCAQMD is authorized to file a UCC filing statement or similar security instrument to secure its interests in the equipment that**

is the subject of the Agreement. In the event RECIPIENT files for bankruptcy protection, RECIPIENT shall notify SCAQMD within 14 calendar days of such filing. **[INCLUDE IF APPLICABLE]**

21. NON-DISCRIMINATION

In the performance of this Agreement, RECIPIENT shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment on the basis of race, religious creed, color, national origin, ancestry, sex, sexual orientation, marital status, age, mental status, medical condition, physical or mental disability, or allow unlawful denial of family and medical care leave, denial of pregnancy disability leave, or reasonable accommodations. RECIPIENT shall comply with the provisions of the California Fair Employment & Housing Act (Government Code Sections 12900 et seq.), the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, Executive Order No. 11246 (30 Federal Register 12319), and all administrative rules and regulations issued pursuant to said Acts and Order.

22. ASSIGNMENT AND TRANSFER OF EQUIPMENT

- A. The rights and responsibilities granted hereby may not be assigned, sold, licensed, or otherwise transferred by RECIPIENT without the prior written consent of SCAQMD, and any attempt by RECIPIENT to do so shall be void upon inception.
- B. RECIPIENT agrees to obtain SCAQMD's written consent to any assignment, sale, license or transfer of Equipment, if any, prior to completing the transaction. RECIPIENT shall inform the proposed assignee, buyer, licensee or transferee (collectively referred to here as "Buyer") of the terms of this Agreement. RECIPIENT is responsible for establishing contact between SCAQMD and the Buyer and shall assist SCAQMD in facilitating the transfer of this Agreement's terms and conditions to the Buyer. **RECIPIENT will not be relieved of the legal obligation to fulfill the terms and conditions of this Agreement until and unless the Buyer has assumed responsibility of this Agreement's terms and conditions through an executed Agreement with SCAQMD.**

23. NON-EFFECT OF WAIVER

The failure of RECIPIENT or SCAQMD to insist upon the performance of any or all of the terms, covenants, or conditions of this Agreement, or failure to exercise any rights or remedies hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such terms, covenants, or conditions, or of the future exercise of such rights or remedies, unless otherwise provided for herein.

24. PROPOSAL INCORPORATION

RECIPIENT's Technical Proposal dated \*\*\* submitted in response to Request for Proposal (RFP) #\*\*\*, is expressly incorporated herein by this reference and made a part hereof of this Agreement. In the event of any conflict between the terms and conditions of this Agreement and RECIPIENT's Technical Proposal, this Agreement shall govern and control. **[INCLUDE IF APPLICABLE]**

KEY PERSONNEL **[INCLUDE IF APPLICABLE]**

insert person's name is deemed critical to the successful performance of this Contract. Any changes in key personnel by CONTRACTOR must be approved by SCAQMD. All substitute personnel must possess qualifications/experience equal to the original named key personnel and must be approved by SCAQMD. SCAQMD reserves the right to interview proposed substitute key personnel.

25. TAX IMPLICATIONS FROM RECEIPT OF MSRC FUNDS

RECIPIENT is advised to consult a tax attorney regarding potential tax implications from receipt of MSRC funds.

26. ATTORNEYS' FEES

In the event any action is filed in connection with the enforcement or interpretation of this Agreement, each party in said action shall pay its own attorneys' fees and costs.

27. FORCE MAJEURE

A party shall not be liable or deemed to be in default for any delay or failure in performance under this Agreement or interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the party's reasonable control.

28. SEVERABILITY

In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be unenforceable in any respect by a court of competent jurisdiction, such holding shall not affect any other provisions of this Agreement, and the Agreement shall then be construed as if such unenforceable provisions are not a part hereof.

29. HEADINGS

Headings on the clauses of this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.

30. SIGNATURES

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute together one and the same instrument. Further, the parties agree that this Agreement or any counterpart may be executed and delivered by DocuSign, or by transmitting a manual signature by fax or .pdf, which shall have the same force and effect as copies executed and delivered with original manual signatures.

31. GOVERNING LAW

This Agreement shall be construed and interpreted, and the legal relations created thereby shall be determined in accordance with the laws of the State of California. Venue for resolution of any disputes under this Agreement shall be Los Angeles County, California.

32. PRE-AGREEMENT COSTS

Any costs incurred by RECIPIENT prior to RECIPIENT receipt of a fully executed Agreement shall be incurred solely at the risk of the RECIPIENT. In the event that this Agreement is not executed, neither the MSRC nor the SCAQMD shall be liable for any amounts expended in anticipation of a fully executed Agreement. If this Agreement is fully executed, pre-Agreement cost expenditures authorized by the Agreement will be reimbursed in accordance with the **Payment/Cost** Schedule and payment provision of the Agreement.

33. CHANGE TERMS

Changes to any part of this Agreement must be requested in writing by RECIPIENT and approved by MSRC in accordance with MSRC policies and procedures. RECIPIENT must make requests a minimum of 90 days prior to desired effective date of change. All modifications to this Agreement shall be in writing and signed by the authorized representatives of the parties

34. **PUBLIC WORKS PROJECTS [INCLUDE IF APPLICABLE]**

RECIPIENT agrees to comply with all of the applicable provisions of the California Labor Code pertaining to public works projects (Labor Code Sections 1720 – 1861). RECIPIENT shall be responsible for determining the applicability of the provisions of California Labor Code and complying with the same, including, without limitation, registering the public works project with the Department of Industrial Relations, obtaining from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work, making the same available to any interested party upon request, paying the applicable prevailing rates, posting copies thereof at the job site and flowing all applicable requirements to its contractors. Proof of compliance must be provided to SCAQMD upon request. RECIPIENT shall indemnify, defend and hold harmless the SCAQMD against any and all claims, demands, damages, defense costs or liabilities based on failure to adhere to the above referenced statutes.

35. ENTIRE AGREEMENT

This Agreement represents the entire agreement between RECIPIENT and SCAQMD. There are no understandings, representations, or warranties of any kind except as expressly set forth herein. No waiver, alteration, or modification of any of the provisions herein shall be binding on any party unless in writing and signed by the authorized representative of the party against whom enforcement of such waiver, alteration, or modification is sought. No waiver by either party of any breach of, or of compliance with, any condition or provision of this Agreement by the other party shall be considered a waiver of any other condition or provision or of the same condition or provision at another time.

36. AUTHORITY

The signatory hereto represents and warrants that he or she is authorized and empowered and has the legal capacity to execute this Agreement and to legally bind RECIPIENT both in an operational and financial capacity and that the requirements and obligations under this Agreement are legally enforceable and binding on RECIPIENT.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties to this Agreement have caused this Agreement to be duly executed on their behalf by their authorized representatives.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

\*\*\*

By: \_\_\_\_\_  
Ben J. Benoit, Chair, Governing Board

By: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:  
Faye Thomas, Clerk of the Board

By: \_\_\_\_\_

APPROVED AS TO FORM:  
Bayron T. Gilchrist, General Counsel

By: \_\_\_\_\_

//MSRC Master Boilerplate  
Revised December 1, 2021

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 6

**PROPOSAL:** Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2019-20 and 2020-21

**SYNOPSIS:** Health and Safety Code Section 44244.1 requires any agency receiving fee revenues pursuant to Section 44243 or 44244 to be subject to an audit of each program or project funded at least once every two years. On September 2, 2022, the Board approved the release of an RFP to select an auditor to perform the biennial audit for FYs 2019-20 and 2020-21. This action is to award a contract to Simpson & Simpson, Certified Public Accountants.

**COMMITTEE:** Administrative, December 9, 2022; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chair to execute a contract with Simpson & Simpson, Certified Public Accountants for performance of the biennial audit of Motor Vehicle Registration revenues for FYs 2019-20 and 2020-21 at a total cost not to exceed \$123,250. Sufficient funding is included in FY 2022-23 General Fund budget.

Wayne Nastri  
Executive Officer

SJ:JK:AP

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**Background**

AB 2766, chaptered into law as Health and Safety Code Sections 44220-44247, was enacted to authorize air pollution control districts to impose fees on motor vehicles. Fees are expended on mobile source air pollution reduction measures pursuant to the California Clean Air Act of 1988 or South Coast AQMD AQMP pursuant to Article 5 of Chapter 5.5 of Part 3 of the California Health and Safety Code. Health and Safety Code Section 44244.1(a) states, “any agency receiving fee revenues pursuant to Section 44243 or 44244 shall, at least once every two years, be subject to an audit of each program or project funded. The audit is to be conducted by an independent auditor

selected by South Coast AQMD in accordance with Division 2 (commencing with Section 1100) of the Public Contract Code.” Audit program guidelines for local government recipients of fee revenues under Health and Safety Code Sections 44220-44247 were prepared by South Coast AQMD with input from the Technical Advisory Committee Audit Subcommittee of the Interagency AQMP Implementation Committee (IAIC), representatives of the Finance Committee of the League of California Cities, and Certified Public Accounting (CPA) firms whose clients include local governments. These audit guidelines were approved by IAIC and MSRC. The Board approved the audit guidelines on December 4, 1992, and approved revisions on January 13, 1995 and August 1, 2003. This is the fourteenth biennial audit of these fee revenues and covers FYs 2019-20 and 2020-21.

### **Proposal**

On September 2, 2022, the Board approved an RFP to conduct the biennial audit of recipients of AB 2766 fee revenues. The audit will cover recipients in all three segments of the AB 2766 fee distribution to determine whether the fee revenues collected in FYs 2019-20 and 2020-21 were spent on the reduction of pollution from motor vehicles. The primary purpose of the audit is to set forth an opinion regarding the propriety of the expenditures incurred, not the degree of efficacy in reducing air pollution.

### **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 Press Enterprise newspapers to leverage the most cost-effective method of outreach to South Coast Basin.

Additionally, potential bidders were notified utilizing South Coast AQMD’s own electronic listing of certified minority vendors. Notice of the RFP 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>) where it could be viewed by making the selection “Grants & Bids.”

### **Bid Evaluation**

South Coast AQMD received two proposals from CPA firms that are qualified to perform audits in the State of California. All the proposals were received by the 3:00 p.m., October 14, 2022 deadline and were evaluated by a technically qualified panel in accordance with criteria contained in the RFP.

**Panel Composition**

The panel convened to evaluate the proposals consisted of: Riverside County Executive Office Principal Management Analyst (MSRC), City of Murrieta Financial Analyst (Local Governments), South Coast AQMD Financial Services Manager and a South Coast AQMD Financial Analyst. Of the four panelists that scored the proposals one is female and three are male. The panelist consisted of an Asian, Filipino, Asian/Filipino and a Caucasian.

Both of the proposals received were rated technically qualified to perform the audit of the AB 2766 program and were scored for cost. The evaluation results for the two proposals are:

BIDDER	TECHNICAL SCORE	BID AMOUNT	COST	SMALL/ LOCAL BUSINESS	TOTAL POINTS	OVERALL RANK
Simpson & Simpson, Certified Public Accountants	64.8	\$123,250	28.7	15	108.5	1 <sup>st</sup>
BCA Watson Rice, LLP	60.3	\$118,300	30	15	105.3	2 <sup>nd</sup>

The selection criteria used to rank the proposals included responsiveness to the RFP; technical expertise; qualifications and experience; past performance; cost; and small business/small business joint venture/disabled veteran business enterprise/disabled veteran business enterprise joint venture/disabled veteran business enterprise/small business subcontractors/local business designation (non-EPA).Based on the panel's assessment of the criteria, Simpson & Simpson, Certified Public Accountants was selected to be recommended to the Board.

**Resource Impacts:**

The maximum audit cost is \$123,250. The total audit costs will be borne by the entities being audited as follows:

- The cost of the audit of South Coast AQMD's portion of motor vehicle registration revenues is \$3,950. Sufficient funds are included in the FY 2022-23 Budget;
- The cost of the audit of ten projects of the Mobile Source Air Pollution Reduction Trust Fund is \$8,000 and shall be deducted from the FY 2022-23 revenues subvended to the Mobile Source Air Pollution Reduction Review Committee; and
- The total cost of eighty-three financial audits and thirty compliance audits of local governments is up to a maximum of \$111,300. This cost will be borne by the entities being audited in the manner set forth in the audit program guidelines and will be deducted from quarterly fee revenues prior to distribution.



 [Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 7

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the November 2022 outreach activities of Legislative, Public Affairs and Media Office, which includes Major Events, Community Events/Public Meetings, Environmental Justice Update, AB 617 Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Small 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

AL:DS:ar:bel

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## **BACKGROUND**

This report summarizes the activities of Legislative, Public Affairs and Media Office for November. The report includes Major Events, Community Events/Public Meetings, Environmental Justice Update, AB 617 Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Small Business Assistance, Media Relations, and Outreach to Community Groups and Governments.

## **MAJOR EVENTS (HOSTED AND SPONSORED)**

Each year, 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, and improving air quality while minimizing economic impacts.

No major events were hosted or sponsored in November.

## **COMMUNITY EVENTS/PUBLIC MEETINGS**

Staff engage with residents and stakeholders of diverse communities to provide information about the agency, incentive programs, and ways individuals can help reduce air pollution through events and meetings sponsored 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;
- How to file a complaint;
- Clean air technologies and their deployment;
- Invitations to or notices of conferences, seminars, workshops, and other public events;
- South Coast AQMD incentive programs;
- Funding/grants opportunities by South Coast AQMD and partner agencies;
- Ways to participate in South Coast AQMD's rules and policy development; and
- Assistance in resolving air pollution-related problems.

Staff attended and/or provided information and updates at the following November events and meetings:

### AllenCo Energy

On November 1, staff participated in a virtual stakeholder meeting hosted by Los Angeles County Department of Public Health related to AllenCo Energy. Staff provided an update on monthly compliance activities, including surveillance and air monitoring.

### San Gabriel Valley Council of Governments

On November 2, staff participated virtually in the City Manager Steering Committee to share information on Check Before You Burn, clean air tips for the holidays, and the Commercial Electric Lawn and Garden Equipment Incentive and Exchange program.

### San Bernardino County Transportation Authority (SBCTA)

On November 3, staff participated in-person at the SBCTA City Manager Technical Advisory Committee. Staff shared information on Check Before You Burn and other programs.

### Inland Empire Fire Safe Alliance

On November 9, staff participated in-person at the Inland Empire Fire Safe Alliance meeting. Updates were provided on Check Before You Burn and the Commercial Electric Lawn and Garden Equipment Incentive program.

### University of California, Riverside (UCR)

On November 11, staff attended the UCR Solar Valley Consortium webinar about the rollout of utility-scale solar energy and energy storage in California.

#### Santa Ana Chamber of Commerce

On November 15, staff participated virtually in the Santa Ana Chamber of Commerce Government Affairs Committee meeting and shared updates on the Check Before You Burn program.

#### South Bay Cities Council of Governments

On November 17, staff participated in an Open House in-person event hosted by the South Bay Cities Council of Governments. Staff provided information on South Coast AQMD programs such as Check Before You Burn, Residential EV Chargers, and Replace Your Ride.

#### Clean Healthy Air, Clean Healthy Altadena (CHA CHA)

On November 30, staff attended an in-person CHA CHA Clean Air Day meeting to provide updates about the 2022 AQMP and the Check Before You Burn program.

#### San Gabriel Valley Economic Partnership

On November 30, staff attended a Legislative Action Committee meeting to provide updates on the Check Before You Burn program, 2022 Revised Draft Air Quality Management Plan and 33<sup>rd</sup> Annual Clean Air Awards.

### **ENVIRONMENTAL JUSTICE UPDATE**

The following are key environmental justice (EJ) related activities in which staff participated during November. These events and meetings involve communities affected disproportionately from adverse air quality impacts.

#### California Safe Schools

On November 3, staff participated in the in-person 8<sup>th</sup> Annual EJ & Enforcement Symposium. The symposium focused on stakeholder collaboration, multi-agency initiatives and the critical need for enforcement in EJ communities.

#### Pacoima Community Initiative

On November 4, staff participated in the Pacoima Community Initiative's monthly virtual meeting. Staff presented on how to report air quality issues and the South Coast AQMD mobile app.

#### Environmental Justice Index (EJI)

On November 9, staff attended the U.S. Department of Health and Human Services webinar to learn how to use the EJI tool, a comprehensive place-based index that identifies and characterizes the cumulative impacts of environmental, social and chronic health conditions facing communities across the nation.

### 8<sup>th</sup> Annual Environmental Justice 2022 Enforcement Symposium Workshop

On November 16, staff participated virtually in the 8<sup>th</sup> Annual EJ & Enforcement Symposium Workshop. U.S. EPA Region 9 and CalEPA presentations focused on the 2023 Environmental Justice Enforcement Action Plan.

### Justice40 Initiative

On November 17, staff attended the U.S. Department of Transportation webinar on implementation of the Justice40 Initiative. The Biden-Harris Administration created the Justice40 Initiative to allocate at least 40 percent of the overall benefits from federal investments to disadvantaged communities.

### **WHY HEALTHY AIR MATTERS AND CLEAN AIR PROGRAM FOR ELEMENTARY STUDENTS UPDATE**

Annual reports for the 2021-2022 academic year have been completed by Lee Andrews Group for the Why Healthy Air Matters (WHAM) and Clean Air Program for Elementary Students (CAPES).

### **AB 617 UPDATE**

The following are key AB 617-related activities in which staff participated during November. These events, workshops, and meetings involve AB 617 communities and support the Community Steering Committees (CSCs), Community Air Monitoring Plans (CAMPs), and Community Emissions Reduction Plans (CERPs).

### Wilmington, Carson, West Long Beach (WCWLB)

On November 3, approximately 98 people participated in the CSC meeting and a member discussed their participation in a public health survey. Updates were provided on oil and gas implementation monitoring and rule development efforts in the Community Emission Reduction Plan. CSC members commented about notifications for oil well surveys, clarification on tanks regulated under Rule 1178, Proposed Amended Rule 1178, and monitoring techniques.

### East Los Angeles/Boyle Heights/West Commerce (ELABHWC)

On November 17, approximately 60 people participated in the fourth quarterly CSC meeting. Staff presented on the residential air filtration system project and provided an update on Baker Commodities Order for Abatement. Representatives from the Coalition for Clean Air and Gladstein, Neandross & Associates presented on the Joint Electric Truck Scaling Initiative pilot project, which included a community survey. In addition, a representative from Aclima, Inc. presented data from their 2021 mobile air monitoring campaign in ELABHWC.

## **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.

### California State University, Los Angeles (Cal State LA)

On November 3, provided an overview of South Coast AQMD, health impacts of air pollution and environmental justice to students at Cal State LA.

## **COMMUNICATION CENTER STATISTICS**

The Communication Center handles calls on South Coast AQMD's main line, 1-800-CUT-SMOG®, the Spanish line, and after-hours calls to those lines. Total calls received in the month of November are summarized below:

Calls to South Coast AQMD's Main Line and 1-800-CUT-SMOG®	2,044
Calls to South Coast AQMD's Spanish Line	30
Clean Air Connection	0
Total Calls	2,074

## **PUBLIC INFORMATION CENTER STATISTICS**

The Public Information Center (PIC) handles phone calls and assists individuals who walk-in for general information. Email advisories provided information on upcoming meetings and events, program announcements and alerts on time-sensitive issues.

Information for the month of November is summarized below:

Calls Received by PIC	30
Calls to Automated System	148
Total Calls	178
Email Advisories Sent	9,090

## 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 provided personalized assistance to small businesses both over the telephone and via virtual on-site consultation, as summarized below for November.

- Provided permit application assistance to 145 companies, and
- Processed 57 Air Quality Permit Checklists.

Types of businesses assisted:

Architecture Firms	Engineering Firms	Restaurants
Auto Body Shops	Gas Stations	Retail Facilities
Auto Repair Centers	Gasoline Dispensing	Telecommunication
Construction Firms	Facilities	Centers
Dry Cleaners	Manufacturing Facilities	Warehouses

## 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 November report is listed below:

Major Media Interactions	52
Press Releases	2
News Carousel	3

### Major Media Topics:

- **KNX:** Staff participated in a pre-recorded Zoom interview with Brian Lowe, regarding the Check Before you Burn program..
- **Los Angeles Times:** Tony Briscoe requested inspection report information on air monitoring efforts at Exide and updates on plastic facilities permitted in the area. Staff is working on request.
- **Inside EPA:** Curt Barry inquired about the Revised Draft AQMP and the related issues. Written responses were provided.
- **San Francisco Chronicle:** Joe Rubin inquired if Bay Area Air Quality Management District received lead emissions data and calculations from South Coast AQMD on gun ranges in Southern California and the status of the On Target gun range investigation. A response was provided.

- **Channel 35, LA CityView:** Outlet interested in hosting Board Member Nithya Raman for airtime whenever possible and topics of interest were provided. Staff is working on inquiry.
- **1580 KBLA Radio:** Radio host Dominique Diprima to publish PSAs for the Clean Air Awards. An interview is being scheduled.
- **Capital & Main:** Staff participated in an interview with Dan Ross regarding Ethylene Oxide.
- **South Coast AQMD Issues a Windblown Dust Advisory for Portions of Riverside and San Bernardino Counties:** Pitches were sent to local media outlets resulting in media coverage.
- **Associated Press:** Staff was interviewed by Josh Funk regarding U.S. EPA's Response to Petitions to Address Harmful Emissions from Locomotives.
- **Prism Realty:** Edwin Abad inquired if Baker Commodities in Vernon will resume business at some point. A written response was provided.
- **Nano Affix/University of Milwaukee:** A student requested information on air monitoring and equipment. Questions were provided and staff is working on responses.
- **NBC 4:** Carmen Karcher requested an interview regarding the first strong Santa Ana windstorm of the season. Referred reporter to National Weather Service.
- **Wired Magazine:** Reporter Amy Martyn inquired about hydrogen sulfide releases from the Dominguez Channel. Staff is working on response.
- **KCRW:** Reporter Caleigh Wells inquired about Van Nuys Airport air quality monitoring updates. A written response was provided.
- **Southern California Public Radio:** Reporter Julia Barajas inquired how to obtain all air quality complaints about Baker and Hyperion. The reporter was advised to file a Public Records Request.
- **Spectrum News 1:** A reporter inquired to see if the volcano eruption in Hawaii was affecting Southern California air quality. A written response was provided.

#### News Releases:

- **South Coast AQMD Issues a Windblown Dust Advisory for Portions of Riverside County - October 15, 2022 (English and Spanish):** Informed residents of windblown dust advisory

#### Social Media Posts:

- [Air Quality Forecast \(11/05\):](#) 1,315 Twitter Impressions --RT by @LAFDtalk and @805weather
- [Windblown Dust Advisory \(11/15\):](#) 7,474 Twitter Impressions --RT by @Socal\_RedCross, @AirResources, @805Weather, @NWSSanDiego, @BelenNBCLA, @RivCoReady, @CityOfRC, @RCFD\_PIO

- [Air Quality Forecast \(11/20\)](#): 1,622 Twitter Impressions -- RT by @LAFDtalk, @StewartTVNews
- [Air Quality Forecast \(11/27\)](#): 1,906 Twitter Impressions -- RT by @805Weather, @LAFDtalk, @StewartTVNews

#### News Carousel:

- **Keep up with the Latest News from South Coast AQMD - November 2, 2022:** Provided a link to the October/November/December 2022 edition of the Advisor Newsletter.
- **There's still time to submit nominations for the 33rd Annual Clean Air Awards - November 9, 2022:** Provided a link to the Clean Air Awards nominations page.
- **Register now to attend the Clean Air Awards – November 30, 2022:** Provided a link to the event that will take place virtually on Jan. 6, 2023.

#### OUTREACH TO COMMUNITY GROUPS AND FEDERAL, STATE AND LOCAL GOVERNMENTS

Outreach was conducted personally and virtually in November to communicate with elected officials or staff from the following cities:

Alhambra	Corona	Inglewood
Arcadia	Cudahy	Jurupa Valley
Artesia	Desert Hot Springs	La Habra
Baldwin Park	Diamond Bar	La Habra Heights
Banning	Downey	Lake Elsinore
Beaumont	Duarte	La Mirada
Bell	Eastvale	La Puente
Bell Gardens	El Monte	La Quinta
Bellflower	El Segundo	Lawndale
Big Bear Lake	Fontana	La Verne
Brea	Fullerton	Lakewood
Burbank	Gardena	Loma Linda
Calimesa	Glendale	Lomita
Canyon Lake	Glendora	Long Beach
Carson	Hawaiian Gardens	Los Angeles
Cathedral	Hawthorne	Lynwood
Chino	Hemet	Manhattan Beach
Cerritos	Hermosa Beach	Maywood
Coachella	Huntington Beach	Menifee
Colton	Indian Wells	Monrovia
Commerce	Indio	Montclair
Compton	Industry	Moreno Valley



Murrieta	Redlands	South El Monte
Norco	Redondo Beach	South Gate
Norwalk	Rialto	South Pasadena
Ontario	Rolling Hills	Temecula
Palm Desert	Rolling Hills Estates	Temple City
Palm Springs	San Dimas	Torrance
Palos Verdes Estates	San Fernando	Upland
Paramount	San Gabriel	Vernon
Perris	San Marino	West Hollywood
Pico Rivera	Santa Clarita	Whittier
Placentia	Santa Fe Springs	Wildomar
Rancho Cucamonga	Sierra Madre	Yorba Linda
Rancho Palos Verdes	Signal Hill	

Communication was conducted in November with elected officials and/or staff from the following state and federal offices:

- US Senator Dianne Feinstein
- US Senator Alex Padilla
- US Representative Judy Chu
- US Representative Lou Correa
- Senator Josh Newman
- Senator Anthony Portantino
- Senator Susan Rubio
- Assembly Member Mike Fong
- Assembly Member Chris Holden
- Assembly Member Freddie Rodriguez
- Assembly Member Blanca Rubio
- Assembly Member Thurston Smith

Staff represented South Coast AQMD in November and/or provided updates or a presentation to the following governmental agencies and business organizations:

Alhambra Chamber of Commerce  
Arcadia Chamber of Commerce  
California Chamber of Commerce  
California Department of Forestry and Fire Protection  
California Department of Transportation  
California Geologic Energy Management Division  
Crestline Chamber of Commerce  
El Monte South El Monte Chamber of Commerce  
Foothill Transit  
Glendora Chamber of Commerce  
Harbor Association of Industry and Commerce  
Lake Arrowhead Chamber of Commerce  
League of California Cities, Inland Empire and Los Angeles Divisions

Los Angeles County Department of Public Health  
Los Angeles County Economic Development Corporation  
Metropolitan Water District  
Mountain Transit  
Omnitrans  
Orange County Transportation Authority  
Riverside Transit Agency  
Running Springs Chamber of Commerce  
San Bernardino County Transportation Authority  
San Fernando Valley Council of Governments  
San Gabriel Valley Basin Water Quality Authority  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
Santa Ana Chamber of Commerce  
South Bay Cities Council of Governments  
Southern California Association of Governments  
SunLine Transit Agency  
USDA Forest Service  
Western Riverside Council of Governments

In November, staff represented South Coast AQMD and/or provided updates or a presentation to the following community and educational groups and organizations:

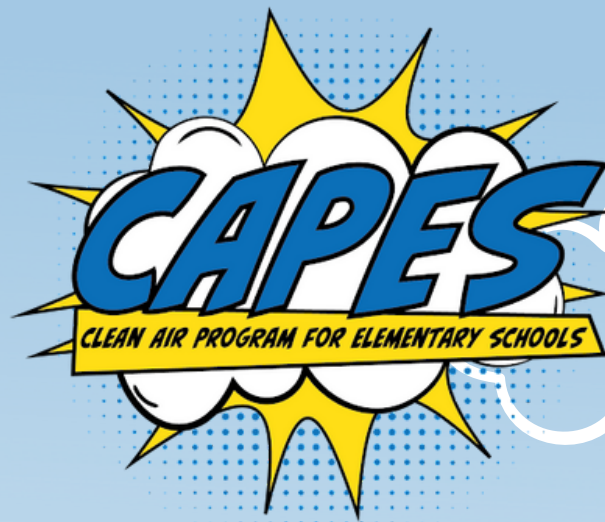
Cal Poly Pomona  
California Institute of Technology  
California Safe Schools  
California State University, Fullerton  
Coachella Valley Unified School District  
Clean Healthy Air, Clean Healthy Altadena  
City of Hope  
Coalition for Clean Air  
Edison High School, Huntington Beach  
Inland Empire Fire Safe Alliance  
Mt. San Antonio College, Walnut  
Oak Knoll Montessori School, Pasadena  
Ontario - Montclair Unified School District  
San Bernardino County Department of Education  
University of La Verne

#### **Attachments**

1. CAPES Annual Report
2. WHAM Annual Report

# Annual Report 2021-2022

Year 2



South Coast AQMD's Air Quality Education Program for Elementary  
School Students

Prepared by  
**Lee Andrews Group**



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# INTRODUCTION



The South Coast Air Quality Management District (South Coast AQMD) is the regulatory agency responsible for improving air quality for large areas of Los Angeles, Orange, Riverside and San Bernardino counties, including the Coachella Valley. The region is home to more than 17 million people—about half the population of the entire state of California.

The Clean Air Program for Elementary Students (CAPES) is South Coast AQMD's elementary school air quality education program. CAPES provides air quality education and awareness to elementary schools within environmental justice communities throughout South Coast AQMD's four-county jurisdiction. Since its inception in 2019, CAPES has hosted assemblies with thousands of students, and engaged elementary school students to educate them on the importance of air quality, the impact of air pollution, and actions students can take to improve the environment.

In the 2019-20 school year, CAPES in person presentation could not be implemented due to the COVID-19 pandemic. Schools moved to a distance-learning format, which was an issue since CAPES was created to be implemented in an in-person format. Lee Andrews Group assisted South Coast AQMD to transition CAPES into a virtual format to accommodate both distance and hybrid-learning models.

CAPES materials were drafted to provide educators the flexibility in administering the materials. Most schools returned to in-class instruction in the 2021-22 school year, with some restrictions. **During the 2021-2022 school year, CAPES reached over 6,000 students within South Coast AQMD's jurisdiction.**

# PROCESS FOR YEAR 2 (2021-2022)

Developing CAPES education materials into virtual, hybrid, and in person formats included the following activities:

- Facilitating weekly project team meetings to discuss project deliverables;
- Coordinating the development of three educational topics to create videos, worksheets and lesson plans;
- Drafting, reviewing, and approving of three scripts for Year Two topics: Careers in the Environmental Field, Clean Air Choices, and Clean Air Hero Tools;
- Promoting CAPES to schools and non-school programs (such as Boys and Girls Clubs, Boy and Girl Scout Troops) in Los Angeles, Orange, Riverside, and San Bernardino Counties;
- Coordinating with South Coast AQMD on the development and execution of an Earth Day Virtual event;
- Coordinating with Orange County Water District to promote CAPES to schools during their Water Education Festival;
- Securing the services of a science teacher to develop lesson plans and worksheets for Year Two topics that are in alignment with Next Generation Science Standards (NGSS);
- Coordinating the development of CAPES first to sixth grade curriculum;
- Ensuring the curriculum is accessible via Microsoft Office and Google Classroom;
- Researching, negotiating, and acquiring talent for CAPES videos;
- Managing the contract process for the approved CAPES talent;
- Securing a production team to film the Year Two CAPES videos;
- Securing a filming location for the three Year Two CAPES videos;
- Managing and staffing at the production of the CAPES Year Two videos on February 19, 2021;
- Coordinating with South Coast AQMD and the production team on video edits;
- Securing approval of the Year Two CAPES videos;
- Developing and securing approval of the Year Two outreach list of schools
- Creating a Smartsheet database for CAPES outreach;
- Maintaining the CAPES registration form on Smartsheets;
- Managing the outreach process via email, phone calls, and in-person visits to sign up educators;
- Engaging with educators who registered for CAPES and provided technical support to implement the program;



- Developing and executing the CAPES survey;
- Creating a Year Two Annual Report for the CAPES Program;
- Managing the procurement process for CAPES promotional items including:
  - Researching and providing recommendations for promotional items;
  - Coordinating with selected vendors for the promotional items;
- Coordinating and delivering 6,009 CAPES promotional bags to 115 schools total in Los Angeles, Orange, Riverside, and San Bernardino counties.



# THE RESULTS

The overall goal for CAPES is to have **20 schools** participate in the program with 8 schools in Los Angeles County, 4 schools in Orange County, 4 schools in Riverside County and 4 schools in San Bernardino County

Due to the design and execution of a robust and assertive engagement strategy, CAPES reached over 6,000 students in Year Two. A total of 115 schools from South Coast AQMD's jurisdiction participated in CAPES. Below is the breakdown of schools by county:

<u><a href="#">Los Angeles County</a></u>
Academia Moderna
Carlos Santana Arts Academy
Pico Canyon Elementary School
66th Street Elementary School
6th Avenue Elementary School
Allesandro Elementary School
Alta California Elementary School
Anatola Elementary School
Andasol Avenue Elementary School
Balboa Magnet Elementary School
Beckford Charter Elementary School

Blythe Street Elementary School
Breed Street "STEM" Elementary School
Broadway Elementary School
Calahan Street Elementary School
Calvert Charter for Enriched Studies
Cantara Street Elementary Visual and Performing Arts Magnet
Capistrano Avenue Elementary School
Castlebay Lane Charter Elementary School
Chandler Elementary School
Charles White Elementary School
Chase Street Elementary School
Chatsworth Park Urban Planning Magnet School



El Dorado Avenue Elementary School
El Oro Way Charter for Enriched Studies
Encino Charter Elementary School
Fletcher Drive Elementary School
Garden Grove Elementary School
Germain Academy for Academic Achievement
Gledhill St Magnet Elementary School
Harding Street Elementary School
Hart Street Elementary School
Haskell Elementary STEAM Magnet
Haynes Charter for Enriched Studies
Jaime Escalante Elementary School
Justice Street Academy Charter School
Kester Avenue Elementary School
Knollwood Elementary School
Lake Balboa College Prep Magnet School
Lane Elementary School

Langdon Avenue Elementary School
Liggett Street Elementary School
Limerick Avenue Elementary School
Lockhurst Drive Charter Elementary School
Lorne Street Elementary School
Marianna Ave Elementary School
Mayall Academy of Arts and Technology Magnet
Melvin Avenue Elementary School
Napa Street Elementary School
Newcastle Elementary School
Normont Elementary School
Parthenia Academy of Arts and Technology
Porter Ranch Community School
President Avenue Elementary School
Primary Academy for Success School
Reseda Elementary School
Robert Hill Lane Elementary School

Rosa Parks Learning Center
San Gabriel Avenue Elementary School
San Jose Street Elementary School
Serrania Charter for Enriched Studies
Sherman Oaks Center for Enriched Studies
Stagg Street Elementary School
Superior Street Elementary School
Tarzana Elementary School
Twentieth Street Elementary School
Van Deene Avenue Elementary School
Vintage Magnet Elementary School
Welby Way Elementary School
Wilmington Park Elementary School

<a href="#"><u>Orange County</u></a>
Beechwood Elementary School
Buena Vista Virtual Academy
Commonwealth Avenue Elementary School
Charles G. Emery Elementary School
Crescent Elementary School
Crosby Elementary School
Davis Magnet School
Dr. Jonas E. Salk Elementary School
El Sol Science and Arts Academy of Santa Ana
Esencia Elementary School
Fairmont Elementary School
James A. Whitaker School
Jefferson Elementary School
Jim Thorpe Fundamental Elementary School
John Murdy Elementary School
Lawrence Elementary School

Linda Vista Magnet Elementary School
Madison Elementary School
Monroe Elementary Language Academy
Nohl Canyon Elementary School
Orangethorpe Elementary School
Palmyra Elementary School
Pio Pico Elementary School
Riverdale Tech Academy Elementary School
Serrano Elementary School
Stonegate Elementary School
Villa Park Elementary School
Westmont Elementary School
Bryant Ranch Elementary School
Los Coyotes Elementary School
Monroe Elementary School

<u><a href="#">Riverside County</a></u>
Cesar Chavez Elementary School
Mountain Vista Elementary School
Palm View Elementary School
Peter Pendleton Elementary School
Valley View Elementary School
Westside Elementary School

<u><a href="#">San Bernardino County</a></u>
Windrows Elementary School
North Verdemont Elementary School
Captain Leland F. Norton Elementary School
Kimbark Elementary School



Feedback from participating educators provided insight on satisfaction with the program. Provided below are some highlights of the survey feedback, along with comments received:

**100%** of respondents indicated that they were very satisfied or satisfied with CAPES

**96%** of respondents indicated that it was extremely easy or very easy to implement the program

**97%** of respondents indicated that the program met standards extremely well or very well

**85%** of respondents shared that they would participate in the program again.

## SURVEY COMMENTS

Of the 265 classrooms participating in CAPES, 196 responded to the CAPES Implementation Survey. Provided below are comments from those educators who wrote feedback on the program:

<u>Educator Comments</u>
My students enjoyed the zoom.
The students enjoyed the interactive polls and seeing the results.
My students enjoyed this presentation.
The presentation was very fun, engaging, and educational.
My students enjoyed the presentation as well as the interactive surveys. It was fun and engaging.
Great information; easily understood by first graders.

The students enjoyed the interactive surveys.

It was very engaging and my students loved the polls.

I would like to see more programs like this.

It was a great presentation. My students learned a lot and had fun doing it.

They loved it! We used recycled materials to make satellites the day of the presentation. The videos you used and the questions engaged the class. We had fun learning with you!

My class loved the presentation! They were actively engaged the whole time. They shared the information with their families for homework.

Thank you for the informational presentation.

It was engaging and a fun way to learn about air quality.

It was great. My students and I loved it. Short, sweet to the point and great videos!

Thank you. It was very informative and engaging.

It was great! The kids loved it!

Thank you so much for this opportunity.

Great way to tie things into Earth day.

Thank you very much for providing the presentation. My fifth graders enjoyed it very much.

The students enjoyed participating in the quiz after each part. It was very interactive.

Thank you for a great learning experience!

Excellent presentation!

Great presentation!

Thank you for the informational assembly.
Thank you for the presentation. The kids enjoyed participating and enhanced their knowledge of ways to be earth friendly.
My students enjoyed the presentation and learned ways to be environmentally friendly.
It was fun and entertaining.
Thank you!!!
Great presentation! Students are actively checking the air quality and have downloaded the app.
My students enjoyed the presentation. They particularly liked the fact that a person close to their age was the one presenting.
I liked that it was interactive.... The presentation was very informative... thank you!
Very informative.
Do you have any website they can look at to check the air quality? Many of my students don't have phones.
Thank you for sharing your presentations with my class. They enjoyed them, asked good questions, which led to a great conversation
The students enjoyed it very much. Thank you!
It was very engaging and students loved the assessment questions.
Great assembly! Good information and presented in a student friendly way!
I loved how interactive it was, it was an appropriate pace for the students.
The students really enjoyed the event--thank you so much!!
Great opportunity for our students...for my first graders, a little stretch break mixed in would have been awesome...even some light except use that gets them breathing and aware of their breath, to connect to the importance of air quality.
I liked how the presentation was in segments and the kids were asked a simple question at the end of each of the presentations. The time frame was perfect.

Thank you for the awesome information and videos on pollution, water ecosystems, etc.

It was a very informative event.

Loved how interactive the zoom was.

Thank you for such a wonderful and engaging presentation.

Great program. Nice addition to our Earth Day activities.

The kids really enjoyed the interactive questions and were very pleased to see their results for the polls.

Great presentation. Kids loved it!

Thank you for putting on this event for our students. Very helpful and informational.

Everything was great!

Students enjoyed the quiz after each video, it kept them engaged and participating.

Thank you for helping our students understand the importance of making better choices for our environment.

The students really enjoyed it. They liked the songs and the survey questions.

It was a great presentation. Students were engaged. Thanks.

The students enjoyed being able to answer questions. Great way to engage them.

They loved the video of the trash factory. Kids need more exposure like these. well done.

The students really enjoyed the event--thank you so much!!

Great presentation!!!

Thank you.

Thank you!
Thank you.
My students enjoyed the presentation and became much more aware about air quality. They still bring up the "color" of the air and if it is a good day to exercise.
Thank you for this rare opportunity to engage young children in learning about how the environmental state affects our daily lives.
It was great. Students made me message their parents the name of the app so they could download it.
Although my students knew a lot of the information already, they still enjoyed themselves and loved how interactive it was.
The cartoons and student presenters were very engaging!
Thank you for the opportunity to learn about air quality and the environment.
The presentation was great and the students loved the quizzing because it made it interactive.
Excellent presentation! Increased my students' understanding of air quality and they enjoy using the air quality app to track our community air quality.
Students really enjoyed the webinar.
This was a very creative way of sparking student interest and making students reflect on their role as citizens..
My students loved the interactive polls, and I loved that it kept them engaged in the videos. I also loved the virtual hosts, they were so kid friendly!
The students enjoyed the examples of recycle, reduce, and reuse.
Thank you for your presentation. I have a very energetic class, and your event kept them all engaged.
My students really enjoyed the presentation.
It was fun and the kids are looking forward to receiving their goodie bags and certificates.
It would be great to have more presentations like these in the future.



The information presented was very kid friendly. The videos and questions kept the kids very engaged.
The presentation was informative and interesting.
The students enjoyed it very much. Thank you.
The students loved watching the "student" scientists explain things. I think it assured them that someone at any age can love science and the Earth, not just adults.
Students enjoyed the interactive multiple choice.
We are looking forward to next year!
I really like having the videos available for students to choose from. My students chose 10 to watch and created mock Instagram slides for each one. It was great!
The kids really enjoyed the polls. I loved that it was a virtual event and we joined other people.
Students had a great time participating in this Earth Day webinar. The interactive polls were a great way to engage students virtually.
It was a great program, thank you.
It was so fun. I will attend next year.
Thank you!
In an ideal world, there would be a presentation for primary grades and a separate one for intermediate elementary.
The students had fun with the videos and participating in the polls about keeping our Earth healthy.
Thank you for helping to raise awareness of environmental issues with this assembly.
Thank you for providing our kiddos with important information.
My students were able to make a connection to what we were already learning about recycling.
My students loved watching the presentation

Thank you for such a wonderful presentation. It was so informative and entertaining as well. My students loved it, especially the poll questions. Thank you once again for doing this for our students. Not only did they enjoy themselves they learned so much and are more aware of what is going on in our world.
My students are loving the air quality app.
My class was very engaged. Thank you!
They enjoyed the videos and poll.
We liked the videos, but hands-on activities would be great.
Thank you for including my Special Education students in this event!
Students stayed engaged throughout the event with the polls.
Great visuals, great questions, and excellent pacing of the presentation.
Perhaps do two separate presentations. One for lower grades and one for upper. Sound system was low. My students and I couldn't hear well.
Great presentation.
It was great, students definitely are more aware of air quality.
Thought it was fun and well run for the kids. Kept my first graders' attention the whole presentation. Thank you!
Thank you so much for an informative presentation!
They loved the presentation!!!
The young actors were great and quite animated. My students learned so much from them. Thank you for your presentation.
Thank you for offering this.

# RECOMMENDED APPROACH TO FEEDBACK

Of the 111 comments, over 98% of comments received were positive, and educators were grateful for the opportunity to share this content with their students. Three comments provided constructive feedback for consideration. One recommended a break in the program for students so that the material would not feel repetitive. Two recommended two separate Clean Air Day and Earth Day presentations for early elementary grades and one for later elementary grades. Currently, we are only offering one presentation for all elementary students, regardless of grade. Most participants were pleased with the content provided and appreciated that the hosts were youth talent.

To further engage those educators who participate in either Clean Air Day or Earth Day Virtual events, they are invited to participate in the program to access the age-appropriate materials. These materials are readily available to all educators who register for the program and would like to incorporate the interactive worksheets with their students.

A vast majority of participation comes from virtual events such as Clean Air Day and Earth Day. The recommendation is to continue hosting virtual events for both days to engage as many students as possible throughout the South Coast AQMD jurisdiction while continuing to offer the program every year for educators who cannot participate in one of the two virtual events.

## CONCLUSION

South Coast AQMD and Lee Andrews Group are now actively engaged in the design and execution of Year Three activities including: curriculum development, script development, and outreach to schools and organizations. CAPES continues to serve students throughout South Coast AQMD's jurisdiction. By participating in CAPES, students throughout Los Angeles, Orange, Riverside, and San Bernardino Counties will be equipped to make healthier, clean air choices, and serve as positive clean air heroes for their families, friends, and in their communities.

# Annual Report 2021-2022

## Year 3



South Coast AQMD's Air Quality Education Program for Middle School  
and High School Students

Prepared by  
**Lee Andrews Group**



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# INTRODUCTION



Why Healthy Air Matters (WHAM) is South Coast Air Quality Management District's (South Coast AQMD) middle and high school air quality education program. The program aims to increase awareness of air quality issues within the South Coast Air District and empower youth to drive positive change during a time when they are developing and forming their own habits. The STEM-based curriculum educates students about air quality issues specific to the South Coast Air District. The curriculum was developed by South Coast AQMD and meets Next Generation Science Standards (NGSS), which are a set of K-12 science standards that are required to be met at every grade level.

Since the program's inception in 2019, WHAM has been implemented in environmental justice communities throughout South Coast AQMD's four-county jurisdiction and has reached thousands of students and their families.

## ACADEMIC YEAR THREE (2021-2022)

### Deliverables

Year Three of the WHAM program consisted of securing participation in 300 high school classrooms and 100 middle school classrooms. Lee Andrews Group worked with South Coast AQMD to identify schools and organizations for outreach to roll out the newly developed curriculum. Outreach was conducted to thousands of educators across four counties, held both virtual and in-person events, created marketing and collateral materials, tracked all program information, and coordinated with South Coast AQMD on a weekly basis.



## **Creation of Curriculum (Middle and High School)**

During Year Two (2020-2021) of the program, Lee Andrews Group hired an academic specialist who worked closely with South Coast AQMD staff over the course of several months to develop two sets of curriculum for high school and middle school students. The curriculum was rolled out during 2021 and implemented it into over 400 classrooms. Both curriculums are aligned with the Next Generation Science Standards (NGSS) and are composed of four units each, with engaging hands-on activities and experiments for students.

The high school curriculum is composed of the following units:

### **Lesson 1: How Does Air Pollution Spread?**

- Students learn how air pollution spreads. Students begin doing research and choose a mock Hearing Board scenario, where they discuss how the scenarios could potentially impact their communities.

### **Lesson 2: What are the Risks to Your Community from Air Pollution?**

- Students learn about the MATES V study. Students also learn about how air pollution affects the human body.

### **Lesson 3: Measuring Particulate Matter at Your School**

- Students measure particulate matter in their communities with a hand-held AirBeam sensor.

### **Lesson 4: Public Hearing Mock Trial**

- Students participate in a public hearing mock trial.

The middle school curriculum is composed of the following units:

### **Lesson 1: Who is Responsible for Healthy Air?**

- In this lesson, students will be introduced to the concept of air quality and air pollution; learn about South Coast AQMD and the agency's role in cleaning the air.

### **Lesson 2: Too Small to See: Identifying and Measuring Different Types of Pollution**

- In this lesson, students will participate in four different activities to learn about the chemistry of air pollution, particulate matter, scientific notation, and ozone.

### **Lesson 3: How Does Air Pollution Affect Our Health?**

- In this lesson, students will learn about the air quality index and ozone. Students will also learn how they can share what they've learned.

### **Lesson 4: How Can We Minimize Air Pollution?**

- In this lesson, students will learn about electrolysis and hydrogen fuel cell technology. Students will design their own vehicles to improve air quality.

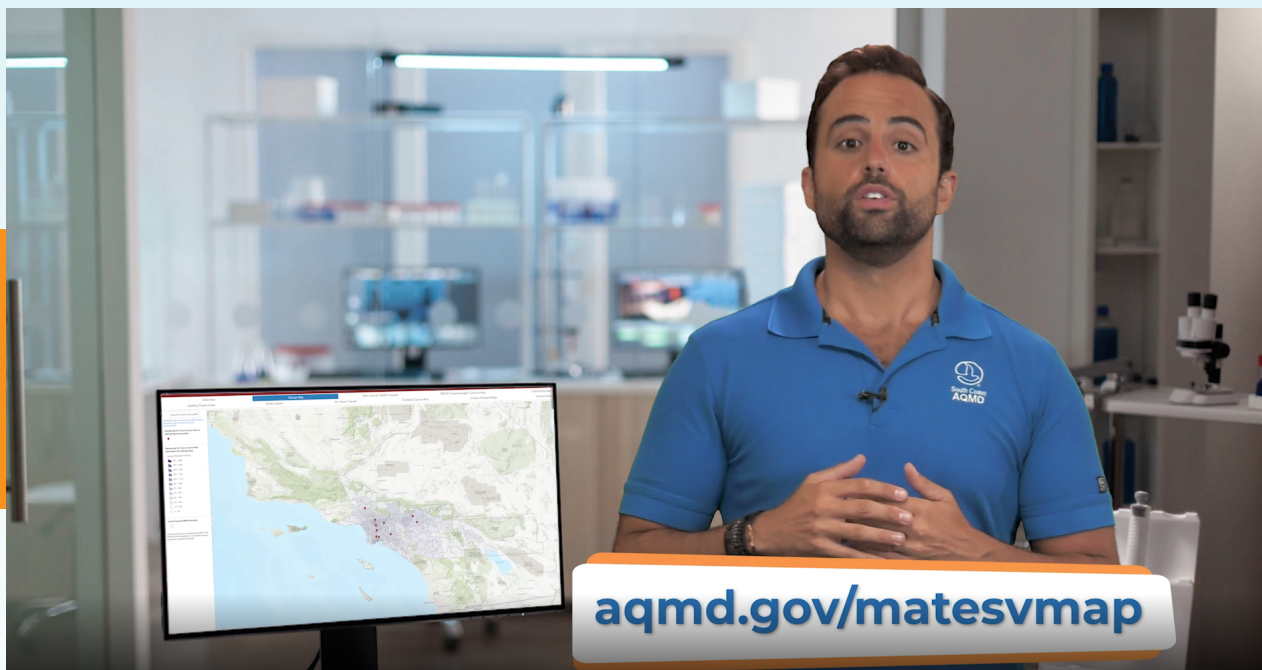


Year Three (2021-2022) of the program saw the full roll out of all the updated curriculum materials to over 400 participating classes. This included all the updated materials below:

- PowerPoint presentations
- Lesson videos
- Promotional videos
- Teacher and student workbooks (digital and print)

### **Video Production**

Eight educational videos were filmed during Year Two of the program. Each of the videos is tied to a unit from the curriculum, with four videos covering middle school units, and four videos covering high school units. Lee Andrews Group collaborated with South Coast AQMD to develop video concept ideas, scripts based on lessons, and a production timeline. After the video concepts were created, Lee Andrews Group hired and coordinated with a video production team to film and edit all eight videos. These videos are currently being utilized to assist teachers with implementation of the curriculum.



### **Implementation**

After defining the primary objectives and developing an outreach framework, Lee Andrews Group developed a step-by-step process that outlined the actions necessary to achieve the project's implementation goals. This process was devised and approved after multiple iterations.



### **Program Evaluation and Reporting**

Below are the methods of data collection and reporting that were used to help evaluate the program and keep all team members updated on current proceedings:

1. Utilized a streamlined program evaluation methodology, which includes a questionnaire and surveys to collect data from school administrators and teachers;
2. Regularly updated South Coast AQMD through weekly project meetings; and
3. Prepared report summarizing all elements of the WHAM program including:
  - a. Planning process,
  - b. Implementation,
  - c. General procedures, including any customization for schools,
  - d. Full evaluation of the program from administrators, teachers, and students,
  - e. Summary of reasons why schools did not participate, and
  - f. Recommendations for the future of the program.

## **PROGRAM ELEMENTS**

### **Outreach**

Year Three of the WHAM program was implemented by educators virtually and in-person. Efforts were made on maximizing and improving those existing virtual aspects and developing additional options, as needed. Distance and hybrid learning allowed for greater accessibility for teachers and students who were previously unable to participate in the program. Hybrid learning option increased school participation in the program significantly and was adaptable to the changing environment and resources.

The team continuously developed relationships with school administration staff, principals, and teachers to make implementation a smooth process. In Year Three, the Lee Andrews Group team implemented a similar outreach strategy to Year Two by engaging school districts first to determine requirements, if any, then working towards securing participation at the school site and teacher level. Lee Andrews Group worked with South Coast AQMD to update the criteria system to identify and prioritize outreach to schools that fall within the AB 617, AB 2588, MATES V, and CalEnviroScreen categories.



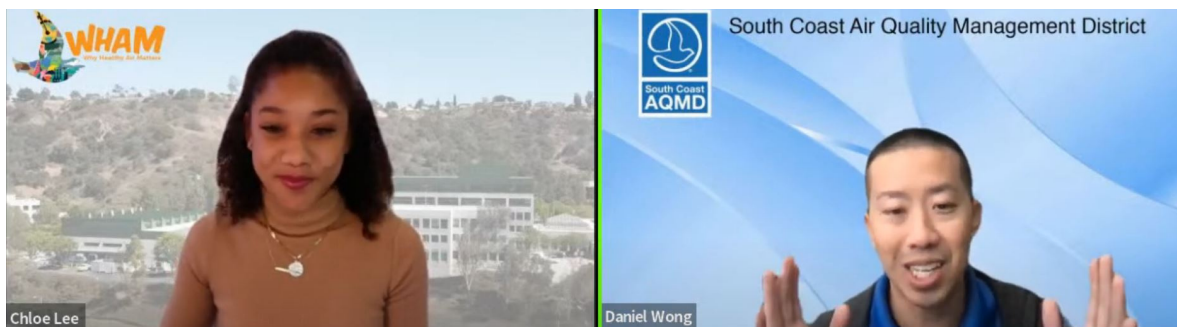
### **Team Models**

Based on experience, research and discussions with school district administrators, Lee Andrews Group determined that approaching school district leadership was the most appropriate method to initiate outreach. Each member of the Lee Andrews Group team focused on a set number of schools for outreach and communication with to maintain consistency. This strategy proved successful and allowed for individualized support and attention to each school district and classroom teacher. Our team is trained and empowered to utilize the tactics that they deem most effective when implementing outreach measures and ultimately securing relationships. The team leveraged these relationships to educate their audience about the benefits of the WHAM program to students and their communities.

The Lee Andrews Group team met regularly with South Coast AQMD to provide recommendations and gather feedback and approval for the program. Weekly meetings with South Coast AQMD were utilized to discuss goals, deliverables, key performance indicators, and milestones to ensure that the project remained on track toward timely completion. Additionally, these weekly meetings allowed for questions to be addressed and the opportunity to present our recommendations. Consistent internal meetings were held to discuss the progress of strategic and efficient planning, to further develop the internal infrastructure needed to implement the outreach plan, and to divide tasks as needed. Internal meetings with senior leadership were held on the status of the program and informed them of any elevated matters requiring their attention.

### **Relationship Management**

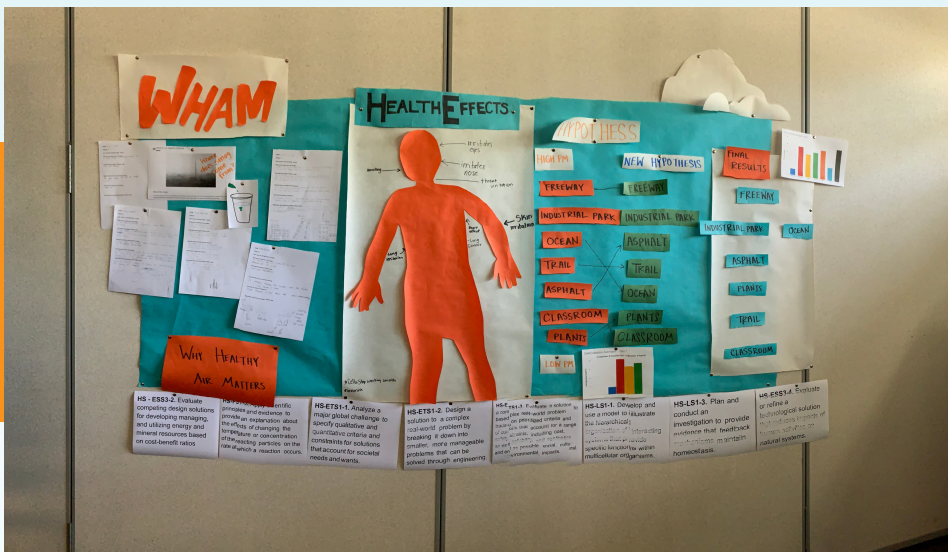
From the onset of this project, Lee Andrews Group used their existing personal relationships with key decision makers in many of the targeted school districts and high schools. Lee Andrews group utilized relationships from Years One and Two to help expedite participation in Year Three. A master contact list was created with school staff from established relationships over the course of the first two years of the program, which consists of over 1,000 contacts. This list ensured continuous open lines of communication to note school cultures and procedures, which allowed for a smooth implementation process.



## **Messaging**

Branding and messaging are critically important to the program. Lee Andrews Group worked with South Coast AQMD to develop collateral and outreach materials designed to introduce potential participants to and invoke interest in the program. Key messaging was designed to explain:

1. South Coast AQMD's mission involving environmental justice and why the program was created,
2. How the program reinforces a Science, Technology, Engineering and Math (STEM)-based educational curriculum that offers specific examples introducing disciplinary core ideas (DCIs) specific experiments that reinforce science and engineering practices (SEPs) and crosscutting concepts (CCCs) that reinforce DCIs when linked together,
3. The accessibility of the program to students of all learning modalities (visual, auditory kinesthetic and tactile), and that each lesson in the program is designed with multiple access points for learning by using a diversity of experiments and activities, and
4. The use of applied science for students to draw larger social justice implications surrounding the issue of clean air.



## **Implementation**

Lee Andrews Group accomplished the following objectives during the implementation phase:

- Delivered and retrieved experiment kits to participating classrooms;
- Provided implementation support to over 400 classroom teachers;
- Offered participation incentives to teachers; and
- Had successful implementations in 300 high school classrooms and 109 middle school classrooms.

Year Three offered additional opportunities for implementation beyond the traditional options, continuing the utilization of virtual webinars. South Coast AQMD and Lee Andrews Group collaborated to produce a series of Zoom webinars with South Coast AQMD staff members as hosts. This series of webinars, also known as the WHAM Virtual Guest Speaker Series, were successful and allowed us to reach the 400-classroom deliverables by the end of June 2022.

Listed below are the dates and attendance rates for each WHAM Virtual Guest Speaker Series session that was held.

Session 1 (02/25/22)  
HS-19; MS-24

Session 2 (02/11/22)  
HS-14; MS-3

Session 3 (03/23/22)  
HS-6; MS-3

Session 4 (04/05/22)  
HS-15; MS-4

Earth Day (04/22/22)  
HS-39; MS-18

Session 5 (05/26/22)  
HS-3; MS-1

Summer Session 1 (06/28/22)  
HS-15

**Totals:**  
**HS: 111**  
**MS: 53**



Along with the regularly scheduled webinars, the WHAM program hosted a special Earth Day event to encourage students to take action in their communities. This special presentation consisted of several moving parts, including a virtual presentation and an in-person assembly at Fremont High School, an AB 617 school in South Los Angeles. This in-person event presented WHAM and South Coast AQMD materials to over 250 students. This became the reintroduction of in-person events to the program, and Year Four (2022-2023) will continue to implement them as much as possible.

During Year Three, the WHAM program was successfully implemented in **409** classrooms, including **300** high school classrooms and **109** middle school classrooms. The breakdown of classroom implementation is as follows:

High School	Classroom Count
Los Angeles	166
Orange	36
Riverside	38
San Bernardino	60
<b>Total:</b>	<b>300</b>

Middle School	Classroom Count
Los Angeles	71
Orange	11
Riverside	22
San Bernardino	5
<b>Total:</b>	<b>109</b>

The highest participation levels were seen in Los Angeles County schools. School districts within Los Angeles County were more flexible in welcoming outside curriculum that does not have to go through a district-level approval process, allowing principals and teachers to implement the program easily. Additionally, a higher number of schools within LA County were in summer session when the program was extended and incorporated WHAM into their summer classrooms.

Riverside County high school's had strong participation due to strong existing relationships with school district staff. San Bernardino and Orange Counties were more difficult to secure program participation due to school district requirements such as board agreements, and district-level processes. Both counties had districts that were willing to participate, but ultimately could not due to the circumstances of the year.

March was the most common time for implementation during the school year. The onboarding questionnaires indicated 31% requested March as a start date (Figure 1). Most teachers took advantage of the guest speaker option, with over 75% of all onboarding questionnaires requesting a guest speaker visit. This element of the program proved to be the most successful and was well received by teachers and students alike.

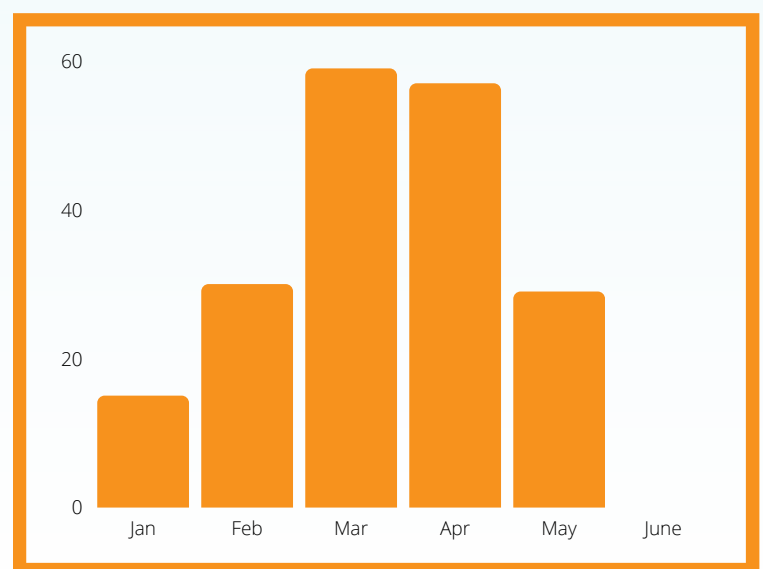


Figure 1: 2022 implementation requests by month; data collected from Year Three Onboarding Questionnaires



### **Tracking System**

During the 2020-2021 school year, Lee Andrews Group transitioned tracking



methods to Smartsheet, a project management software where all data could be easily reported in one space and viewed/edited in real-time. All program data was transferred from previous Microsoft Excel documents to various Smartsheets, ensuring no information was lost. All team members were trained on how to utilize the database, streamlining the process of tracking implementations and implementation requests. Other Smartsheet databases exist to track additional information, such as kit distribution, participation feedback and contact information.

### **Updated Criteria System**

The criteria system to prioritize schools was updated. The following four criteria were used as a basis for the school selection process:

1. Assembly Bill (AB) 617 – identifies environmental justice communities that are disproportionately impacted by air pollution. High schools and middle schools falling within the parameters identified in AB617 designated communities and located within the South Coast AQMD jurisdiction were prioritized as primary targets for Year Three implementation.
2. Assembly Bill (AB) 2588 – identifies high schools that are located within two miles of air toxic “hot spot” facilities. Schools were selected and prioritized as secondary targets for program implementation.
3. Multiple Air Toxics Exposure Study V (MATES V) – interactive map that estimates carcinogenic risk from exposure to air toxics by geographic location.
4. California Communities Environmental Health Screening Tool (CalEnviroScreen 4.0) – identifies communities that are disproportionately burdened by, and vulnerable to, multiple sources of pollution. Only data for air pollution is considered for the criteria category. Of the various indicator maps that are offered, the following will be used to select high schools that fall within the 50% and above percentile for the following:
  - a. Exposure Indicators - Ozone, PM2.5, diesel particulate matter, pesticide use, toxic releases from facilities, traffic density, and
  - b. Environmental Effect Indicator - cleanup sites, hazardous waste generators and facilities, solid waste sites and facilities.

## **Methodology**

The initial focus for Lee Andrews Group's work consisted of working with South Coast AQMD's team to determine primary objectives for the program. The three primary objectives of South Coast AQMD were identified as: 1) implementing the WHAM program in 367 high schools and 100 middle schools; 2) engaging and developing relationships with school leadership, faculty, and teachers; and 3) promoting South Coast AQMD's message.

Once South Coast AQMD's objectives were clearly defined, Lee Andrews Group turned its attention to determining how to go about accomplishing the objectives. Our team identified the tactics that would be necessary to employ. We determined that to accomplish these objectives, the following actions would need to be taken:

1. Identify high schools and middle schools within the four regions and then narrow that list to a target list of high schools meeting the criteria established by the South Coast AQMD;
2. Identify high school administrators to connect with in order to initiate relationships and collect contact information;
3. Determine the requirements for program implementation, and how to meet those requirements;
4. Develop a process for scheduling and distributing materials; and
5. Utilize our project database to record and track all program data.

## **Research**

Extensive research regarding this program was completed in Year One; however the implications of COVID-19 required the adaptation of the program to a completely virtual format. This change in program structure required the team to conduct research on virtual learning schedules by school district, how the program was going to be adapted virtually, best methods of outreach in a virtual space, and the requirements for allowing volunteers to be virtually present in the classroom. This research proved successful and aided us in securing program implementation. For Year Three, hybrid teaching formats were still common, so having flexibility was extremely important.



### **Staffing**

Lee Andrews Group had many staff members aid in the outreach process to generate as much interest in the program as possible. Each relationship manager was responsible for outreach to roughly 80 schools and were required to keep in constant communication with administrative staff and teachers to secure implementations. Over the course of the year, the project had four full-time staff, as well as two additional relationship managers.

### **Outreach Plan**

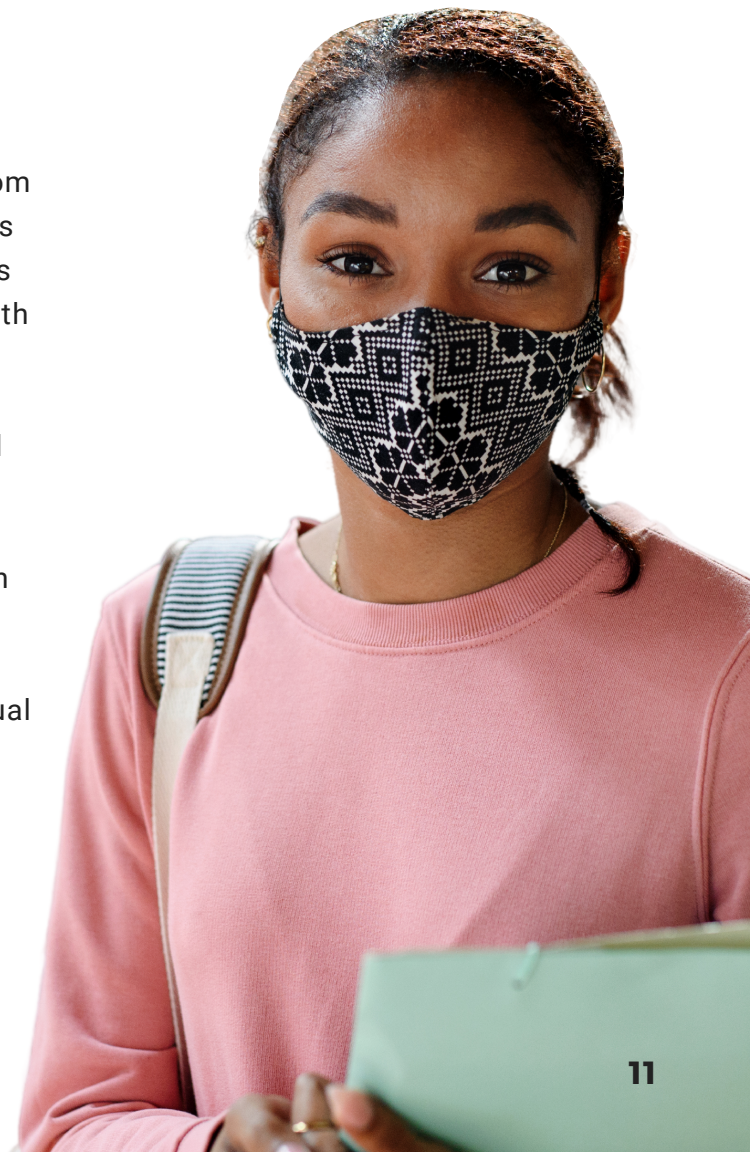
In coordination with South Coast AQMD, Lee Andrews Group developed an outreach plan with set deadlines, as well as specific messaging strategies to be used when introducing the program.

The levels of outreach included:

1. Initial engagement at the district level with superintendents and elected school board members;
2. School site engagement with principals and vice principals;
3. Classroom teacher engagement.

### **School Policies & Procedures**

One of the main features of the WHAM program is offering classroom teachers the option to have a South Coast AQMD guest speakers cover topics from desired lesson plans in the classroom. Lee Andrews Group worked with school districts and school sites to determine the requirements visitors such as South Coast AQMD staff had to comply with to present to students. Lee Andrews Group conducted initial research to determine the school requirements and prepare any needed documents accordingly. The research showed that requirements for a virtual visitor are not as rigorous as an in-person visitor. In some rare cases, a LiveScan was still required, however it was much easier to have South Coast AQMD staff visit each classroom virtually. The virtual guest speaker option eased engagement into the schools.





## Marketing Materials

Lee Andrews Group coordinated with South Coast AQMD to develop a strong marketing campaign that conveys South Coast AQMD's key messages and is relevant to both middle school and high school audiences. We assisted in the creation of marketing materials that promote the WHAM program and its importance, thereby introducing the program, encouraging participation, and ultimately resulting in the successful implementation of the program. During Year One, Lee Andrews Group worked closely with South Coast AQMD to determine and design the collateral materials that would best help school administrators, faculty, and teachers understand and welcome the WHAM program. Continuing with the proven strategy of building upon what works, Lee Andrews Group updated or created the following collateral materials to aid in disseminating key information about the WHAM program.

- Welcome letter to existing school districts and teachers;
- Welcome letter for new school districts, middle and high schools;
- Introductory PowerPoint presentation;
- WHAM brochure;
- Frequently Asked Questions (FAQs); and
- South Coast AQMD volunteer guide.



In addition to improving collateral, we also increased WHAM's digital presence on popular platforms and currently trending applications. This approach bookended our engagement efforts toward teachers with students' colloquial interests in the program.

Other materials developed to inform how the program is designed and implemented include:

- Onboarding questionnaire;
- Teacher post-implementation evaluation survey; and
- Student post-participation evaluation survey.



## Outcomes

Outreach was conducted to over 600 school sites and organizations in all four counties. The outreach to hundreds of school sites provided new information that is integral to the WHAM program outreach process. Similarly, the 409 implementations completed during Year Three were due to a combination of outreach efforts, new marketing tactics, and additional participation opportunities during the summer which allowed for additional flexibility. See Attachment 2 for a full list of schools and organizations in which outreach was conducted.

### Teacher Feedback (2021-2022)

As with previous years, the WHAM program always requests a post-program survey from all participants. In Year Three, over 20 teachers chose to fill out the survey. The teacher responses on the survey indicated that the most beneficial lesson for High School was Lesson 3: Measuring Particulate Matter at Your School, and for middle school it was Lesson 3: How does Air Pollution Effect Our Health. Teachers taught the program in an average of 3 class periods, with an average of 23 students per class. Please refer to the appendix for a complete summary of the data collected via the Teacher Survey.

Some teachers chose to leave additional written feedback as a part of their survey submission. Please see the chart below for some notes and suggestions from participating teachers during Year Three of the program.

Teacher Name	School	District	Feedback
Susannah H.	Science, Technology, Engineering, Art & Math Academy of Hollywood	LAUSD	"I'm not sure how to get the sand thing in lesson one to work better - it didn't really stick. I loved the idea, though! Also, maybe have a standard username login for all the AirBeam Apps."

Teacher Name	School	School District/ County	Feedback
Mark M.	New Horizon Irvine Upper School	Orange County Private School	"Diversifying the content provided and using a platform with more interactivity (Such as a Nearpod rather than a PowerPoint Presentation) would go a long way to help students engage with the material better."
Katrina B,	Fountain Valley High School	HBUHSD	"Overall, I enjoyed using this curriculum with my students. I used the lessons to supplement my unit on the Atmosphere. The student worksheet for Particulate Matter Lab was not thorough and I did have to modify that lesson a bit to create 4 large groups (9 students each). I added more roles so each student would be involved (ex. AirBeam Sensor Holder, Cell Phone Keeper, Automobile Counter, Scent Sentry, etc) - otherwise the kids would be off task. Other than that, everything went well!"
Willa A.	Esperanza College Prep	Independent charter	"The program was great! I wish it had been easier to set up the sensors. The phones weren't updated, so the directions didn't match. We didn't have time to do every lesson but they all looked great!"
Emily D.	Simon Rodia Continuation	LAUSD	"It was really great. I did end up adjusting all the worksheets. The example AQMD trial was very confusing to the students. I walked them through it, but it didn't seem to have any resolution. The students were highly engaged and took part in explorative learning. I think they will remember these lessons."

<b>Teacher Name</b>	<b>School</b>	<b>School District/ County</b>	<b>Feedback</b>
Kathy M.	Walnut High School	Walnut Valley USD	"Great content, I just hope the AQMD can help us clean up our air in significant ways. The State of the Air report this week ranked LA county as having the highest levels of ozone pollution in the country."
Michael P.	Sylmar Charter High School	LAUSD	"Great program. It made my students think about the air around them."
Sabrina C.	Benjamin Franklin High School	LAUSD	"It was great, I recommend for the guest speaker session to make some more engaging components such as polls or asking questions throughout presentation."
Patricia P.	Citrus Valley High School	Redlands USD	"Our guest speaker (Rezvan Ramezani) was great! Thank you everyone for putting this together. I had many students engaged and on camera! :)"
Patricia J.	Bell Gardens High School	Montebello USD	"The speakers spoke a little too fast at times for the students. My students were trying to listen and process the information to understand the material, but with the constant information they were a little confused. They presented wonderful information, it might be best to split it up into 2 days with a lab conducted by the teacher in between the 2 visits from the staff. It was just too much for them to grasp at once."

Teacher Name	School	School District/ County	Feedback
My N.	Pacifica High School	Garden Grove USD	"I loved how real and impactful the videos were. They were very relatable to myself and the students."
Kara G.	Downtown Magnets High School	LAUSD	"Although I was only able to share one video with my students, I think it was a great piece to add to my lesson plan. I hope to use the program more at length in the future."
Sufyan T.	Rancho Dominguez Preparatory	LAUSD	"My summer kids enjoyed the program just as much as my semester kids. I look forward to teaching this again next year."

In addition to a teacher survey, the WHAM Team collected over 560 student surveys from students all over the South Coast Basin. These surveys served as an important indicator for the team to see how much information the students were able to retain. In total there were 565 surveys submitted, with 388 coming from high school students, and 177 from middle school students. Please refer to the appendix for a complete summary of the survey findings.

## Year 3 Lessons Learned

### Outreach

- **Top-down approach** – Outreach is most successful when starting with the district/superintendent level. It is also beneficial to engage school site principals at the same time, to reach them through two touch points.
  - Organizations require a significant amount of planning time to ensure there is availability to implement the program.
- **Format** – As in-person presentations are becoming more available, continue to use in-person outreach as a main form of spreading the program's message.
- **Messaging** – Outreach should focus on educating school districts on South AQMD's background and mission, followed by the educational and community goals through the WHAM program.

- **School staffing needs** - There has been a higher-than-normal turnover in school administrators and teachers which has necessitated continuous outreach to maintain relationships and secure participation. It is anticipated that outreach will require a minimum of three contact attempts for first-time participants. Outreach includes emails, phone calls, virtual meetings, and in-person meetings. Lee Andrews Group will continue utilizing a variety of contact methods to secure participation.

### **Virtual Programming Accommodations**

- **Distance learning** – Online resources are imperative since teachers have less in-person instruction time in some cases. Program resources need to complement the curriculum and hands-on experiments, such as virtual guest speakers and lecture videos.

### **Program Implementation**

- **Curriculum** – During Year One of the program, teacher feedback showed that the KMS curriculum best fits in middle schools. With this, South Coast AQMD opted to have their own curriculum developed to accommodate both middle and high school grade levels.
- **Virtual Guest Speakers** – South Coast AQMD staff availability is limited, so virtual guest speaker visits need to be limited based on South Coast AQMD's discretion
- **Timing** – The WHAM program should be prepared to accommodate the highest demand of virtual guest speaker visits between April and May. This is when the highest number of implementations took place during Years Two and Three of the program.
- **Live Webinar Series** – With the live webinars yielding so much participation, the WHAM program will continue to implement these sessions as an installation during the coming school years over the course of the entire year versus just the spring semester.

### **School Targeting/Criteria**

- **Criteria** – The WHAM team concluded that there was overlap amongst the criteria scoring categories. To streamline the scoring process, two categories were eliminated, and the others were updated. SB 535 and Goods Movement were the eliminated categories, while the Multiple Air Toxics Exposure Study was updated from IV to V. The OEHHA CalEnviroScreen was also updated from 3.0 to 4.0.
- **List Expansion** – During Year Three, the program received requests to participate from alternative and continuation schools, after school programs, and additional school clubs. With this, the program has expanded its target list to include all types of schools, clubs, after school programs, and other organizations. The Year Four list will continue to add to this list as needed.

## YEAR FOUR (2022-2023)

### **Methodology**

The Methodology will remain the same; however, the team will apply some updated outreach tactics to secure participation from organizations outside the traditional classroom setting. This will include the expansion of the virtual speaker series, the addition of in-person events, a dedicated outreach plan focused on organizations, and a social media plan.

### **Deliverables**

The deliverables for Year Four are to secure implementation of the program in 300 high school classrooms and 100 middle school classrooms, and continue the expansion of outreach to clubs, after school programs, and other organizations. Examples of target organizations include Boy and Girl Scouts in all four counties. The scouts organization has a large presence in Los Angeles, Orange, and the Inland Empire. Year Four will focus on the ability to partner with these organizations long term.

The primary method of outreach for these organizations will be to reach out to program leaders or community liaisons to establish a relationship. The approach that is utilized for traditional schools does not work as effectively on organizations, as their structure is different. Reaching out directly to the program leaders is the most effective way to engage the right staff who will be able to introduce the program to the students they serve. Additionally, Lee Andrews Group will be able to utilize existing relationships at the school level to secure participation from organizations that meet at local schools, such as Boys and Girls clubs or after school programs. Lee Andrews Group will continue researching and meeting with youth organizations and establishing new relationships to garner participation in the program.

### **Outreach Process**

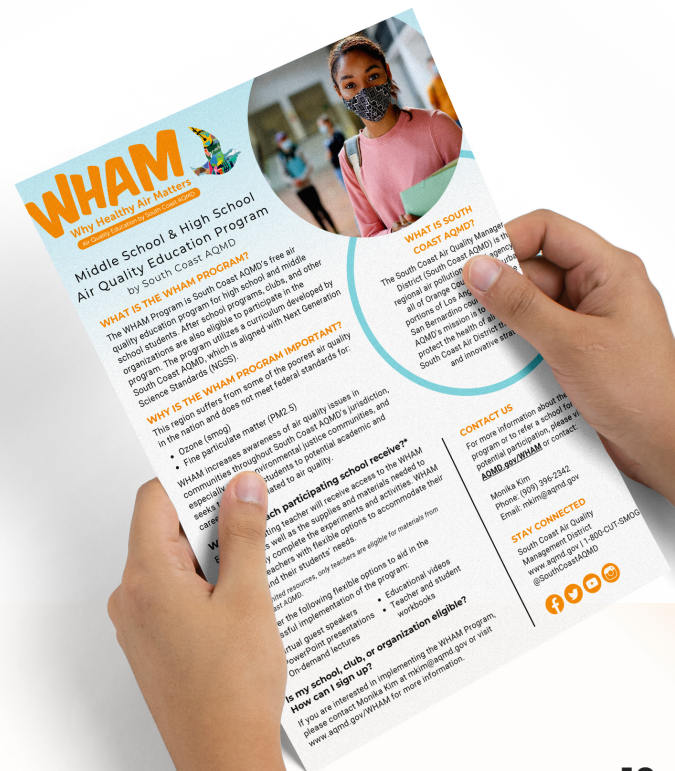
Lee Andrews Group will utilize a comprehensive outreach approach including all levels of school governance and administration, teachers, educational staff, parents, youth organizations, elected officials, and other stakeholders. It is most effective to continue outreach to the highest administrative level and work through school districts to school principals while simultaneously reaching out at the teachers to provide information on the program. This allows teachers to learn about how the program can fit into their personal classes while giving WHAM staff the opportunity to learn about school requirements (e.g., agreements, insurance, tuberculosis testing, LiveScans and background checks) and allowing them to address them right away.



Lee Andrews Group will also provide technical assistance and other support resources to participants to ensure that schools and organizations have all the tools necessary to successfully implement the program. Below are some key steps to ensuring our outreach strategies are as effective as possible during Year Three.

### Key Steps:

- Developing collateral materials on an as-needed basis,
- Maintaining an efficient approval process,
- Utilizing social media effectively to promote the program,
- Recording all feedback from educators who participate in the program,
- Continue developing the program based on feedback,
- Utilizing all enhanced digital learning opportunities to provide flexible teaching options,
- Securing press coverage of the program through various media outlets,
- Researching school district clearance requirements, and
- Running all schools through criteria database to establish a comprehensive outreach list.





### **Regional Impact**

Through the WHAM program, South Coast AQMD has delivered additional resources to environmental justice and disadvantaged communities throughout the South Coast region. Based on efforts in Year One and Year Two of WHAM, South Coast AQMD has reached 540 classrooms and approximately 13,500 student households. In addition, the agency has exposed students to various career pathways in the STEM field, advocated for healthy lifestyles, and promoted South Coast AQMD's air quality messages.

### **Conclusion**

For Year Three, Lee Andrews Group will secure 300 high school and 100 middle school classroom implementations by utilizing existing and new relationships with school districts, using updated marketing strategies, and outreaching to additional youth organizations, including Scouts and Clubs. Lee Andrews Group will conduct outreach within the four counties, prioritizing schools and organizations in accordance with the environmental justice criteria guidelines. All participating classes will utilize the new curriculum along with the updated program materials including PowerPoints, educational videos, and experiment kits. As implementations take place, Lee Andrews Group will be responsible for tracking all program data via project management software to capture participant information and feedback. All the strategies presented above will allow Year Three to be successful and provide a foundation for the program for years to come.



# APPENDIX



### 2021-2022 School Participation List

Academies of Education and Empowerment @ Carson Complex	High School	<b>LA</b>
Academy of Scientific Exploration / Cesar Chavez Learning Academies	High School	<b>LA</b>
Applied Technology Center	High School	<b>LA</b>
Bell Gardens High School	High School	<b>LA</b>
Bell High School	High School	<b>LA</b>
Benjamin Franklin Senior High School	High School	<b>LA</b>
Bonita High School	High School	<b>LA</b>
Boyle Heights Science Technology Engineering and Mathematics Magnet High School	High School	<b>LA</b>
Chatsworth Charter High School	High School	<b>LA</b>
Diamond Bar High School	High School	<b>LA</b>
Early College Academy - Los Angeles Trade Tech College	High School	<b>LA</b>
Ednovate - Esperanza College Prep	High School	<b>LA</b>

Edward R. Roybal Learning Center	High School	<b>LA</b>
Frida Kahlo High School	High School	<b>LA</b>
Helen Bernstein High School	High School	<b>LA</b>
Helen Bernstein High School - Science, Technology, Engineering, and Mathematics Academy of Hollywood	High School	<b>LA</b>
Hilda Solis Learning Academy	High School	<b>LA</b>
Hollywood High School	High School	<b>LA</b>
Huntington Park Science, Technology, Engineering, Arts, and Mathematics Magnet	High School	<b>LA</b>
Institute of Knowledge High School	High School	<b>LA</b>
John C. Fremont High School	High School	<b>LA</b>
John Hope High School	High School	<b>LA</b>
Jordan High School	High School	<b>LA</b>
Garfield High School	High School	<b>LA</b>
Los Angeles Senior High School	High School	<b>LA</b>

Marco Antonio Firebaugh High School	High School	<b>LA</b>
Monroe High School	High School	<b>LA</b>
North Hollywood High School	High School	<b>LA</b>
Rancho Dominguez Preparatory School	High School	<b>LA</b>
Rodia High School	High School	<b>LA</b>
Roosevelt High	High School	<b>LA</b>
Santa Monica High School	High School	<b>LA</b>
Sotomayor Arts and Sciences Magnet	High School	<b>LA</b>
South East High School	High School	<b>LA</b>
South Gate High School	High School	<b>LA</b>
Sylmar Charter High	High School	<b>LA</b>
University Senior High (8886) LAUSD	High School	<b>LA</b>
Venice High School	High School	<b>LA</b>

Woodrow Wilson Senior High School	High School	<b>LA</b>
Aliso Niguel High School	High School	<b>OC</b>
Anaheim High School	High School	<b>OC</b>
Corona Del Mar High School	High School	<b>OC</b>
Cypress High School	High School	<b>OC</b>
El Modena High School	High School	<b>OC</b>
Fountain Valley High School	High School	<b>OC</b>
Pacifica High School	High School	<b>OC</b>
Orange High School	High School	<b>OC</b>
Samueli Academy	High School	<b>OC</b>
Santiago High School (Garden Grove)	High School	<b>OC</b>
Valley High School	High School	<b>OC</b>
Centennial High School	High School	<b>RS</b>

Coachella Valley High School	High School	<b>RS</b>
Corona High School	High School	<b>RS</b>
Desert Mirage High School	High School	<b>RS</b>
West Shores High School	High School	<b>RS</b>
Chino Hills High School	High School	<b>SB</b>
Colton High School	High School	<b>SB</b>
Eisenhower High School	High School	<b>SB</b>
Fontana High School	High School	<b>SB</b>
Henry J Kaiser High School	High School	<b>SB</b>
Ontario High School	High School	<b>SB</b>
Orangewood High School	High School	<b>SB</b>
Pacific High School	High School	<b>SB</b>
Redlands East Valley High School	High School	<b>SB</b>

Palomares Academy of Health Sciences	Middle School	<b>LA</b>
Patrick Henry Middle School	Middle School	<b>LA</b>
Los Angeles Center For Enriched Studies Middle School	Middle School	<b>LA</b>
Robert Frost Middle School	Middle School	<b>LA</b>
Southeast Middle School - DREAMS Magnet	Middle School	<b>LA</b>
Walter Reed Middle School	Middle School	<b>LA</b>
Wilmington Middle School	Middle School	<b>LA</b>
Dr. Julian Nava Learning Academy	Middle School	<b>LA</b>
Robert Fulton College Prep	Middle School	<b>LA</b>
South Gate Middle School	Middle School	<b>LA</b>
75th Street Elementary School (6th Grade)	Middle School	<b>LA</b>
Henry T Gage Middle School	Middle School	<b>LA</b>
Maywood Center for Enriched Studies	Middle School	<b>LA</b>



Walnut Park Middle School Science Technology Engineering and Mathematics Academy	Middle School	<b>LA</b>
Arroyo Seco Museum Science Magnet	Middle School	<b>LA</b>
Northridge Middle School	Middle School	<b>LA</b>
West Athens School	Middle School	<b>LA</b>
New Horizons Upper school	Middle School	<b>OC</b>
South Junior High School	Middle School	<b>OC</b>
Chemawa Middle School	Middle School	<b>RS</b>
Mountain Vista Elementary School (6th grade)	Middle School	<b>RS</b>
Sea View Elementary School (6th grade)	Middle School	<b>RS</b>
West Shores Middle School	Middle School	<b>RS</b>
Mecca Elementary School (6th grade)	Middle School	<b>RS</b>
Oasis Elementary School (6th Grade)	Middle School	<b>RS</b>
Saul Martinez Elementary School (6th grade)	Middle School	<b>RS</b>

Walnut Park Middle School Science Technology Engineering and Mathematics Academy	Middle School	<b>LA</b>
Arroyo Seco Museum Science Magnet School	Middle School	<b>LA</b>
Northridge Middle School	Middle School	<b>LA</b>
West Athens Elementary School	Middle School	<b>LA</b>
New Horizons Irvine Upper School	Middle School	<b>OC</b>
South Junior High School	Middle School	<b>OC</b>
Chemawa Middle School	Middle School	<b>RS</b>
Mountain Vista Elementary School (6th grade)	Middle School	<b>RS</b>
Sea View Elementary School (6th grade)	Middle School	<b>RS</b>
West Shores Middle School	Middle School	<b>RS</b>
Mecca Elementary School (6th grade)	Middle School	<b>RS</b>
Oasis Elementary School (6th Grade)	Middle School	<b>RS</b>
Saul Martinez Elementary School (6th grade)	Middle School	<b>RS</b>

Duke Middle School	Middle School	<b>RS</b>
Toro Canyon Middle School	Middle School	<b>RS</b>
Palm View Elementary School (6th Grade)	Middle School	<b>RS</b>
Valle Del Sol Elementary School (6th grade)	Middle School	<b>RS</b>
Clement Middle School	Middle School	<b>SB</b>

Total number of participating High Schools: **127**  
 Total number of participating Middle Schools: **32**  
 Total number of schools: **159**



# Teacher Participation Survey Matrix

## Survey Totals

23 Surveys Submitted \* 20 High School Teachers \* 3 Middle School Teachers

Question	Name of Lesson	Proportion of Total Responses
What lesson was the most beneficial (HS)?	HS 3: Measuring Particulate Matter at Your School	40%
What lesson was the least beneficial (HS)?	HS 4: Public Hearing Mock Trial	20%

Question	Name of Lesson	Proportion of Total Responses
What lesson was the most beneficial (MS)?	MS 3: How Does Air Pollution Affect Our Health?	100%
What lesson was the least beneficial (MS)?	MS 2: Too Small to See: Identifying and Measuring Different Types of Pollution	66%

Average Number of Classrooms Taught Per Teacher

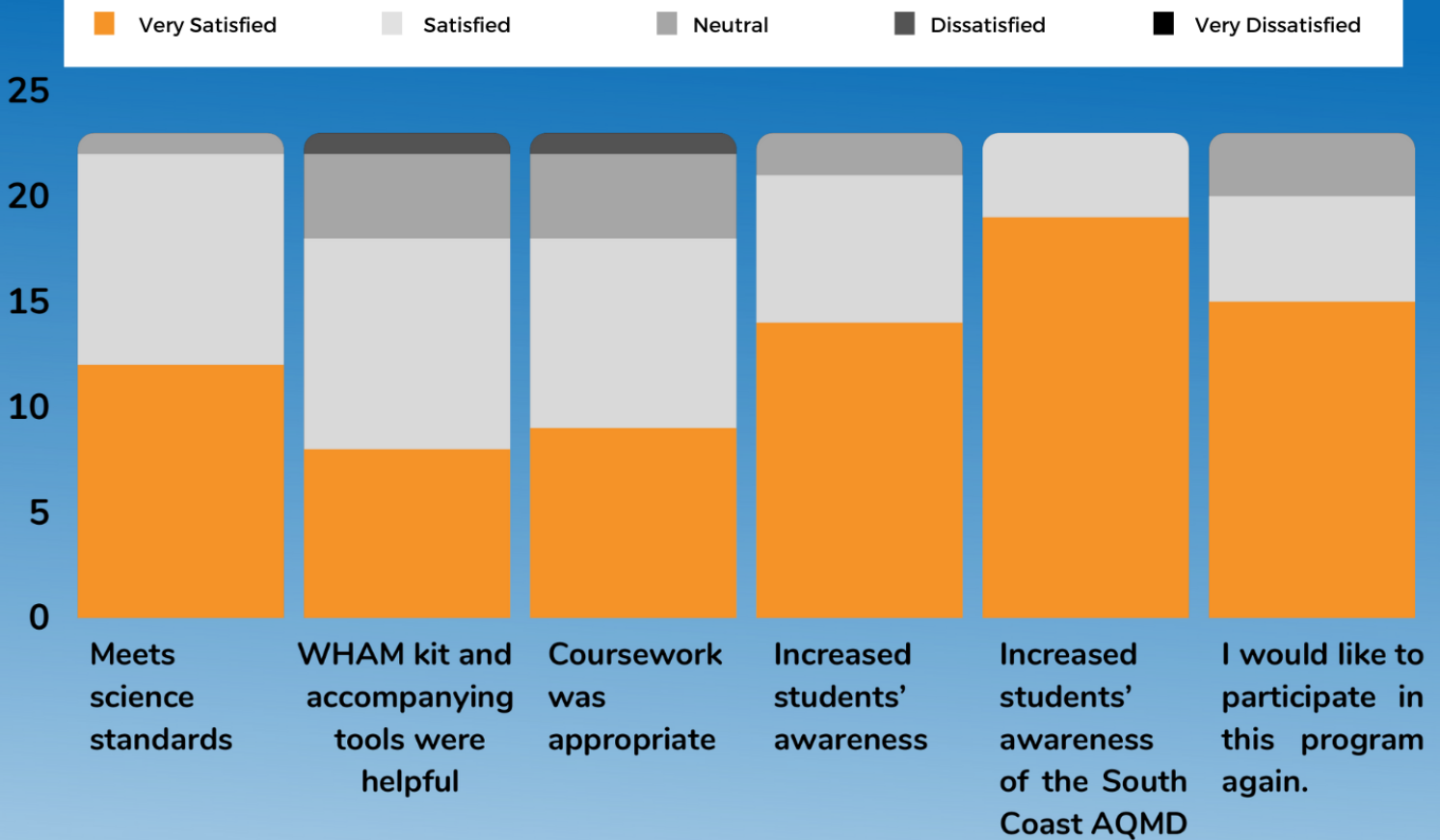
3

Average Number of Students Per Classroom

23

# Survey Findings Continued

## Teacher Program Evaluations:



## Teacher Suggestions/Feedback:

Overall, I enjoyed using this curriculum with my students. I used the lessons to supplement my unit on the Atmosphere. The student worksheet for Particulate Matter Lab was not thorough and I did have to modify that lesson a bit to create 4 large groups (9 students each). I added more roles so each student would be involved (ex. Airbeam Sensor Holder, Cell Phone Keeper, Automobile Counter, Scent Sentry, etc) - otherwise the kids would be off task. Other than that, everything went well!

The speakers spoke a little too fast at times for the students. My students were trying to listen and process the information to understand the material, but with the constant information they were a little confused. They presented wonderful information, it might be best to split it up into 2 days with a lab conducted by the teacher in between the 2 visits from the staff. It was just too much for them to grasp at once..

Have the program tailored to the different subjects (Biology, Chemistry, Physics) so it can be more relatable to content taught in class outside of the WHAM content specifically.

# Speaker Series Survey Matrix

## Survey Totals

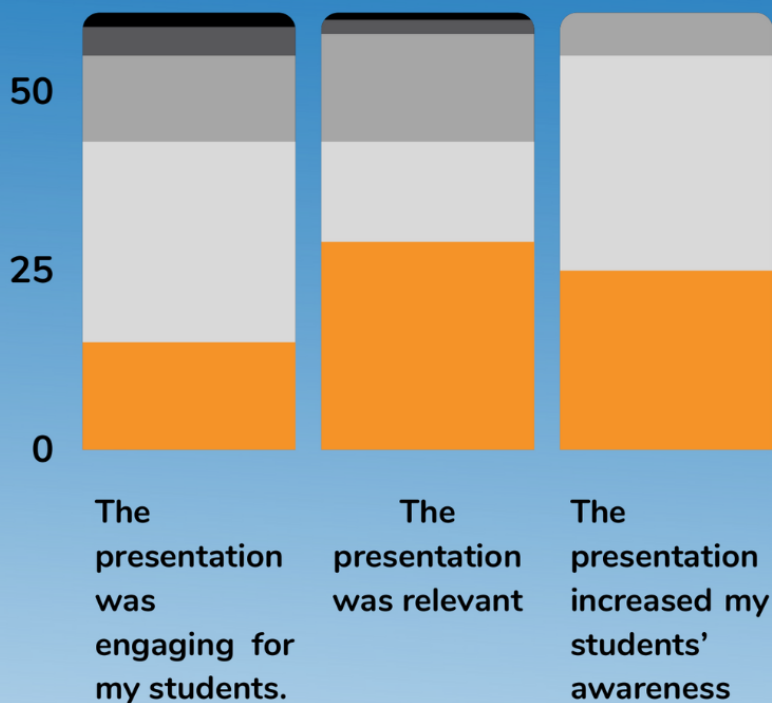
61 Surveys Submitted \* 46 High School Teachers \* 15 Middle School Teachers

### Teacher Presentation Evaluations:

Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied



75



Number of Middle Schools	10
Number of High Schools	33
Total Number of Classrooms	107
Classrooms Per Teacher	1.8

## Teacher Suggestions/Feedback:

More pictures and chemistry formulas for students to understand material

Interactive presentation with more polling to keep student interest

Many students struggle to see the relevancy to their personal lives. A presenter or presentation about communities most affected by air quality inequities would help make the lesson more engaging.

It will help to make it more interactive to aid the high school students engagement

My students were very jazzed to participate in today's webinar, thank you for the opportunity. They are really engaged in the curriculum you all have developed!

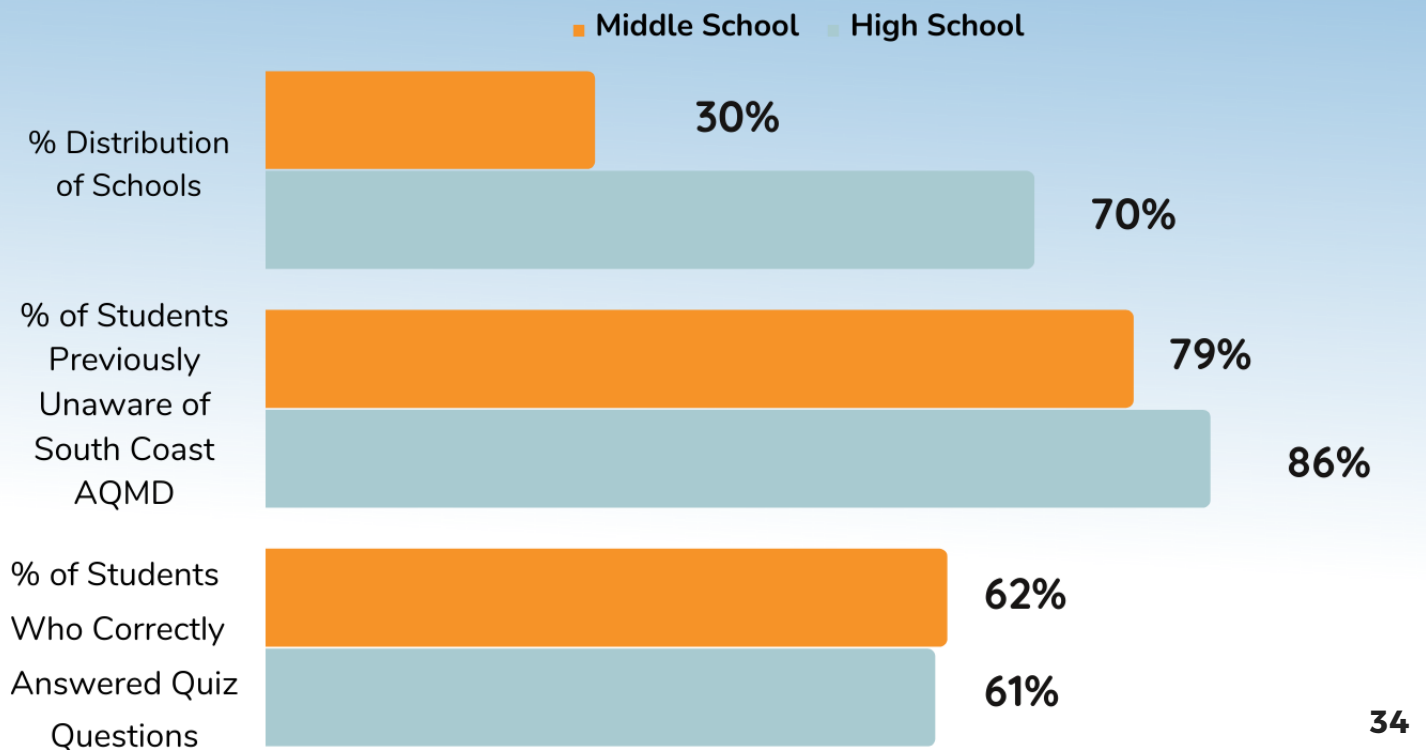


# Student Survey Matrix



## Survey Totals

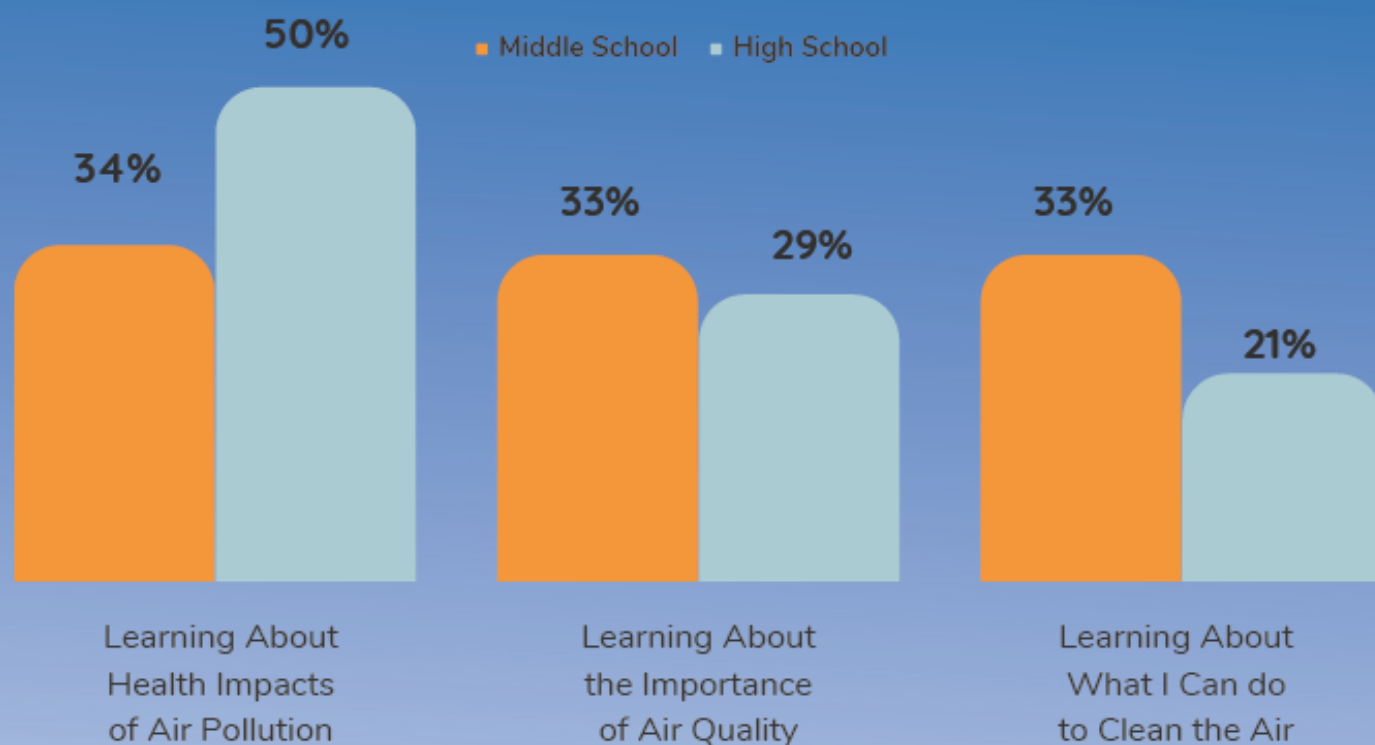
- 565 Surveys Submitted
- 388 High School Students
- 177 Middle School Students





# Survey Findings Continued

Student Answers: What is the most important aspect of WHAM?



Student Answers: What can you do to help clean the air we breathe?

Over 400 students listed habitual changes they would commit to to help clean the air.

“ I can plant a tree in my backyard and use a bike any time I need to go somewhere in my neighborhood ”

“ I can start by encouraging my friends to use public transportation when we go hang out, instead of taking our cars. ”



 [Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 8

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of November 1 through November 30, 2022.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Cynthia Verdugo-Peralta  
Hearing Board Chair

ft

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Two summaries are attached: **November 2022 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested in 2022**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of November 1 to November 30, 2022.

## Report of November 2022 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. City of Riverside – Tequesquite Landfill Case No. 6157-2 (J. Jones & B. Tomasovic)	203(b) 1150.1(d)(1)(C)(i) 1150.1(d)(8)	Due to malfunctioning compressor, petitioner failed to perform the annual flare source test and submit results by the required deadline.	Not Opposed/Granted	RV granted commencing 11/2/22 and continuing through 7/2/23, the FCD.	TBD by 7/2/23
2. Jacksons Energy #6831 Case No. 6231-1 (E. Chavez)	203(b) 461	Due to unforeseen equipment failure and a lack of LADWP permit due to the consultant's lack of knowledge about South Coast AQMD rules and regulations.	Not Opposed/Granted	Ex Parte EV granted commencing 11/23/22 and continuing for 30 days or until the SV hearing scheduled for 12/22/22, whichever comes first.	None
3. Mt. San Jacinto Winter Park Authority DBA Palm Springs Aerial Tramway Case No. 5906-5 (S. Pruitt)	203(b)	Unforeseen failure of transformers, requiring emergency back-up ICEs, which would go over 200-hour annual limit.	Not Opposed/Granted	Ex Parte EV granted commencing 11/2/22 and continuing for 30 days or until the SV hearing scheduled for 11/30/22, whichever comes first.	VOC: 0.17 lb/hr. NOx: 3.56 lbs/hr. SOx: 0.004 lb/hr. CO: 0.78 lb/hr. PM: 1.007 lbs/hr. PM10: 0.07 lb/hr.
4. Mt. San Jacinto Winter Park Authority DBA Palm Springs Aerial Tramway Case No. 5906-5 (R. Mansell & B. Tomasovic)	203(b)	Allow emergency ICEs to operate until the 200-hour limit resets on 1/1/23.	Not Opposed/Granted	SV granted commencing 11/30/22 and continuing through 12/31/22.	VOC: 0.17 lb/hr. NOx: 3.56 lbs/hr. SOx: 0.004 lb/hr. CO: 0.78 lb/hr. PM: 1.007 lbs/hr. PM10: 0.07 lb/hr.
5. South Coast AQMD vs. Los Angeles City Sanitation Bureau, Hyperion Water Reclamation Plant Case No. 1212-39 (E. Chavez & M. Reichert)	N/A	File and receive update and report regarding odor mitigation efforts for stipulated O/A.	Stipulated/No Action	The Hearing Board shall continue to retain jurisdiction over this matter until 3/24/23.	N/A

### Acronyms

CO: Carbon Monoxide  
EV: Emergency Variance  
FCD: Final Compliance Date  
ICE: Internal Combustion Engine  
Mod. O/A: Modification Order for Abatement

N/A: Not Applicable  
NOx: Oxides of Nitrogen  
PM: Particulate Matter  
PM10: Particulate Matter ≤ 10 microns  
RV: Regular Variance

SOx: Oxides of Sulfur  
SV: Short Variance  
TBD: To be determined  
VOC: Volatile Organic Compounds

Rules from which Variances and Orders for Abatement were Requested in 2022													
Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(c)	1												1
203			1		1								2
203(b)	6	3	6	4	2	5	5	5	4	4	4		48
401(b)			2										2
401(b)(1)(B)								1					1
402					1				1				2
403(d)(1)(A)		1	1		1								3
403(d)(2)		1	1		1								3
403(d)(4)		1	1		1								3
415(f)									1				1
415(g)									1				1
431.1						1							1
461											1		1
461.1						1							1
461.1(g)(4)								1					1
461.1(k)(2)(G)								1					1
462(d)(1)		1											1
462(e)(1)(E)(i)(II)		1											1
463(c)								1					1
1100(e)(2)(B)										1			1
1133.1(d)(3)		1	1		1								3
1133.1(d)(4)		1	1		1								3
1133.1(e)		1	1		1								3
1142									1				1
1146(c)(1)(H)										1			1
1146.2(c)(2)						1							1
1147	1												1
1148.1(d)(8)								1					1
1150.1(d)(1)(C)(i)										1	1		2
1150.1(d)(8)										1	1		2
1153.1	1												1
1153.1(c)(1)								1					1
1173(d)(1)(B)								1					1

Rules from which Variances and Orders for Abatement were Requested in 2022													
Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
1179.1						1							1
1189(e)(1)						1							1
1196					1								1
1196(d)(1)							2						2
1196(f)(8)(a)							1						1
1196(f)(10)							1						1
1469.1(d)	1			1									2
1470					1	1	1						3
1470(c)(4)(A)	1								1				2
2004(f)(1)	5		3	1	1	2	2	2	3	1			20
2011(c)(2)(A)	1												1
2011(c)(3)(A)	1												1
2011(e)(1)	1												1
2011(k)	1												1
2011, APP. A, Ch 2-A, Att. C	1												1
2012(c)(2)(A)	1		2			1	2	1					7
2012(c)(2)(C)							1	1					2
2012(c)(3)(A)	1		1										2
2012(d)(1)(A)(ii)								1					1
2012(g)(1)	1		2			1	1						5
2012(i)			1			1	1						3
2012(m)	1												1
2012, APP. A, Ch 2, §A.1			1			1	1						3
2012, App. A, Ch2, A.1.g								1					1
2012, APP. A, Ch 2. A.16	1												1
2012, APP. A, Ch 2-A, Att. C	1												1
2012, Table 1			1										1
2012, APP. A, Ch 2, Table 2-A			1										1
2012, Att. C, Sec B.1.a							1						1
3002(c)(1)	5		5	1	1	2	2	3	4	1			24
H&S Code §41700					1				1				2
H&S Code §41701			2					1					3

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX**  
**2022 HEARING BOARD CASES AS OF NOVEMBER 30, 2022**

**REGULATION II – PERMITS**

Rule 202      Temporary Permit to Operate  
Rule 203      Permit to Operate

**REGULATION IV – PROHIBITIONS**

Rule 402      Nuisance  
Rule 403      Fugitive Dust  
Rule 415      Odors from Rendering Facilities  
Rule 431.1      Sulfur Content of Gaseous Fuels  
Rule 461      Gasoline Transfer and Dispensing  
Rule 461.1      Gasoline Transfer and Dispensing for Mobile Fueling Operations  
Rule 462      Organic Liquid Loading  
Rule 463      Organic Liquid Storage

**REGULATION XI - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

Rule 1100      Implementation Schedule for NO<sub>x</sub> Facilities  
Rule 1133.1      Chipping & Grinding Activities  
Rule 1146      Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators,  
and Process Heaters  
Rule 1146.2      Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters  
Rule 1147      NO<sub>x</sub> Reductions from Miscellaneous Sources  
Rule 1148.1      Oil & Gas Production Wells  
Rule 1150.1      Control of Gaseous Emissions from Municipal Solid Waste Landfills  
Rule 1153.1      Emissions of Oxides of Nitrogen from Commercial Food Ovens  
Rule 1173      VOC Emissions from Leaks & Releases at Petroleum Facilities and Chemical Plants  
Rule 1179.1      Emission Reductions from Combustion Equipment at Publicly Owned Treatment Works Facilities  
Rule 1189      Emissions from Hydrogen Plant Process Vents  
Rule 1196      Clean On-road Heavy-Duty Fleet Vehicles

## **REGULATION XIV - TOXICS AND OTHER NON-CRITERIA POLLUTANTS**

Rule 1469.1     Spraying Operations Using Coatings Containing Chromium

Rule 1470       Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

## **REGULATION XX – REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004       Requirements

Rule 2011       Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions

Rule 2012       Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions

## **REGULATION XXX – TITLE V PERMITS**

Rule 3002       Requirements

## **CALIFORNIA HEALTH AND SAFETY CODE**

§41700           Prohibited Discharges

§41701           Restricted Discharges

[⬆ Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 9

REPORT: Civil Filings and Civil Penalties Report

**SYNOPSIS:** This report summarizes monthly penalties and legal actions filed by the General Counsel’s Office from November 1 through November 30, 2022. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: No Committee Review

**RECOMMENDED ACTION:**  
Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:cr

	<u>Civil Filings</u>	<u>Violations</u>
1. Larson's Shipyard Orange County Superior Court – Small Claims Case No.: 30-2022-01292236-SC-SC-CJC; Filed 11.17.22 (GV) P66979 and P66981 R. 109(c) – Recordkeeping for Volatile Organic Compound Emissions		1
		1 Violation

## Attachments

November 2022 Penalty Report

## Index of South Coast AQMD Rules and Regulations

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

**Settlement Penalty Report (11/01/2022 - 11/30/2022)**

Total Penalties

Civil Settlement:	\$64,895.00
Hearing Board Settlement:	\$17,000.00
MSPAP Settlement:	\$3,700.00

<b>Total Cash Settlements:</b>	<b>\$85,595.00</b>
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<b>Fiscal Year through 11/30/2022 Cash Total:</b>	<b>\$2,223,018.63</b>
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Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Numbers	Total Settlement
<b>Civil</b>						
44577	LONG BEACH CITY, SERRF PROJECT	3002	11/18/2022	JL	P66479	\$16,365.00
131732	NEWPORT FAB, LLC	2004	11/08/2022	DH	P72854, P72856, P72862	\$26,980.00
191334	OC STONE MASTER, INC.	403	11/04/2022	ND	P70267	\$2,000.00
187885	SMITHFIELD PACKAGED MEATS CORP.	402, 2004, 3002, H&S 41700	11/17/2022	KCM	P65279, P67395, P69534	\$9,950.00
191333	STRAIGHTWAY CONSTRUCTION CO., INC.	403	11/10/2022	RM	P70268	\$1,100.00
18931	TAMCO	221, 2004, 2012(c)(2)(A), 3002	11/03/2022	MR	P64432, P64433, P70414	\$7,500.00
185241	VALENCIA EUROPEAN MOTORSPORTS	203, 1171	11/03/2022	RM	P68634	\$1,000.00
<b>Total Civil Settlements: \$64,895.00</b>						
<b>Hearing Board</b>						
112573	FREUND BAKING COMPANY	1153.1	11/08/2022	JL	6226-1	\$5,000.00
112573	FREUND BAKING COMPANY	1153.1	11/08/2022	JL	6226-1	\$5,000.00
112573	FREUND BAKING COMPANY	1153.1	11/18/2022	JL	6226-1	\$7,000.00
<b>Total Hearing Board Settlements: \$17,000.00</b>						
<b>MSPAP</b>						
22632	ANAHEIM EXTRUSION CO., INC.	1147	11/03/2022	GC	P69758	\$1,200.00
121117	CASTLE CLEANERS, DBA RICARDO RUIZ	203, 1421	11/03/2022	GC	P69508, P69514	\$1,000.00
190758	F.A.L. TRANSPORTATION, INC.	13 CCR 2485	11/01/2022	GC	P69577	\$700.00
164291	J&R AUTO BODY	109(c)(1), 1171	11/03/2022	GC	P67112	\$800.00



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**Total MSPAP Settlements: \$3,700.00**

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**SOUTH COAST AQMD'S RULES AND REGULATION INDEX**  
**NOVEMBER 2022 PENALTY REPORT**

**REGULATION I - GENERAL PROVISIONS**

Rule 109            Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II - PERMITS**

Rule 203            Permit to Operate  
Rule 221            Plans

**REGULATION IV - PROHIBITIONS**

Rule 402            Nuisance  
Rule 403            Fugitive Dust

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1147            NOx Reductions from Miscellaneous Sources  
Rule 1153.1          Emissions of Oxides of Nitrogen from Commercial Food Ovens  
Rule 1171            Solvent Cleaning Operations

**REGULATION XIV - TOXICS**

Rule 1421            Control of Perchloroethylene Emissions from Dry Cleaning Operations

**REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004            Requirements  
Rule 2012            Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**REGULATION XXX - TITLE V PERMITS**

Rule 3002            Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

41700                Prohibited Discharges

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2485        Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor  
Vehicle Idling

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 10

REPORT: Lead Agency Projects and Environmental Documents Received

SYNOPSIS: This report provides a listing of CEQA documents received by South Coast AQMD between November 1, 2022 and November 30, 2022, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SR:MK:MM:SW:ET

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**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 November 1, 2022 to November 30, 2022 is included in Attachment A. A total of 50 CEQA documents were received during this reporting period and 24 comment letters were sent. A list of active projects for which South Coast AQMD staff is continuing to evaluate or prepare comments for September 2022 and October 2022 reporting period is included as Attachment B.

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.

In January 2006, the Board approved the Workplan for the Chair's Clean Port Initiatives. One action item of the Chair'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 November 1, 2022 to November 30, 2022, South Coast AQMD received 50 CEQA documents which are listed in the Attachment A. In addition, there are 12 documents from earlier that either have been reviewed or are still under review. Those are listed in the Attachment B. The current status of the total 62 documents from Attachment A and B are summarized as follows:

- 24 comment letters were sent;
- 25 documents were reviewed, but no comments were made;
- 13 documents are currently under review.

(The above statistics are from November 1, 2022 to November 30, 2022 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 two active projects during November 2022.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which South Coast AQMD Has or Is Continuing to Conduct a CEQA Review
- C. Active South Coast AQMD Lead Agency Projects

**ATTACHMENT A\***  
**INCOMING CEQA DOCUMENTS LOG**  
**November 1, 2022 to November 30, 2022**

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b>Warehouse &amp; Distribution Centers</b>	The project consists of construction of an 850,224 square foot warehouse and a 37,215 square foot commercial building on 50 acres. The project is located on the southwest corner of Ramona Expressway and Webster Avenue. Reference RVC220401-03 and RVC211109-05  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/rvc221101-07-deir-ramona-gateway-commerce-center-project_221212.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/rvc221101-07-deir-ramona-gateway-commerce-center-project_221212.pdf</a>  Comment Period: 10/28/2022 - 12/12/2022 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Perris	South Coast AQMD staff commented on 12/12/2022
<b>RVC221101-07</b>				
Ramona Gateway Commerce Center				
<b>Warehouse &amp; Distribution Centers</b>	The project consists of construction of a 334,040 square foot warehouse on 20.14 acres. The project is located near the northwest corner of Redlands Avenue and Placentia Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221108-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221108-02.pdf</a>  Comment Period: 11/4/2022 - 12/5/2022 Public Hearing: 12/21/2022	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	South Coast AQMD staff commented on 12/5/2022
<b>RVC221108-02</b>				
Redlands West Industrial Project				
<b>Warehouse &amp; Distribution Centers</b>	The project consists of construction of a 165,371 square foot warehouse on 7.5 acres. The project is located on the southwest corner of Ramona Expressway and Brennan Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221108-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221108-03.pdf</a>  Comment Period: 11/14/2022 - 12/5/2022 Public Hearing: N/A	Notice of Intent to Adopt Mitigated Negative Declaration	City of Perris	South Coast AQMD staff commented on 12/5/2022
<b>RVC221108-03</b>				
Ramona Expressway and Brennan Avenue Warehouse Project				
<b>Warehouse &amp; Distribution Centers</b>	The project consists of construction of a 769,668 square foot warehouse on 35.7 acres. The project is located near the southwest corner of Harley Knox Boulevard and Nevada Avenue. Reference RVC220119-06  Comment Period: 11/4/2022 - 12/19/2022 Public Hearing: N/A	Notice of Availability of a Draft Environmental Impact Report	City of Perris	Under review, may submit written comments
<b>RVC221108-10</b>				
Duke Warehouse at Patterson Avenue and Nance Street Project				

*\*Sorted by Land Use Type (in order of land uses most commonly associated with air quality impacts), followed by County, then date 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**  
**November 1, 2022 to November 30, 2022**

<b>SOUTH COAST AQMD LOG-IN NUMBER</b>	<b>PROJECT DESCRIPTION</b>	<b>TYPE OF DOC.</b>	<b>LEAD AGENCY</b>	<b>COMMENT STATUS</b>
<b>PROJECT TITLE</b>				
<b><i>Warehouse &amp; Distribution Centers</i></b> <b>RVC221115-09</b> Legacy Highlands Industrial Specific Plan Project#	The project consists of subdivision of 1,414.66 acres for future development. The project is located on the southeast corner of State Route 60 and Potrero Boulevard. Reference RVC220913-04, RVC220809-07 and RVC220601-06  <p style="text-align: center;">Comment Period: 11/14/2022 - 12/1/2022                      Public Hearing: 12/1/2022</p>	Site Plan	City of Beaumont	Document reviewed - No comments sent for this document received
<b><i>Warehouse &amp; Distribution Centers</i></b> <b>SBC221115-13</b> Sierra Business Center	The project consists of construction of three warehouses totaling 485,042 square feet on 30.1 acres. The project is located on the northeast corner of Sierra Avenue and Casa Grande Avenue. Reference SBC220324-01  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/SBC220324-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/april/SBC220324-01.pdf</a>  <p style="text-align: center;">Comment Period: 11/10/2022 - 1/3/2023                      Public Hearing: 12/6/2022</p>	Notice of Preparation	City of Fontana	Under review, may submit written comments
<b><i>Warehouse &amp; Distribution Centers</i></b> <b>SBC221118-05</b> Mission Boulevard and Ramona Avenue Business Park Project	The project consists of construction of eight buildings totaling 514,269 square feet for warehouse and manufacturing activities on 27.74 acres. The project is located on the northwest corner of Mission Boulevard and Ramona Avenue. Reference SBC220111-04 and SBC210105-04  <p style="text-align: center;">Comment Period: N/A                      Public Hearing: 11/28/2022</p>	Notice of Availability of a Final Environmental Impact Report	City of Montclair	Under review, may submit written comments
<b><i>Industrial and Commercial</i></b> <b>LAC221108-09</b> 444 North Nash Street Data Center Project	The project consists of installation of seven generators. The project is located near the northeast corner of North Nash Street and East Mariposa Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221108-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221108-09.pdf</a>  <p style="text-align: center;">Comment Period: 11/3/2022 - 11/23/2022                      Public Hearing: 12/18/2022</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of El Segundo	South Coast AQMD staff commented on 11/23/2022

# - 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**  
**November 1, 2022 to November 30, 2022**

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b>Industrial and Commercial</b>	The project consists of construction of an 6,080 square foot industrial building for cannabis manufacturing and distribution on 0.3 acres. The project is located at 690 West Garnet Avenue on the northwest corner of Garnet Avenue and North Indian Canyon Drive.	Notice of Intent to Adopt a Negative Declaration	City of Palm Springs	Document reviewed - No comments sent for this document received
<b>RVC221108-11</b> Sun Ray Naturals Cannabis Cultivation Facility Case No. 5.1555 CUP				
	Comment Period: 11/3/2022 - 11/22/2022	Public Hearing: 12/14/2022		
<b>Waste and Water-related</b>	The project consists of modifications to an existing hazardous waste facility permit to update emergency contact information. The project is located at 425 Isis Avenue near the southwest corner of Isis Avenue and West Manchester Boulevard within the City of Inglewood. Reference LAC191002-01, LAC190716-05 and LAC130716-06	Permit Modification	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>LAC221101-02</b> Rho-Chem LLC				
	Comment Period: N/A	Public Hearing: N/A		
<b>Waste and Water-related</b>	The project consists of construction of a chlorination treatment facility with a capacity of 5,200 gallons per minute on 0.4 acres. The project is on located at 12403 Vanowen Street on the northwest corner of Vanowen Street and State Route 170 in North Hollywood.	Notice of Intent to Adopt a Mitigated Negative Declaration	Los Angeles Department of Water and Power	Document reviewed - No comments sent for this document received
<b>LAC221101-03</b> The North Hollywood Chlorination Stations Project				
	Comment Period: 10/27/2022 - 12/2/2022	Public Hearing: N/A		
<b>Waste and Water-related</b>	The project consists of modifications to an existing hazardous waste facility to maximize capacity of the three roll-off bins from 20 cubic yards to 40 cubic yards. The project is located at 1737 East Denni Street near the northeast corner of North Henry Ford Avenue and Denni Street in Wilmington-Harbor City within Los Angeles and the designated AB 617 Wilmington, Carson, West Long Beach community. Reference LAC220210-02, LAC210729-03, LAC200804-07, and LAC180131-03	Permit Modification	Department of Toxic Substances Control	Under review, may submit written comments
<b>LAC221115-08</b> Clean Harbors Wilmington Facility				
	Comment Period: N/A	Public Hearing: N/A		

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**ATTACHMENT A**  
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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Waste and Water-related</b> <b>LAC221117-01</b> Landfill No. 1 and 2 Postclosure Land Use Plan	The project consists of soil stockpiling and construction a vehicle parking lot 49 acres. The project is located on the southwest corner of East Walnut Avenue and Lockheed View Drive in Burbank.  Comment Period: N/A Public Hearing: N/A	Response to Comments	City of Burbank	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> <b>LAC221118-04</b> Cald Bess 2223-2241 East 89th Street	The proposed project consists of development of remedial actions to remove and dispose contaminated soil with volatile organic compounds on four acres. The project is located at near the northwest corner of Alameda Street and East 89th Street in Los Angeles within the designated AB 617 Southeast Los Angeles community.  Comment Period: 11/18/2022 - 12/30/2022 Public Hearing: 12/14/2022	Draft Remedial Action Workplan	Department of Toxic Substances Control	Under review, may submit written comments
<b>Waste and Water-related</b> <b>LAC221118-07</b> Former International Light Metals Facility	The project consists of modifications to an existing hazardous waste facility permit to continue post closure activities including groundwater monitoring on 67.4 acres. The project is located at 19200 South Western Avenue near the southeast corner of South Western Avenue and West 190th Street in Torrance. Reference LAC210617-08, LAC150423-18, LAC130314-10, and LAC121211-01  Comment Period: N/A Public Hearing: N/A	Permit Renewal	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>Waste and Water-related</b> <b>ORC221101-09</b> Euclid/Condor Retail Center	The project consists of development of cleanup actions to remediate soil contaminated with volatile organic compounds on 1.5 acres. The project is located at southwest corner of Euclid Street and Mount Badly Circle in Fountain Valley.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/ORC221101-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/ORC221101-09.pdf</a>  Comment Period: 11/3/2022 - 12/7/2022 Public Hearing: N/A	Draft Removal Action Workplan	Department of Toxic Substances Control	South Coast AQMD staff commented on 12/7/2022

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PROJECT TITLE				
<b>Waste and Water-related</b>	The project consist of reissuance of the current National Pollutant Discharge Elimination System permit. The project is located near the southeast corner of Fillmore Street and Airport Boulevard in Thermal. The project is also located in the designated AB 617 Eastern Coachella Valley.	Permit Renewal	The Colorado River Basin Water Board	Document reviewed - No comments sent for this document received
<b>RVC221108-13</b> Coachella Valley Water District and Mid-Valley Water Reclamation Plant No. 4 - Riverside County				
	Comment Period: 10/19/2022 - 11/17/2022 Public Hearing: 12/13/2022			
<b>Waste and Water-related</b>	The project consists of establishment of a land use covenant to restrict future land uses to commercial and industrial uses on 21-acre. The project is located on the northwest corner of Valley Boulevard and Willow Avenue in Rialto. Reference SBC220324-04 and SBC210727-03	Draft Land Use Covenant	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>SBC221108-01</b> Birtcher Logistics Center Rialto				
	Comment Period: 11/7/2022 - 12/7/2022 Public Hearing: N/A			
<b>Waste and Water-related</b>	The project consists of soil cleanup for the Exide facility on a 3.3 acre. The project is located at 2431 West Main Street on the corner of Sundance Lane and Main Street in Barstow. The cleanup area includes portions of the cities of Vernon, Bell, Huntington Park, Commerce, Maywood, and Los Angeles, and East Los Angeles in the County of Los Angeles. Reference LAC170912-08, LAC170706-04, LAC161220-08 and LAC151208-09	Community Notice	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b>SBC221108-12</b> Final Cleanup Plan for Offsite Properties within Preliminary Investigation Area of Former Exide Technologies Facility				
	Comment Period: N/A Public Hearing: N/A			
<b>Utilities</b>	The project consists of construction of a 30 megavolt ampere energy facility. The project is located at 16931 Marquez Avenue on the northwest corner of Marquez Avenue and Bollinger Driver in Pacific Palisades.	Notice of Preparation	Los Angeles Department of Water and Power	Under review, may submit written comments
<b>LAC221115-03</b> Distributing Station 104 Project				
	Comment Period: 11/10/2022 - 12/16/2022 Public Hearing: 1/18/2023			

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PROJECT TITLE				
<b>Utilities</b>	The proposed project consists of the construction of a 300-megawatt battery energy storage system facility on 7.5 acres. The project is located at 690 North Studebaker Road on the northeast corner of North Studebaker Road and Loynes Drive. Reference LAC170629-09 and LAC161013-10	Statement of Staff Approval	City of Long Beach	Document reviewed - No comments sent for this document received
<b>LAC221118-01</b> Alamitos Generating Station Battery Storage System				
	Comment Period: N/A Public Hearing: N/A			
<b>Transportation</b>	The project consists of demolition of 200 existing static signage displays and construction of 56 digital signage displays totaling 55,000 square feet with a planning horizon of 2028. The project is located throughout Los Angeles County in the areas of Central City North, Silver Lake-Echo Park Elysian-Valley, Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass, North East Los Angeles, Boyle Heights, Central City, North Hollywood-Village Valley, Sun Valley-La Tuna Canyon, Arleta-Pacoima, Granada Hills-Knollwood, Sylmar, Encino-Tarzana, and West Los Angeles. The project is also located in the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. Reference LAC220913-03 and LAC220419-02	Final Environmental Impact Report	Los Angeles County Metropolitan Transportation Authority	Document reviewed - No comments sent for this document received
<b>LAC221116-01</b> Metro's Transportation Communication Network				
	Comment Period: N/A Public Hearing: N/A			
<b>Institutional (schools, government, etc.)</b>	The project consists of construction of a 16,820 square foot education building on 5.2 acres. The project is located at 2425 16th Street on the southeast corner of 16th Street and Pearl Street in Santa Monica.	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Monica-Malibu Unified School District	Document reviewed - No comments sent for this document received
<b>LAC221115-01</b> John Adams Middle School Campus Improvement Project				
	Comment Period: 11/14/2022 - 12/14/2022 Public Hearing: 12/12/2022			

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<b>SOUTH COAST AQMD LOG-IN NUMBER</b>	<b>PROJECT DESCRIPTION</b>	<b>TYPE OF DOC.</b>	<b>LEAD AGENCY</b>	<b>COMMENT STATUS</b>
<b>PROJECT TITLE</b>				
<b><i>Institutional (schools, government, etc.)</i></b> <b>LAC221115-02</b> Will Rogers Learning Community Campus Expansion and Improvement Project	The project consists of construction of three buildings totaling 126,735 square feet on 6.7 acres. The project is located on the northeast corner of 14th Street and Maple Street in Santa Monica.  <p style="text-align: center;">Comment Period: 11/14/2022 - 12/14/2022                      Public Hearing: 12/6/2022</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Monica-Malibu Unified School District	Document reviewed - No comments sent for this document received
<b><i>Institutional (schools, government, etc.)</i></b> <b>LAC221115-10</b> Franklin Elementary School Campus Plan Project	The project consists of construction of three buildings totaling 59,850 square feet on 5.6 acres. The project is located on the southeast corner of Montana Avenue and 23rd Street in Santa Monica.  <p style="text-align: center;">Comment Period: 11/14/2022 - 12/14/2022                      Public Hearing: 12/14/2022</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	Santa Monica-Malibu Unified School District	Document reviewed - No comments sent for this document received
<b><i>Medical Facility</i></b> <b>RVC221110-01</b> Conditional Use Permit No. 210005	Staff provided comments on Mitigated Negative Declaration for this project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221025-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221025-04.pdf</a> . The project consists of construction of 10 new buildings and road improvements on 48 acres. The project is located near northeast corner of Red Mountain Road and Cactus Valley Road in San Jacinto Valley. Reference RVC221025-04  <p style="text-align: center;">Comment Period: N/A                                              Public Hearing: N/A</p>	Response to Comments	County of Riverside	Document reviewed - No comments sent for this document received
<b><i>Retail</i></b> <b>RVC221101-05</b> Pre-Application Review No. 220089 (PAR220089)	The project consists of construction of retail and restaurant uses on 1.53 acres. The project is located on the northwest corner of Cajalco Road and Clark Street in Mead Valley.  <p style="text-align: center;">Comment Period: 10/25/2022 - 11/3/2022                      Public Hearing: 11/3/2022</p>	Site Plan	Riverside County	Document reviewed - No comments sent for this document received

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<b>PROJECT TITLE</b>				
<b>Retail</b>	The project consists of construction of 2,400 square foot convenient store, 11,877 square foot hotel with 80 rooms, 2,500 square foot restaurant, a service gas station with 12 pumps, and a 3,192 square foot fuel canopy on 2.68 acres. The project is located at 10134 Linden Avenue on the southwest corner of Linden Avenue and Valley Boulevard in Bloomington.	Notice of Intent to Adopt Mitigated Negative Declaration	County of San Bernardino	South Coast AQMD staff commented on 12/6/2022
<b>SBC221108-14</b> Arrowhead Commercial Retail Plaza Project	<a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/SBC221108-14.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/SBC221108-14.pdf</a>  Comment Period: 11/8/2022 - 12/7/2022 Public Hearing: N/A			
<b>General Land Use (residential, etc.)</b>	The project consists of construction of 400 residential units on 5.07 acres. The project is located at 11227 South Prairie Avenue on the northwest corner of South Prairie Avenue and West 113th Street. Reference LAC210817-02	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Inglewood	South Coast AQMD staff commented on 11/8/2022
<b>LAC221104-01</b> Prairie Station Multi-Family Residential Project	<a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221104-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221104-01.pdf</a>  Comment Period: 10/20/2022 - 11/8/2022 Public Hearing: N/A			
<b>General Land Use (residential, etc.)</b>	This document includes additional traffic and circulation impacts analysis in response to the Los Angeles County Superior Court's decision on the Mitigated Negative Declaration for the project. The project consists of construction of a 139,281-square-foot building with 88 residential units and subterranean parking on 1.84 acres. The project is located at 5101 South Overhill Drive on the southeast corner of South La Brea Avenue and Overhill Drive in Windsor Hills. Reference LAC201117-01 and LAC170721-03	Notice of Preparation	County of Los Angeles	Under review, may submit written comments
<b>LAC221108-05</b> The View Project	Comment Period: 11/7/2022 - 1/6/2023 Public Hearing: 12/8/2022			
<b>General Land Use (residential, etc.)</b>	This project consists of construction of 360 residential units and 28 acres of open space on 75.64 acres. The project is located on the southeast corner of State Route 60 and Fairway Drive in Rowland Heights.	Notice of Preparation	The County of Los Angeles	South Coast AQMD staff commented on 12/12/2022
<b>LAC221108-06</b> Royal Vista Residential and Parks Project	<a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221108-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221108-06.pdf</a>  Comment Period: 10/13/2022 - 12/12/2022 Public Hearing: 12/6/2022			

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SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b>	Staff provided comments on the Draft Environmental Impact Report, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/october/LAC220921-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/october/LAC220921-06.pdf</a> . The project consists of demolition of existing structures and construction of 1,213 residential units totaling 1,527,694 square feet, 10,352 square feet of commercial uses, and 647,027 square feet of parking uses on 27.31 acres. The project is located at 21207 South Avalon Boulevard near the northwest corner of South Avalon Boulevard and East 213th Street in the designated AB 617 Wilmington, Carson, West Long Beach community. Reference LAC220921-06 and LAC210114-06	Notice of Availability of a Final Environmental Impact Report	City of Carson	Document reviewed - No comments sent for this document received
<b>LAC221115-04</b> Imperial Avalon Mixed-Use Project	Comment Period: N/A Public Hearing: 11/21/2022			
<b>General Land Use (residential, etc.)</b>	Staff provided comments on the Draft of Environmental Impact Report, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/february/LAC220104-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/february/LAC220104-01.pdf</a> . The project consists of demolition of existing structures, and construction of a 1,792,103 square foot building with 208 residential units, 236 hotel rooms, and subterranean parking on 5.45 acres. The project is located on the southeast corner of Mesquit Street and South Santa Fe Avenue in Central City North within the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. Reference LAC220104-01 and LAC170426-01	Notice of Availability of a Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
<b>LAC221115-05</b> 670 Mesquit Project	Comment Period: N/A Public Hearing: 12/7/2022			
<b>General Land Use (residential, etc.)</b>	The project consist of construction of 1,350 residential units, 600,000 square feet of commercial uses, and a 300 room hotel on 66.4 acres. The project is located 15466 Whittier Boulevard on the southwest corner of Whittier Boulevard and Cullen Street.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221115-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221115-06.pdf</a>	Notice of Preparation	City of Whittier	South Coast AQMD staff commented on 12/8/2022
<b>LAC221115-06</b> Whittwood Town Center Specific Plan Amendment	Comment Period: 11/9/2022 - 12/8/2022 Public Hearing: 11/30/2022			
<b>General Land Use (residential, etc.)</b>	The proposed project consists of demolition of existing buildings and parking lots, and subdivision of 25.84 acres for future development of 28 residential units. The project is located on the southeast corner of North Lemon Avenue and Meadow Pass Road. Reference LAC180612-06 and LAC160520-01	Notice of Preparation	City of Walnut	Under review, may submit written comments
<b>LAC221115-14</b> The Brookside Project	Comment Period: 11/10/2022 - 12/20/2022 Public Hearing: 12/5/2022			

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<b>PROJECT TITLE</b>				
<b>General Land Use (residential, etc.)</b> <b>LAC221115-15</b> Mission Villas Residential Project	The project consist of construction of 37 residential units on 3.43 acres. The project is located on the northeast corner Mission Drive and Walnut Grove Avenue.  <p style="text-align: center;">Comment Period: 11/10/2022 - 11/30/2022      Public Hearing: 12/19/2022</p>	Notice of Intent to Adopt Mitigated Negative Declaration	City of Rosemead	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>ORC221101-08</b> Westminster Mall Specific Plan Project	Staff provided comments on the Draft Environmental Impact Report for the project, which can be accessed at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/september/ORC220816-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/september/ORC220816-07.pdf</a> . The project consists of construction of 3,000 residential units, a hotel with 425 rooms, and 1.2 million square feet of retail and office uses on 100 acres. The project is located at 1025 Westminster Mall on the southeast corner of Westminster Mall and Interstate 405. Reference ORC220816-07 and ORC191101-05  <p style="text-align: center;">Comment Period: N/A      Public Hearing: 11/30/2022</p>	Notice of Availability of a Final Environmental Impact Report	City of Westminster	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>ORC221115-07</b> Tentative Tract Map No. 19224 - Intracorp Development	The project consists of demolition of 44,948 square feet of existing structures, and construction of 40 residential units on 2.07 acres. The project is located near the southeast corner of Irvine Boulevard and Prospect Avenue. Reference ORC220921-05  <p style="text-align: center;">Comment Period: 11/10/2022 - 11/28/2022      Public Hearing: N/A</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Tustin	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>ORC221115-12</b> Bluffs at Boca Project	The project consist of construction of seven residential units on 1.58 acres. The project is located on the southeast corner of La Rambla and Boca Del Canon.  <p style="text-align: center;">Comment Period: 11/14/2022 - 12/16/2022      Public Hearing: 11/30/2022</p>	Notice of Preparation	City of San Clemente	Document reviewed - No comments sent for this document received

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PROJECT TITLE				
<b>General Land Use (residential, etc.)</b> <b>RVC221101-04</b> The Mission Grove Apartment Project	The project consists of construction of 347 residential units totaling 327,032 square feet on 9.92 acres. The project is located at 375 East Alessandro Boulevard on the northwest corner of Mission Grove Parkway and Mission Village Drive.  <p style="text-align: center;">Comment Period: 10/28/2022 - 11/28/2022      Public Hearing: 11/2/2022</p>	Notice of Preparation	City of Riverside	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>RVC221118-06</b> Plot Plan (PEN22-0022)	The project consists of construction of 192 residential units totaling 173,820 square feet on eight acres. The project is located southwest corner of Alessandro Boulevard and Lasselle Street.  <p style="text-align: center;">Comment Period: 11/11/2022 - 12/1/2022      Public Hearing: N/A</p>	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Moreno Valley	Document reviewed - No comments sent for this document received
<b>Plans and Regulations</b> <b>LAC221101-01</b> Community Development Block Grant - Disaster Recovery (CDBG-DR)	The project consist of establishment of Owner-Occupied Rehabilitation and Reconstruction Program to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2020 disasters. The project encompasses 4,083 square miles and is bounded by Ventura County to the north, counties of Riverside and San Bernardino to the east, Orange County to the south, and the Pacific Ocean to the west. The project includes three designated AB 617 communities: 1) East Los Angeles, Boyle Heights, West Commerce, 2) South Los Angeles, 3) Southeast Los Angeles, and 4) Wilmington, Carson, West Long Beach. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221101-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221101-01.pdf</a>  <p style="text-align: center;">Comment Period: 10/19/2022 - 11/18/2022      Public Hearing: N/A</p>	Initial Project Consultation	City of Los Angeles	South Coast AQMD staff commented on 11/18/2022
<b>Plans and Regulations</b> <b>LAC221108-04</b> The Proposed Downtown Specific Plan	The project consists of development of policies, strategies, and design guidelines to guide future development in proximity to public transit stations. The project is generally located along Bonita Avenue bounded by First Street to north, Gaffney Avenue to the east, Arrow Highway to the south, and Interstate 57 to the west. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221108-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/LAC221108-04.pdf</a>  <p style="text-align: center;">Comment Period: 11/2/2022 - 12/2/2022      Public Hearing: 11/16/2022</p>	Notice of Preparation	City of San Dimas	South Coast AQMD staff commented on 12/1/2022

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PROJECT TITLE				
<i>Plans and Regulations</i>	The project consists of development of land use policies and implementation strategies to address affordable housing needs, transportation improvements, air quality, economic development, and environmental justice. The project encompasses seven unincorporated communities: 1) East Los Angeles, 2) Florence-Firestone, 3) Willowbrook, 4) West Rancho Dominguez-Victoria, 5) East Rancho Dominguez, 6) Walnut Park, and 7) West Athens-Westmont. The project includes four designated AB 617 communities: 1) East Los Angeles, Boyle Heights, West Commerce, 2) Southeast Los Angeles, 3) South Los Angeles, and 4) Wilmington, Carson, West Long Beach. Reference LAC220217-09	Notice of Availability of a Draft Environmental Impact Report	County of Los Angeles	Under review, may submit written comments
<b>LAC221118-02</b> Los Angeles County Metro Area Plan				
	Comment Period: 11/17/2022 - 1/16/2023      Public Hearing: N/A			
<i>Plans and Regulations</i>	The project consists of construction of 1,362 residential units, 320 RV spaces, and 275 square feet of commercial uses on 622.1 acres. The project is located on the southeast corner of Harrison Street and 62nd Avenue in East Coachella Valley within the designated AB 617 Eastern Coachella Valley.	Site Plan	County of Riverside	Document reviewed - No comments sent for this document received
<b>RVC221101-06</b> Specific Plan No. 401				
	Comment Period: 10/25/2022 - 11/3/2022      Public Hearing: 11/3/2022			
<i>Plans and Regulations</i>	The project consists of updates to the City's General Plan Housing Element to assess housing needs, densities, and development standards with a planning horizon of 2029. The project encompasses 30.08 square miles and is bounded by Indio to the north, Cathedral City to the east, Thermal to the south, and unincorporated areas of Riverside County to the west. The project is also located in the designated AB 617 Eastern Coachella Valley community. <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221101-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221101-10.pdf</a>	Notice of Intent to Adopt a Negative Declaration	City of Coachella	South Coast AQMD staff commented on 11/8/2022
<b>RVC221101-10</b> Coachella Housing Element Update Case No. GPA 21-02				
	Comment Period: 10/20/2022 - 11/8/2022      Public Hearing: 11/16/2022			
<i>Plans and Regulations</i>	The project consists of construction of a 566,160 square foot hospital with 320 beds, a 467,968 square foot parking structure, and relocation of existing helipad on 35.31 acres. The project is located at 31700 Temecula Parkway near the northwest corner of Temecula Parkway and Margarita Road. References RVC211209-05, RVC160205-03, RVC141107-03, and RVC131203-02	Notice of Availability of a Draft Subsequent Environmental Impact Report	City of Temecula	Under review, may submit written comments
<b>RVC221108-08</b> Temecula Valley Hospital Master Plan				
	Comment Period: 11/3/2022 - 12/19/2022      Public Hearing: N/A			

# - 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**  
**November 1, 2022 to November 30, 2022**

<u>SOUTH COAST AQMD LOG-IN NUMBER</u>	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<i>Plans and Regulations</i> <b>RVC221115-11</b> KPC Coachella Specific Plan EIR	The project consist of construction of 9,536 residential units, 305 acres of commercial use, 71 acres of school uses, 395 acres of park uses, 179 acres of circulation uses, 68 acres of agricultural uses, and 754 of open space on 2,807 acres. The project is bounded by San Bernardino Mountains to the north, unincorporated areas of Riverside County to the north and east, and Interstate 10 and Coachella to the south and west in the designated AB 617 Eastern Coachella Valley community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221115-11.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/december/RVC221115-11.pdf</a>  Comment Period: 11/14/2022 - 12/14/2022                      Public Hearing: 11/21/2022	Notice of Preparation	City of Coachella	South Coast AQMD staff commented on 12/13/2022
<i>Plans and Regulations</i> <b>SBC221108-07</b> Chino Hills General Plan Update and Zoning Map Amendment Project	The proposed project consists of development of major strategies and physical improvements including adoption and implementation of (1) General Plan Update; (2) revised Zoning Code and Zoning Map; (3) Updates to safety elements; and (4) Recreation and open space element on 44.7 square miles and is bounded by cities of Diamond Bar and Pomona to the north, City of Chino to the east, unincorporated areas of San Bernardino County to the south and the west.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/SBC221108-07.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/SBC221108-07.pdf</a>  Comment Period: 10/28/2022 - 11/28/2022                      Public Hearing: 11/10/2022	Notice of Preparation	City of Chino Hills	South Coast AQMD staff commented on 11/23/2022
<i>Plans and Regulations</i> <b>SBC221118-03</b> Freeway Corridor Specific Plan#	The project consists of construction of 2,447 residential units, 1,100,761 square feet of commercial uses, and 3,989,730 square feet of business park uses on 1,242 acres. The project is located on the southeast corner Interstate 10 and Live Oak Canyon Road.  Comment Period: 11/15/2022 - 12/15/2022                      Public Hearing: 11/30/2022	Notice of Preparation	City of Yucaipa	Under review, may submit written comments

# - 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 B\***  
**ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS**  
**OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

<u>SOUTH COAST AQMD LOG-IN NUMBER</u>	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>PROJECT TITLE</b>				
<b><i>Warehouse &amp; Distribution Centers</i></b> <b>RVC221018-03</b> Redlands East Industrial Project	The project consists of construction of a 254,511 square foot warehouse on 12.59 acres. The project is located near the southeast corner of Redlands Avenue and Placentia Avenue.  Comment Period: 10/14/2022 - 12/28/2022      Public Hearing: 11/10/2022	Notice of Intent to Adopt a Mitigated Negative Declaration	City of Perris	Under review, may submit written comments
<b><i>Transportation</i></b> <b>LAC221018-05</b> Los Angeles Aerial Rapid Transit Project	The project consists of construction of an electric-powered aerial gondola system with a capacity to transport 5,500 people per hour in each direction from Los Angeles Union Station to Dodger Stadium. The project is located above-ground and along North Alameda Street and North Spring Street between East Cesar E. Chavez Avenue and Solano Avenue in Los Angeles. Reference LAC201001-17  Comment Period: 10/17/2022 - 1/17/2023      Public Hearing: 10/22/2022	Notice of Availability of a Draft Environmental Impact Report	Los Angeles County Metropolitan Transportation Authority	Under review, may submit written comments
<b><i>Warehouse &amp; Distribution Centers</i></b> <b>LAC221018-08</b> Gardena Industrial Center Project	The project consists of demolition of 296,630 square feet of existing structures, and construction of a 190,860 square foot warehouse on 8.46 acres. The project is located at 1600 West 135th Street near the southwest corner of West 135th Street and Alma Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-08.pdf</a> Comment Period: 10/13/2022 - 11/14/2022      Public Hearing: N/A	Mitigated Negative Declaration	City of Gardena	South Coast AQMD staff commented on 11/10/2022
<b><i>Waste and Water-related</i></b> <b>LAC221004-04</b> Pure Water Southern California	The project consists of construction of a recycled water treatment facility with the capacity of 150 million gallons per day to provide 155,000 acre per year. The project is located at 24501 South Figueroa Street on the northwest corner of South Figueroa Street and West Lomita Boulevard in Carson and encompasses unincorporated areas of Los Angeles, Orange, and San Bernardino counties in the designated AB 617 Wilmington, Carson, West Long Beach community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221004-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221004-04.pdf</a> Comment Period: 9/30/2022 - 11/14/2022      Public Hearing: 10/12/2022	Notice of Preparation of Draft Environmental Impact Report	The Metropolitan Water District of Southern California	South Coast AQMD staff commented on 11/11/2022
<b><i>Waste and Water-related</i></b> <b>LAC221018-01</b> 410 E. 32nd Street and 317 E. 33rd Street	The project consists of development of cleanup actions to remediate soil contaminated with volatile organic compounds and installation of a soil vapor extraction system on 0.37 acres. The project is located on the southwest of East 32nd Street and Maple Avenue in Los Angeles within the designated AB 617 South Los Angeles community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-01.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-01.pdf</a> Comment Period: 10/13/2022 - 11/11/2022      Public Hearing: 10/25/2022	Draft Removal Action Workplan	Department of Toxic Substances Control	South Coast AQMD staff commented on 11/11/2022

\*Sorted by Comment Status, followed by Land Use, then County, then date received.

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

## ATTACHMENT B

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b>Waste and Water-related</b>	The project consists of development of cleanup actions to remediate soil contaminated with volatile organic compounds on 3.3 acres. The project is located at 1920 Randolph Street on the southeast corner of Randolph Street and Wilmington Avenue in Huntington Park within the designated AB 617 Southeast Los Angeles community.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221025-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221025-06.pdf</a>  Comment Period: 10/20/2022 - 11/21/2022 Public Hearing: N/A	Interim Measure Workplan	Department of Toxic Substances Control	South Coast AQMD staff commented on 11/18/2022
<b>LAC221025-06</b> Former Blue Coral McKay Chemical Company Site				
<b>Transportation</b>	The project consists of construction of a 38 mile rail track for passenger services between the Palmdale Station in the Palmdale and Burbank Airport Station in the Burbank. Reference LAC211102-03, LAC200526-01, and LAC140729-05  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC220901-10.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC220901-10.pdf</a>  Comment Period: 9/2/2022 - 12/1/2022 Public Hearing: 10/6/2022	Draft Environmental Impact Report/Environmental Impact Statement	California High-Speed Rail Authority	South Coast AQMD staff commented on 11/30/2022
<b>LAC220901-10</b> California High-Speed Rail System Palmdale to Burbank Project Section				
<b>Medical Facility</b>	The project consists of construction of 10 new buildings and road improvements on 48 acres. The project is located near northeast corner of Red Mountain Road and Cactus Valley Road in San Jacinto Valley.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221025-04.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/RVC221025-04.pdf</a>  Comment Period: 10/22/2022 - 11/10/2022 Public Hearing: 11/16/2022	Notice of Intent to Adopt Mitigated Negative Declaration	County of Riverside	South Coast AQMD staff commented on 11/9/2022
<b>RVC221025-04</b> Conditional Use Permit No. 210005				
<b>General Land Use (residential, etc.)</b>	The project consists of construction of 214 residential units, 12,850 square feet of restaurant uses, and subterranean parking on 213 acres. The project is located on the northwest corner of East Huntington Drive and Gateway Drive.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-02.pdf</a>  Comment Period: 10/14/2022 - 11/14/2022 Public Hearing: 10/26/2022	Notice of Preparation	City of Arcadia	South Coast AQMD staff commented on 11/11/2022
<b>LAC221018-02</b> The Derby Mixed-Use Project				
<b>General Land Use (residential, etc.)</b>	The project consists of construction of 228 residential units and 76 acres of open space on 120.6 acres. The project is located on the northeast corner of State Route 57 and Mission Boulevard.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/LAC221018-09.pdf</a>  Comment Period: 10/19/2022 - 11/18/2022 Public Hearing: 10/27/2022	Notice of Preparation	City of Pomona	South Coast AQMD staff commented on 11/18/2022
<b>LAC221018-09</b> Elephant Hill Project				

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT B**  
**ONGOING ACTIVE PROJECTS FOR WHICH SOUTH COAST AQMD HAS**  
**OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SOUTH COAST AQMD LOG-IN NUMBER	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
PROJECT TITLE				
<b>General Land Use (residential, etc.)</b>	The project consists of construction of 246 residential units, a 124 room hotel, 3,570 square feet of retail uses, and 3,570 square feet of restaurant uses on 2.82 acres. The project is located on the southeast corner of South Pomona Avenue and East Santa Fe Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/ORC221018-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/ORC221018-06.pdf</a>  Comment Period: 10/13/2022 - 11/14/2022                      Public Hearing: 12/6/2022	Mitigated Negative Declaration	City of Fullerton	South Coast AQMD staff commented on 11/9/2022
<b>ORC221018-06</b> Parkwest Project				
<b>General Land Use (residential, etc.)</b>	The project consists of construction of 7,194 residential units, 925,000 square feet of commercial uses, and 2,767,148 square feet of industrial uses on 584 acres. The project is located on the southwest corner of Interstate 15 and State Route 60.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/SBC221018-15.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/november/SBC221018-15.pdf</a>  Comment Period: 10/18/2022 - 11/15/2022                      Public Hearing: 10/27/2022	Notice of Preparation	City of Ontario	South Coast AQMD staff commented on 11/11/2022
<b>SBC221018-15</b> PSPA22-001#				

# - Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT C**  
**ACTIVE SOUTH COAST AQMD LEAD AGENCY**  
**PROJECTS THROUGH NOVEMBER 30, 2022**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
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.	Quemetco	Environmental Impact Report (EIR)	<p>The Draft EIR was released for a 124-day public review and comment period from October 14, 2021 to February 15, 2022 and approximately 200 comment letters were received.</p> <p>Staff held two community meetings, on November 10, 2021 and February 9, 2022, which presented an overview of the proposed project, the CEQA process, detailed analysis of the potentially significant environmental topic areas, and the existing regulatory safeguards. Written comments submitted relative to the Draft EIR and oral comments made at the community meetings, along with responses will be included in the Final EIR which is currently being prepared by the consultant.</p>	Trinity Consultants
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 emission flares with two additional 300-horsepower electric blowers; and 2) increase the landfill gas flow limit of the existing flares.	Sunshine Canyon Landfill	Subsequent Environmental Impact Report (SEIR)	South Coast AQMD staff reviewed and provided comments on the preliminary air quality analysis, health risk assessment (HRA), and Preliminary Draft SEIR which are currently being addressed by the consultant.	SCS Engineers

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 11

REPORT: Rule and Control Measure Forecast

SYNOPSIS: This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2023.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SLR:MK:IM:AK:ZS

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## 2023 MASTER CALENDAR

The 2023 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 an AQMP, either the 2016 AQMP or 2022 AQMP, when adopted, Toxics, AB 617 (for BARCT) or measures identified in an AB 617 Community Emission Reduction Plan (CERP), SIP to address comments or actions from U.S. EPA for a rule that is in an approved SIP, or Other. Rulemaking efforts that are noted for implementation of the 2016 AQMP or 2022 AQMP when adopted, Toxics, and AB 617 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. In 2023, there will be opportunities for in-person meetings as social distancing requirements are being lifted. Staff intends to continue to provide tele- and videoconferencing options where feasible to maximize public participation.

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 may have a substantial number of public comments.*
- + *This rulemaking will reduce criteria air contaminants and assist toward attainment of ambient air quality standards.*
- # *This rulemaking is part of the transition of RECLAIM to a command-and-control regulatory structure.*



## 2023 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
<b>February</b>		
1148.2	<b>Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers</b> Proposed Amended Rule 1148.2 will evaluate the applicability of well activities, improve notifications of well working activities, and address other issues. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 CERP
<b>March</b>		
219	<b>Equipment Not Requiring a Written Permit Pursuant to Regulation II</b> 222 <b>Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II</b> Proposed Amended Rule 219 will be updated to address comments from U.S. EPA and stakeholders about equipment exempt from permitting requirements, and include other revisions such as exceptions and recordkeeping requirements. Amendments to Rule 222 will be proposed in tandem to align with the proposed changes in Rule 219 and may include other editorial revisions. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	SIP/ Other
1401.1	<b>Requirements for New and Relocated Facilities Near Schools</b> Proposed Amended Rule 1401.1 will update the definition of school to incorporate early learning and developmental centers, including those for pre-kindergarten children, providing consistency with recently adopted and amended air toxics rules. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
2306 <sup>*+</sup>	<b>New Intermodal Railyard Indirect Source Rule</b> Proposed Rule 2306 will establish requirements for new intermodal railyards to minimize emissions from indirect sources associated with new railyards. <i>Elaine Shen 909.396.2715; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	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

## 2023 MASTER CALENDAR (*Continued*)

Month	Title and Description	Type of Rulemaking
<b>April</b>		
1110.3 <sup>+</sup> 1110.2	<b>Emissions from Linear Generators</b> <b>Emissions from Gaseous - and Liquid-Fueled Engines</b> Proposed Rule 1110.3 will establish emission standards and requirements for the linear generators. Rule 1110.2 will need to be amended to remove existing provisions for linear generators. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1178 <sup>+</sup>	<b>Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities</b> 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 along with potential control technologies to further reduce VOC emissions. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP/ AB 617 BARCT
<b>May</b>		
Reg III including 304 304.1 304.2	<b>Fee Rules</b> <b>Equipment, Materials, and Ambient Air Analyses</b> <b>Analyses Fees</b> <b>Fees for Operations Supportive of Emissions Analyses</b> Regulation III will incorporate the CPI adjustments to keep pace with inflation, pursuant to Rule 320, and proposed amendments may also include any other needed adjustments. Proposed Amended Regulation III will update annual emission fees, will seek to recover costs incurred by South Coast AQMD from operators responsible for large incidents requiring South Coast AQMD response, and other fees to ensure cost recovery. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other

\* *Potentially significant hearing*

<sup>+</sup> *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

<sup>#</sup> *Part of the transition of RECLAIM to a command-and-control regulatory structure*

## 2023 MASTER CALENDAR (*Continued*)

Month	Title and Description	Type of Rulemaking
May (Continued)		
1135 <sup>+</sup>	<b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b> Proposed Amended Rule 1135 will modify provisions for electricity generating units at Santa Catalina Island to reflect a revised BARCT assessment. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 BARCT
1153.1 <sup>#</sup>	<b>Emissions of Oxides of Nitrogen from Commercial Food Ovens</b> Proposed Amended Rule 1153.1 will establish NOx BARCT limits and expand the applicability to RECLAIM and former RECLAIM facilities. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 BARCT
June		
1405 <sup>*</sup>	<b>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes</b> Amendments needed to address ethylene oxide emissions from sterilization of medical equipment. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
Regulation XIII <sup>##</sup>	<b>New Source Review</b> 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 and to address comments from U.S. EPA. Additional rules under Regulation XIII may be needed to address offsets and other provisions under Regulation XIII. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP

\* *Potentially significant hearing*

<sup>+</sup> *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

<sup>#</sup> *Part of the transition of RECLAIM to a command-and-control regulatory structure*

## 2023 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
August		
1159.1 <sup>#</sup>	<b>Control of NOx Emissions from Nitric Acid Tanks</b> Proposed Rule 1159.1 will establish requirements to reduce NOx emissions from nitric acid units that will apply to RECLAIM, former RECLAIM, and non-RECLAIM facilities. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 BARCT
1455	<b>Control of Hexavalent Chromium Emissions from Torch Cutting and Welding</b> Proposed Rule 1455 will establish requirements to reduce hexavalent chromium emissions from torch cutting and welding of chromium alloys. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
2202 <sup>*</sup>	<b>On-Road Motor Vehicle Mitigation Options</b> 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 targets. <i>Vicki White 909.396.3436; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
Regulation XX <sup>##</sup>	<b>RECLAIM</b> Proposed Amended Regulation XX will address the transition of NOx RECLAIM facilities to a command-and-control regulatory structure. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
September		
463	<b>Organic Liquid Storage</b> 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>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1146.2 <sup># +</sup>	<b>Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters</b> Proposed Amended Rule 1146.2 will update the NOx emission limits to reflect BARCT. Other provisions may be added to facilitate the deployment of zero-emission units regulated under the proposed amended rule. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 BARCT

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2023 MASTER CALENDAR (Continued)

Month	Title and Description	Type of Rulemaking
<b>September</b> (Continued)		
2304 <sup>*,+</sup>	<b>Marine Port Indirect Source Rule</b> Proposed Rule 2304 will establish requirements to reduce emissions from indirect sources related to marine ports. <i>Elaine Shen 909.396.2715; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP
<b>October</b>		
317	<b>Clean Air Act Non-Attainment Fees</b> Proposed amendments may be needed to modify CAA Section 185 fees for non-attainment. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1173 <sup>+</sup>	<b>Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</b> Proposed Amended Rule 1173 will further reduce emissions from petroleum and chemical plants by requiring early leak detection approaches. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP
1180	<b>Refinery Fenceline and Community Air Monitoring</b> Rule 1180 will be amended to consider expanding the target list of compounds to include compounds identified in the OEHHA's updated priority list published in 2019. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1180.1	<b>Non-Refinery Fenceline and Community Monitoring</b> Proposed Rule 1180.1 will 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. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other

\* Potentially significant hearing

<sup>+</sup> Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

<sup>#</sup> Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2023 MASTER CALENDAR *(Continued)*

Month	Title and Description	Type of Rulemaking
<b>November</b>		
1118 <sup>*,+</sup>	<b>Control of Emissions from Refinery Flares</b> Proposed Amended Rule 1118 will seek to incorporate provisions to further reduce flaring at refineries, for clean service flares, and facility thresholds. Other amendments to improve clarity and to remove obsolete provisions. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP
1148.1 <sup>*,+</sup>	<b>Oil and Gas Production Wells</b> 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. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other/ AB 617 CERP
1435 <sup>*</sup>	<b>Control of Emissions from Metal Heat Treating Processes</b> 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>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ AB 617 CERP
<b>December</b>		
1151	<b>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations</b> Proposed Amended Rule 1151 will provide clarifications of current requirements and amend provisions to address implementation issues. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other/ AB 617 CERP
1445 <sup>*</sup>	<b>Control of Toxic Emissions from Laser Arc Cutting</b> Proposed Rule 1445 will establish requirements to reduce hexavalent chromium and other metal toxic air contaminant particulate emissions from laser arc cutting. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
2306.1 <sup>*,+</sup>	<b>Existing Intermodal Railyard Indirect Source Rule</b> Proposed Rule 2306.1 will establish requirements for existing intermodal railyards to minimize emissions from indirect sources associated with these facilities. <i>Elaine Shen 909.396.2715; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 CERP

\* Potentially significant hearing

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2023 To-Be-Determined

2023	Title and Description	Type of Rulemaking
102	<b>Definition of Terms</b> Proposed amendments may be needed to update and add definitions, and potentially modify exemptions. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
103	<b>Definition of Geographical Areas</b> Proposed amendments are needed to update geographic areas to be consistent with state and federal references to those geographic areas. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
209	<b>Transfer and Voiding of Permits</b> Proposed amendments may be needed to clarify requirements for change of ownership and permits and the assessment of associated fees. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
223	<b>Emission Reduction Permits for Large Confined Animal Facilities</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
403	<b>Fugitive Dust</b> Proposed Amended Rule 403 will seek to remove outdated provisions and add clarification of existing provisions to enhance compliance. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
403.1	<b>Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources</b> Proposed Amended Rule 403.1 would clarify existing requirements for dust control and remove outdated provisions contained in supporting documents for Rule 403.1. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
407 <sup>#</sup>	<b>Liquid and Gaseous Air Contaminants</b> Proposed Amended Rule 407 will update SOx 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT

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## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
410	<b>Odors from Transfer Stations and Material Recovery Facilities</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
425	<b>Odors from Cannabis Processing</b> Proposed Rule 425 will establish requirements for control of odors from cannabis processing. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
430	<b>Breakdown Provisions</b> Amendments to Rule 430 will need to be amended to remove exemptions for facilities that exit the RECLAIM program and update references to CEMS rules. Other amendments may be needed to address current policies from U.S. EPA regarding startup, shutdown, and malfunction requirements. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	RECLAIM/ Other
431.1 <sup>#</sup>	<b>Sulfur Content of Gaseous Fuels</b> Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT/ AB 617 CERP
431.2 <sup>#</sup>	<b>Sulfur Content of Liquid Fuels</b> Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT/ AB 617 CERP
431.3 <sup>#</sup>	<b>Sulfur Content of Fossil Fuels</b> Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT/ AB 617 CERP
444	<b>Open Burning</b> Amendments may be needed to clarify existing provisions. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
445 <sup>*</sup>	<b>Wood Burning Devices</b> 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. Amendments may be needed to revise the penalty structure for violations on No Burn Days during the wood burning season. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP

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### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
461	<b>Gasoline Transfer and Dispensing</b> Amendments to Rule 461 may be needed to address potential regulatory gaps. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
461.1	<b>Gasoline Transfer and Dispensing for Mobile Fueling Operations</b> Amendments to Rule 461.1 may be needed to address new information or to improve implementation since this is a newly adopted rule. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
462	<b>Organic Liquid Loading</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
468 <sup>#</sup>	<b>Sulfur Recovery Units</b> Proposed Amended Rule 468 will update SO <sub>x</sub> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT
469 <sup>#</sup>	<b>Sulfuric Acid Units</b> Proposed Amended Rule 469 will update SO <sub>x</sub> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT
1101 <sup>#</sup>	<b>Secondary Lead Smelters/Sulfur Oxides</b> Proposed Amended Rule 1101 will update SO <sub>x</sub> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT

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### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1102	<b>Dry Cleaners Using Solvent Other Than Perchloroethylene</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 CERP
1105 <sup>#</sup>	<b>Fluid Catalytic Cracking Units SO<sub>x</sub></b> Proposed Amended Rule 1105 will update SO <sub>x</sub> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT/ AB 617 CERP
1107	<b>Coating of Metal Parts and Products</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1108	<b>Cutback Asphalt</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1108.1	<b>Emulsified Asphalt</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1110.2* <sup>++</sup>	<b>Emissions from Gaseous- and Liquid-Fueled Engines</b> 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 Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ AB 617 BARCT

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## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1110.4 1401 1470	<b>Emissions from Emergency Generators</b> <b>New Source Review of Toxic Air Contaminants</b> <b>Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines</b> Proposed Rule 1110.4 and Proposed Amended Rule 1470 will establish and revise rule provisions to reduce NO <sub>x</sub> , CO, and PM emissions from emergency generators. Proposed Amended Rule 1401 will remove the exemption for emergency generators and therefore require a demonstration that risk thresholds are not exceeded in order to obtain a permit. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1111	<b>Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces</b> Proposed Amended Rule 1111 will implement the 2022 control measure requiring zero emission residential space heating. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1111.1	<b>Zero-Emission Residential Furnaces</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1113	<b>Architectural Coatings</b> Proposed amendments may be needed to address delisted compounds and other amendments to improve clarity and to remove obsolete provisions. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1114	<b>Petroleum Refinery Coking Operations</b> Proposed Amended Rule 1114 will seek to add notification requirements when coke particles, liquid and/or gas is ejected from the coke drum during cutting. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1119 <sup>#</sup>	<b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b> Proposed Amended Rule 1119 will update SO <sub>x</sub> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 BARCT/ AB 617 CERP

\* *Potentially significant hearing*

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## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1121*	<b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b> Proposed amendments may be needed to further reduce NOx emissions from water heaters. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1121.1	<b>Zero Emission Residential Water Heaters</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1122	<b>Solvent Degreasers</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1124	<b>Aerospace Assembly and Component Manufacturing Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1125	<b>Metal Container, Closure, and Coil Coating Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1126	<b>Magnet Wire Coating Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1128	<b>Paper, Fabric, and Film Coating Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other

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# Part of the transition of RECLAIM to a command-and-control regulatory structure

### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1130	<b>Graphic Arts</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1130.1	<b>Screen Printing Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1133.3	<b>Emission Reductions from Greenwaste Composting Operations</b> 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>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1136	<b>Wood Products Coatings</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1138 <sup>+</sup>	<b>Control of Emissions from Restaurant Operations</b> Proposed Amended Rule 1138 will further reduce emissions from underfired charboilers. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1142	<b>Marine Tank Vessel Operations</b> 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: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1143	<b>Consumer Paint Thinners and Multi-Purpose Solvents</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other

\* *Potentially significant hearing*

<sup>+</sup> *Reduce criteria air contaminants and assist toward attainment of ambient air quality standards*

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## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1144	<b>Metalworking Fluids and Direct-Contact Lubricants</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1145	<b>Plastic, Rubber, Leather, and Glass Coatings</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1146	<b>Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b> Proposed amendments to Rule 1146 may be needed to incorporate comments from U.S. EPA. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1146.1 <sup>#</sup>	<b>Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters</b> 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>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1162	<b>Polyester Resin Operations</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1165	<b>Control of Emissions from Incinerators</b> Proposed Rule 1165 will establish emission standards, source testing, and monitoring, recordkeeping, and reporting requirements for incinerators. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1166	<b>Volatile Organic Compound Emissions from Decontamination of Soil</b> Proposed Amended Rule 1166 will update requirements, specifically concerning notifications and usage of mitigation plans (site specific versus various locations). <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other

\* *Potentially significant hearing*

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## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1171	<b>Solvent Cleaning Operations</b> Proposed Amendments to Rule 1171 may be needed to address certain exempt chemicals and compliance issues. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ Other
1174	<b>Control of Volatile Organic Compound Emissions from the Ignition of Barbecue Charcoal</b> Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity. <i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ Other
1176	<b>VOC Emissions from Wastewater Systems</b> 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. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other/ AB 617 CERP
1186.1, 1191, 1192, 1193, 1194, 1195, 1196* +	<b>Fleet Rules</b> Proposed amendments to Rules 1186.1, 1191, 1192, 1193, 1194, 1195, 1196 will seek to align South Coast AQMD fleet rules with CARB’s final Advanced Clean Fleets should it be adopted. <i>Vicki White 909.396.3436; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP/ Other
1403*	<b>Asbestos Emissions from Demolition/Renovation Activities</b> 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. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1404	<b>Hexavalent Chromium Emissions from Cooling Towers</b> Amendments may be needed to provide additional clarifications regarding use of process water that is associated with sources that have the potential to contain chromium in cooling towers and address VOC emissions. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics/ AQMP
1405*	<b>Control of Ethylene Oxide and Chlorofluorocarbon Emissions from Sterilization or Fumigation Processes</b> Amendments to address ethylene oxide emissions from facilities and provisions not considered in earlier amendment. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics

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### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1411	<b>Recovery or Recycling of Refrigerants from Motor Vehicle Air Conditioners</b> Proposed Amended Rule 1411 seeks amendments to coincide with Section 609 of the Clean Air Act. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1415 1415.1	<b>Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems, and Reduction of Refrigerant Emissions from Stationary Refrigeration Systems</b> 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. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Other
1420	<b>Emissions Standard for Lead</b> 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. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1420.1	<b>Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities</b> 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. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1420.2	<b>Emission Standards for Lead from Metal Melting Facilities</b> 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>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics

\* *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*



## 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1420.3	<b>Emissions Standards for Lead from Firing Ranges</b> Proposed Rule 1420.3 will establish requirements to address lead emissions from firing ranges. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Others
1426.1	<b>Hexavalent Chromium Emissions from Metal Finishing Operations</b> Proposed Rule 1426.1 will reduce hexavalent chromium emissions from heated chromium tanks used at facilities with metal finishing operations that are not subject to Rule 1469. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1430	<b>Control of Emissions from Metal Grinding Operations at Metal Forging Facilities</b> Amendments to Rule 1430 may be needed to further reduce emissions and odors from metal grinding and metal cutting operations at metal forging facilities. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AB 617 CERP
1450*	<b>Control of Methylene Chloride Emissions</b> Proposed Rule 1450 will reduce methylene chloride emissions from furniture stripping and establish monitoring, reporting, and recordkeeping requirements. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1466	<b>Control of Particulate Emissions from Soils with Toxic Air Contaminants</b> Amendments may be needed to residential cleanup projects. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1466.1	<b>Control of Particulate Emissions from Demolition of Buildings</b> Proposed Rule 1466.1 will 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>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1469	<b>Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations</b> Amendments to Rule 1469 may be needed to address potential changes with the CARB's Hexavalent Chromium Airborne Toxic Control Measure for Chrome Plating and Chromic Acid Anodizing Operations. <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics

\* *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*

### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
1470.1	<b>Emissions from Emergency Standby Diesel Fueled Engines</b> Proposed Rule 1470.1 seeks to reduce NO <sub>x</sub> emissions from emergency standby internal combustion engines (ICEs) by replacing older ICEs and requiring the use of commercially available lower emission fuels, such as renewable diesel. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
1472	<b>Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines</b> 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 Compliance Plans. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	Toxics
1901	<b>General Conformity</b> Proposed Amended Rule 1901 will establish a new General Conformity determination process for applicable projects receiving federal funding or approval. <i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	AQMP
Regulation XX	<b>RECLAIM - Requirements for Oxides of Sulfur (SO<sub>x</sub>) Emissions</b> Amendments to Regulation XX rules to address SO <sub>x</sub> requirements at RECLAIM facilities if there is consideration to transition SO <sub>x</sub> RECLAIM to command-and-control regulatory structure. <i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	RECLAIM/ Other
Regulation XXIII <sup>*,+</sup>	<b>Facility-Based Mobile Sources</b> Proposed rules within Regulation XXIII would reduce emissions from indirect sources (e.g., facilities that attract mobile sources). <i>Elaine Shen 909.396.2715; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i>	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

### 2023 To-Be-Determined (*Continued*)

2023	Title and Description	Type of Rulemaking
Regulation II, III, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	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 or for a rule that was submitted into the SIP, compliance issues that are raised by the Hearing Board. 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 measures in the 2012, 2016 or 2022 AQMP (upon adoption). 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, U.S. EPA's National Emission Standards for Hazardous Air Pollutants, or to address the lead National Ambient Air Quality Standard. 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.	Other/ AQMP/ Toxics/ 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*

The following is a summary of implementation of the 2016 AQMP in 2022.

**Summary of 2016 AQMP Implementation**

The 2016 AQMP was adopted in March 2017 and approved by CARB the same month. The 2016 AQMP included a comprehensive control strategy with specific control measures to attain upcoming ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards.

Staff continued working on fulfilling the Board directive for the 2016 AQMP and Control Measure CMB-05 to require facilities in the RECLAIM Program to implement BARCT. Adoption of these amendments are also needed to meet the requirements of AB 617. From 2018 to 2022, a total of fourteen rules (Rules 1109.1, 1110.2, 1117, 1118.1, 1134, 1135, 1146, 1146.1, 1146.2, 1147, 1147.1, 1147.2, 1150.3, and 1179.1) were adopted/amended as part of the BARCT implementation. Subsequent amendments to Rules 218.1, 218.2, 429, 429.2, 1134 and 1135 occurred in 2022 to support existing approved rules impacting RECLAIM facilities as they transition out of the program. With the exception of Rule 1109.1, the total emission reductions resulting from these rules are about 5.9 tpd which are anticipated to be achieved by 2024 (reductions from Rule 1118.1 are allocated to CMB-03). Implementation of Rule 1109.1, adopted by the Board on November 5, 2021, is estimated to reduce NO<sub>x</sub> emissions by approximately 7.7 to 7.9 tpd upon final implementation, with 3.7 to 3.8 tpd expected by 2023. Two additional rules (Rules 1153.1, and 1159.1) are currently under development and are scheduled for Board consideration for amendment or adoption in calendar year 2023. Table 1 provides a complete list of rules that have been adopted as part of the 2016 AQMP implementation.

**Table 1**  
**2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date**

Control Measure #	Control Measure Title	Adoption Date	AQMP Commitment		Reduction in Approved Measure	
			2023	2031	2023	2031
VOC EMISSIONS*						
CTS-01	Further Emission Reductions from Coatings, Solvents, Adhesives, and Sealants [R1168]	2017	1.0	2.0	1.1	--
FUG-01	Improved Leak Detection and Repair	--	2.0	2.0	--	--
CMB-01	Transition to Zero and Near-Zero Emission Technologies for Stationary Sources	--	1.2	2.8	--	--
CMB-03	Emission Reductions from Non-Refinery Flares [R1118.1]	2018	0.4	0.4	0.014	--
ECC-02	Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures	2018	0.07	0.3	0.07	--
ECC-03	Additional Enhancements in Reducing Existing Residential Building Energy Use	--	0.2	0.3	--	--
BCM-10	Emission Reductions from Greenwaste Composting	--	1.5	1.8	--	--
MSC-02	Application of All Feasible Measures	TBD	TBD	TBD	0.88**	
TOTAL VOC REDUCTIONS			6.4	9.6	2.1	--

**Table 1 (Continued)**  
**2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date**

Control Measure #	CONTROL MEASURE TITLE	Adoption Date	AQMP Commitment		Reduction in Approved Measure	
			2023	2031	2023	2031
PM2.5 EMISSIONS						
BCM-01	Further Emission Reductions from Commercial Cooking	--	0.0	3.3	--	--
BCM-04	Emission Reductions from Manure Management Strategies [NH3]	--	0.26	0.2	--	--
BCM-10	Emission Reductions from Greenwaste Composting [NH3]	--	0.1	0.1	--	--
TOTAL PM2.5 REDUCTIONS			TBD	3.3	--	--
Control Measure #	CONTROL MEASURE TITLE	Adoption Date	AQMP Commitment		Reduction in Approved Measure	
			2023	2031	2023	2031
NOx EMISSIONS*						
CMB-01	Transition to Zero and Near-Zero Emission Technologies for Stationary Sources	--	2.5	6.0	--	--
CMB-02	Emission Reductions from Replacement with Zero or Near-Zero NOx Appliances in Commercial and Residential Applications [R1111]	2018	1.1	2.8	0.01	--
CMB-03	Emission Reductions from Non-Refinery Flares [R1118.1]	2018	1.4	1.5	0.2	--
CMB-04	Emission Reductions from Restaurant Burners and Residential Cooking	--	0.8	1.6	--	--
CMB-05	Further NOx Reductions from RECLAIM Assessment	2018-2022	0.0	5.0	9.4***	13.4***

**Table 1 (Continued)**  
**2016 AQMP Emission Reductions (tons per day) by Measure/Adoption Date**

Control Measure #	CONTROL MEASURE TITLE	Adoption Date	AQMP Commitment		Reduction in Approved Measure	
			2023	2031	2023	2031
NOx EMISSIONS (CONTINUED)						
ECC-02	Co-Benefits from Existing Residential and Commercial Building Energy Efficiency Measures	2018	0.3	1.1	0.3****	--
ECC-03	Additional Enhancements in Reducing Existing Residential Building Energy Use	--	1.2	2.1	--	--
MOB-03	Emission Reductions at Warehouse Distribution Centers	2021	TBD	TBD	0.7 to 1.5*****	1.5 to 3.0*****
MOB-04	Emission Reductions at Commercial Airports	2019	TBD	TBD	0.5	0.37
MOB-10	Extension of the SOON Provision for Construction/Industrial Equipment	Ongoing	1.9	1.9	*****	TBD
MOB-11	Extended Exchange Program	Ongoing	2.9	1.0	<0.1	TBD
MOB-14	Emission Reductions from Incentive Programs	Ongoing	11	7.8	11.2	TBD
TOTAL NOx REDUCTIONS			23.1	31.0	22.3 to 23.1	15.3 to 16.8

\* SIP commitments in the 2016 AQMP for VOC and NO<sub>x</sub> use a summer planning inventory, whereas expected emission reductions shown in this table are based on annual average inventories estimated during development of specific rules/measures. Annual average inventories for VOC and NO<sub>x</sub> are generally lower than summer planning inventories, hence this table shows conservatively low emission reductions relative to SIP commitments.

\*\* Includes emission reductions from Rule 1113 amendment adopted in February 2016, which was not reflected in the 2016 AQMP emission inventory.

\*\*\* Reflects emission reductions from Rules 1109.1, 1110.2, 1117, 1134, 1135, 1146 series, 1147 series, 1150.3, and 1179.1 (adopted from 2018 to 2021, with partial reductions of 3.7 tpd and 5.8 tpd by 2023 and 2031, respectively for Rule 1109.1). The specific

emission reductions by 2023/2031 vary depending on the implementation schedule of each rule.

There may be partial overlap between the emission reductions shown and those achieved from the RECLAIM shave as described in the 2015 amendment of Rule 2002. In addition, part of these emission reductions resulting from non-RECLAIM facilities satisfy commitments for CMB-01 and CMB- 02.

\*\*\*\* A linear extrapolation was used to estimate emission reductions from ECC-02 which are co- benefits from the adoption of State policies, such as SB350 and Title 24.

\*\*\*\*\* SIP credit subject to EPA's approval.

\*\*\*\*\* Estimated reductions for MOB-10 included in MOB-14.

South Coast AQMD has also taken several actions to implement the facility-based mobile source measures in the 2016 AQMP to achieve further reductions from mobile sources. On May 4, 2018, the Board directed staff to pursue both regulatory and voluntary approaches for some of the Basin's largest indirect sources: marine ports, commercial airports, warehouses/distribution centers, railyards, and new and re-development. MOUs with commercial airports were adopted at the December 6, 2019 Board meeting, with a projected NOx emission reduction of 0.52 and 0.37 tpd in 2023 and 2031, respectively. Rule 2305 (Warehouse Indirect Source Rule) was adopted in May 2021 to reduce NOx and diesel emissions associated with warehousing activities, with estimated NOx reductions of 1.5 to 3 tpd by 2031. Rulemaking is also currently under way for new rail yards and marine ports with the expectation for Board consideration in 2023. In 2022, two new rules, Rules 403.2 and 1460, were adopted seeking reduce fugitive particulate matter (PM) emissions, respectively, from construction piles, and metal shredding and recycling facilities.

A key element of the 2016 AQMP is to make private and public funding available to help further the development and deployment of advanced cleaner technologies such as zero emission and near-zero emission technologies, and also achieve co-benefits from existing programs (e.g., climate and energy efficiency). On January 4, 2019, Board awarded funding to 27 emission reduction incentive projects, totaling over \$47 million (with funding from several South Coast AQMD mitigation and penalty funds) to support the 2016 AQMP goals. Of the 27 projects, 16 would implement commercially available zero or near-zero control technologies or support infrastructure for implementation of cleaner fuels. These projects are anticipated to result in approximately 88 tons per year of NOx and 2 tons per year of PM2.5 emissions reductions in the Basin, with the majority of the projects implemented in environmental justice communities. Additionally, 11 stationary and mobile source technology demonstration projects were also included in this funding program. Upon successful demonstration and deployment, these projects have the potential to provide additional long-term NOx and VOC emission reductions. The awarded projects are consistent with the commitments in various 2016 AQMP control measures including MOB-14, CMB-02, CMB-04, and ECC-03. To estimate the benefits of zero and near-zero emission technology in the residential and commercial sectors, staff has developed an emissions



tool to estimate changes in criteria and GHG emissions and costs associated with upgrades in residential and commercial appliances. The Net Emissions Analysis Tool (NEAT), has been developed to assist in implementing control measures CMB-02 and ECC-03, which seek emission reductions with zero and near-zero NO<sub>x</sub> appliances in commercial and residential applications, and integrate energy efficiency enhancements with criteria pollutants (e.g., NO<sub>x</sub>) and greenhouse gas emission reduction co-benefits.

In addition, South Coast AQMD continues the implementation of ongoing mobile source programs such as Surplus Off-Road Opt-In for NO<sub>x</sub> (SOON), the extended exchange program, and incentive programs (e.g., Carl Moyer) specified in the 2016 AQMP control measures MOB-10 (Extension of the SOON Provision for Construction/Industrial Equipment), MOB-11 (Extended Exchange Program), and MOB-14 (Emission Reductions from Incentive Programs). The Mobile Source Incentive Programs listed in Table 2 includes the number of affected mobile source equipment and emission reductions in tons per year (tpy) for projects approved in year 2022.

**TABLE 2**  
**Estimated Emission Reductions Benefits From 2022 Incentive Programs**

<b>Program</b>	<b># of Engines / Equipment / INF Stations</b>	<b>Estimated Emission Reductions NO<sub>x</sub> (TPY)</b>	<b>Estimated Emission Reductions PM (TPY)</b>	<b>Award Amount</b>
Carl Moyer	472	397.4	8.2	\$136,034,507
Carl Moyer (On-Road Solicitation from April 2022)	406	75.2	0.6	\$45,897,686
AB 617 CAPP Incentives	4	18.9	1.0	\$2,785,000
Lower-Emission School Bus*	N/A	N/A	N/A	N/A
FARMER Program	15	17.9	1.3	\$1,902,977
Volkswagen Mitigation	165	30.6**	N/A	\$18,764,653
VIP	128	38.6	0	\$19,885,000
Prop 1B	57	14.9	0	\$5,900,000
Replace your Ride	739	2.1	0.1	\$5,888,000
<b>TOTAL</b>	<b>1,986</b>	<b>595.6</b>	<b>11.2</b>	<b>\$237,057,823</b>

\*No new LESBP solicitation in 2022

\*\*Only NO<sub>x</sub> reduction is required for VW Program.

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 12

**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, December 9, 2022, Reviewed

**RECOMMENDED ACTION:**  
Receive and file.

Wayne Nastri  
Executive Officer

RMM:MAH:XC:dc

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### **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 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**  
**January 6, 2023 Board Meeting**  
**Status Report on Major Ongoing and Upcoming Projects for**  
**Information Management**

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
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"> <li>• RFQ released September 3, 2021</li> <li>• Awarded January 7, 2022</li> </ul>	<ul style="list-style-type: none"> <li>• Complete upgrade January 31, 2023</li> </ul>
AQ-SPEC Cloud Platform Phase 2	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"> <li>• Project Charter released</li> <li>• Task Order issued, evaluated, and awarded</li> <li>• Project kickoff completed</li> <li>• Requirements gathering completed</li> <li>• Fit Gap and data storage analysis completed</li> <li>• Architecture and functional design completed</li> <li>• Work Plan development for Phase 2 completed</li> <li>• Dashboard designs approved</li> <li>• Discovery Phase completed</li> <li>• Proposal for implementation phase received</li> </ul>	<ul style="list-style-type: none"> <li>• Begin implementation phase</li> </ul>
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"> <li>• Project Charter released</li> <li>• Task Order issued, evaluated, and awarded</li> <li>• Requirements gathering and system design completed</li> <li>• System setup and code development, and User Acceptance Testing for Information Management completed</li> <li>• System setup and code development, and User Acceptance Testing completed for Administrative and Human Resources, and Technology Advancement Office completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deploy to IM and AHR divisions</li> <li>• Training and Integrated User Testing for other divisions</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
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 staff	\$525,000	<ul style="list-style-type: none"> <li>• Board approved initial Phase 2 funding December 2017</li> <li>• Board approved remaining Phase 2 funding October 5, 2018</li> <li>• Completed report outlining recommendations for automation of Permitting Workflow</li> <li>• Developed application submittals and form filing for first nine of 32 400-E forms</li> <li>• Completed application submittals and form filing for 23 types of equipment under Rule 222 for User Testing</li> <li>• Deployed production of the top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers and Charbroilers</li> <li>• Completed requirements gathering for Phase 2 of the project (an additional 10 400-E-XX forms)</li> <li>• Development of Phase 2 additional 12 400-E-XX forms completed</li> <li>• Deployment to stage of all 400-E-XX and Rule 222 forms for User Acceptance Testing completed</li> <li>• User Acceptance Testing and deployment to production of Emergency IC Engines Form completed</li> <li>• Deployed to production 3 additional Rule 222 forms (Tar Pots, Cooling Towers, and Power Washers)</li> </ul>	<ul style="list-style-type: none"> <li>• Requirements gathering for Phase 3 of the project (final twelve 400-E-XX forms)</li> <li>• Complete User Acceptance Testing and deployment to production of Phase 1 of the project (first ten 400-E-XX forms)</li> <li>• Complete User Acceptance Testing and deployment to production of next set of Rule 222 forms</li> <li>• Complete User Acceptance Testing and deployment to production of the EICE module</li> </ul>
Agenda Tracking System	Develop new Agenda Tracking System for submittal, review and approval of governing board agenda items	\$250,000	<ul style="list-style-type: none"> <li>• Project initiation completed</li> <li>• Task order issued</li> <li>• Project planning completed</li> <li>• Vision and Scope completed</li> </ul>	<ul style="list-style-type: none"> <li>• Task order issuance</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
Warehouse Indirect Source Rule Online Reporting Portal	Development of online reporting portal for Rule 2305 – Warehouse Indirect Source	\$250,000	<ul style="list-style-type: none"> <li>• Draft Charter Document issued</li> <li>• Project initiation completed</li> <li>• Task Order issued</li> <li>• Deployed Phase 1.1 – Warehouse Operations Notification Submittal</li> <li>• Deployed Phase 1.2 – Warehouse Operations Notification Evaluation</li> <li>• Phase 2 Project initiation and planning completed</li> <li>• Phase 2 software requirements completed</li> <li>• Phase 2 architecture and design completed</li> <li>• Phase 2 deployed – Early Annual WAIRE Report (EAWR) , Initial Site Information Report (ISIR), full Annual WAIRE Report (AWR)</li> <li>• Phase 3 Initiated</li> <li>• Phase 3 Development completed</li> </ul>	<ul style="list-style-type: none"> <li>• User Acceptance Testing for Phase 3</li> <li>• Phase 3 Enhancements</li> </ul>
Carl Moyer Program GMS	Development of simplified and streamlined Online Grant Management System (GMS) Portal for Carl Moyer Program	\$116,275	<ul style="list-style-type: none"> <li>• Project initiation completed</li> <li>• Task Order issued</li> <li>• Phase 1 completed and approved by stakeholder</li> <li>• Solicitation for On-Road opened to public</li> <li>• Phase 2 – initiation and kickoff completed</li> <li>• Phase 2 – tasks module enhancement User Acceptance Testing completed</li> <li>• Phase 2 – 30-day Letter User Acceptance Testing for completed</li> <li>• Phase 2 CARL Import for Infrastructure and Marine Development completed</li> <li>• Phase 2 – CARL Import for Off-Road and On-Road User Acceptance Testing completed</li> <li>• Application Status Tracking Development completed</li> </ul>	<ul style="list-style-type: none"> <li>• Phase 2 – Application Status Tracking UAT</li> <li>• Phase 2 – Sprint 3 Development</li> <li>• Phase 2 – sprint 4 requirements gathering</li> </ul>

<b>Project</b>	<b>Brief Description</b>	<b>Estimated Project Cost</b>	<b>Completed Actions</b>	<b>Upcoming Milestones</b>
PeopleSoft HCM (Human Capital Management) upgrade	Upgrade PeopleSoft HCM product to latest tools and image level to maintain regulatory and functional support	\$180,000	<ul style="list-style-type: none"> <li>• Project initiation completed</li> <li>• Task order issued</li> <li>• System assessment completed</li> <li>• Customization assessment completed</li> <li>• Installation certification completed</li> <li>• Data migration completed</li> </ul>	<ul style="list-style-type: none"> <li>• User Acceptance Testing</li> </ul>
Source Test Tracking System (STTS)	Online STSS 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"> <li>• Project initiation completed</li> <li>• Task Order issued</li> <li>• Project kickoff completed</li> <li>• User requirements gathering for internal users completed</li> <li>• Developed full business process model</li> <li>• Developed screens mock-ups</li> <li>• Reviewed proposed automation with EQUATE Working Group completed</li> <li>• Proposal for system development approved</li> <li>• Completed development of Sprint 1 to 8</li> <li>• Completed overview of development progress to EQUATE Working Group.</li> <li>• Deploy updated STTS Data Model and move application to stage completed</li> <li>• Internal and external orientation/training for testers completed</li> </ul>	<ul style="list-style-type: none"> <li>• Complete modifications identified by user</li> <li>• Complete User Acceptance Testing of STTS Portal in stage environment</li> <li>• Complete testing of STTS Portal with regulated community volunteers</li> <li>• Deploy STTS Portal to production</li> </ul>
Compliance System	Develop new Compliance System to help streamline the compliance business process	\$450,000	<ul style="list-style-type: none"> <li>• Project initiation</li> </ul>	<ul style="list-style-type: none"> <li>• High level requirement gathering</li> </ul>

Projects that have been completed within the last 12 months are shown below.

<b>Completed Projects</b>	
Project	Date Completed
CLASS Database Software Licensing	November 30, 2022
Upgrade of Ingres Database Software	August 5, 2022
Upgrade of OnBase Software	August 2, 2022
Renewal of OnBase Software Support	July 15, 2022
Replace Your Ride (RZR)/One Stop Shop Integration	July 7, 2022
Warehouse Operations Notification Online Submittal Portal Phase 2.2 Initial Site Information Report (ISIR) and full Annual WAIRE Report (AWR)	June 1, 2022
Alternative Colors for Air Quality Map	May 20, 2022
Permit Application Enhancements for Rule 1109.1 Tracking	May 04, 2022
Mobile Application Enhancements	May 03, 2022
HP Server Maintenance & Support	April 30, 2022
National Weather Service Alert Integration	April 21, 2022
Prop 1B GMS – Locomotive and Cargo	April 19, 2022
AB 2766 Motor Vehicle Subvention Program Report Portal	March 2, 2022
Telecommunications Services	February 28, 2022
Warehouse Operations Notification Online Submittal Portal Phase 2.1 Annual WAIRE Report (AWR)	February 25, 2022
Prequalified Vendors to Provide Computer, Network, Printer, Hardware and Software, and Audio Visual Equipment	February 4, 2022
Three Additional Rule 222 Forms for Online Application Filing	February 1, 2022

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 13

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely on Friday, December 9, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit, Chair  
Administrative Committee

SN:cb

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### **Committee Members**

Present: Chair Ben Benoit, Committee Chair  
Senator (Ret.) Vanessa Delgado, Vice Chair  
Mayor Michael Cacciotti  
Board Member Gideon Kracov  
Supervisor Janice Rutherford

### **Call to Order**

Chair Benoit called the meeting to order at 10:00 a.m.

For additional details of the Administrative Committee Meeting, please refer to the [Webcast](#).

### **DISCUSSION ITEMS:**

1. **Board Members' Concerns:** There were no concerns reported.
2. **Chair's Report of Approved Travel:** Board Member Kracov reported travel report to Sacramento for a CARB meeting.
3. **Report of Approved Out-of-Country Travel:** There was no travel to report.
4. **Review January 6, 2023 Governing Board Agenda:** There were no edits to report.



Public comment was provided by Allison Hall from Communities for a Better Environment regarding the Set Hearing for Proposed Amended Rule 1148.2 (PAR 1148.2). Ms. Hall requested that this item be pulled from the agenda to allow more time work with stakeholders.

Wayne Nastri, Executive Officer, explained this is a Set Hearing for PAR 1148.2 and the Public Hearing is scheduled for the February Board meeting, allowing time for staff to continue to work with stakeholders.

Board Member Kracov communicated that we previously pulled this item to allow staff to meet with community representatives.

Dr. Sarah Rees, Deputy Executive Officer/Planning, Rule Development & Area Sources, confirmed staff did meet with community representatives.

Chair Benoit recommended proceed with the Set Hearing for PAR 1148.2.

5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Mark Taylor and Debra Mendelsohn had proposals to modify their contracts. Mark Taylor will now be the Board Consultant for Mayor Rodriguez and Debra Mendelsohn will remain the sole Board Consultant for Supervisor Janice Rutherford.

Moved by Cacciotti; seconded by Rutherford, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov Rutherford  
Noes: None

6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Cessa Heard-Johnson, Diversity, Equity & Inclusion Officer, provided an update on agency efforts and plans next year, and discussed Patsy Takemoto Mink's accomplishments for Fabulous Female Friday. For additional information on this update please refer to the [Webcast at 8:15](#).

Board Member Kracov thanked staff for their hard work and requested a report on the metrics for progress.

Mr. Nastri confirmed staff is working on this report for February 2023.

7. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer, reported that major projects completed including a new module online filing was deployed for

emergency internal combustion engines. For additional information on this update please refer to the [Webcast at 16:21](#).

### **ACTION ITEMS:**

8. **Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2019-20 and 2020-21:** Sujata Jain, Chief Financial Officer, reported that this item is to execute a contract with the audit firm Simpson & Simpson, Certified Public Accountants, for the biannual audit in the amount of \$123,250 and funds will be available in the budget.

Moved by Cacciotti; seconded by Benoit, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov Rutherford  
Noes: None

9. **Amend FY 22-23 Budget by Adding and Deleting Positions Throughout the Agency to Address Operational Needs, and Adopt a New Class Specification:** John Olvera, Deputy Executive Officer/Administrative & Human Resources, reported this item is to add and delete positions to this year's budget for succession, planning and operational purposes and to adopt a new Graphic Art Supervisor Position. There is existing funding for these items.

Moved by Cacciotti; seconded by Delgado, unanimously approved.

Ayes: Benoit, Delgado, Cacciotti, Kracov Rutherford  
Noes: None

### **WRITTEN REPORT:**

None.

### **OTHER MATTERS:**

10. **Other Business:** There was no other business to report.
11. **Public Comment:** There was no public comment to report.
12. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for Friday, January 13, 2023 at 10:00 a.m.

### **Adjournment**

The meeting was adjourned at 10:23 a.m.

[↑ Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 14

REPORT: Mobile Source Air Pollution Reduction Review Committee

SYNOPSIS: The Mobile Source Air Pollution Reduction Review Committee held a hybrid meeting on Thursday, December 15, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Ben J. Benoit  
South Coast AQMD Representative  
to MSRC

AK:CR:me

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### **FYs 2021-24 Work Program**

#### **Request for Proposals for Micro-transit Operations**

The MSRC approved the release of #RFP2023-07 under the FYs 2021-24 Work Program. The RFP, with an initial targeted funding amount of \$2,500,000, solicits proposals from qualifying transportation and mobility providers to provide technology-enabled, shared transportation that fills the void between traditional “fixed route” transit and “ride hailing” technology. The MSRC seeks to invest in micro transit service which is either new within a specified area, or the expansion of an existing service. MSRC funding should serve as seed money and the proposer should present a strong business case, including a service continuation plan that thoroughly explains how the proposed service will be sustainable beyond the MSRC funding period. All micro transit vehicles must be zero emission, and a minimum of 50 percent co-funding is required. A geographical funding minimum has been set at \$312,500 per county, which will be made available to projects from other counties if there are insufficient qualifying projects within a county. Proposals may be submitted at any time from January 6 to March 24, 2023.

#### **Plus Up Partnership with South Coast AQMD**

As an element of their FYs 2018-21 Work Program, the MSRC partnered with the South Coast AQMD for a VIP Plus Up Incentive. The baseline VIP offers incentives to

encourage the replacement of older, higher-polluting vehicles with newer, lower-emission vehicles. The Plus Up offers an increased incentive to achieve additional surplus emission reductions. The MSRC subsequently extended the date for application acceptance under the Plus Up partnership to August 31, 2022, as well as extending the deadline for delivery of the replacement vehicle to December 31, 2023. South Coast AQMD has completed their evaluation of applications received by the August 31, 2022 deadline. A total of 12 projects were approved for Plus Up incentives. 6 projects have already been completed and reimbursed a total of \$590,000 to date. For the 6 projects which have been approved, but not yet completed, a total of \$655,000 in Plus Up funding would continue to be reserved through March 31, 2024. The MSRC approved to revert the remaining \$1,255,000 allocated for this program to the AB 2766 Discretionary Fund for redeployment.

#### Trade Up Program Partnership with South Coast AQMD

In November 2019, the MSRC allocated \$4,000,000 to partner with South Coast AQMD to implement a Market Acceleration Program to encourage the early deployment of near-zero emission natural gas trucks. In August 2020, the MSRC reallocated \$3,000,000 of this funding to a separate South Coast AQMD program, the Trade Up Program. Subsequently, the MSRC approved adjustments to the Program. Due to COVID-19 driven supply chain issues, no truck trade up transactions have been accomplished. South Coast AQMD is now formulating an alternative work scope which promises to be significantly different than the original. The MSRC approved to revert the \$3,000,000 allocated for the Trade Up Program to the AB 2766 Discretionary Fund for redeployment.

#### Hosting and Maintenance of MSRC Website

Geographics currently hosts and maintains the MSRC's [www.CleanTransportationFunding.org](http://www.CleanTransportationFunding.org) website under Contract #MS21006. This contract includes an option for a two-year contract term extension. MSRC staff recently reviewed Geographic's performance and found that Geographics was performing well in hosting and maintaining the site. The MSRC approved exercising the option with Geographics, increasing the value by \$7,2000 and extending the term by two years.

#### Contract Modification Requests

The MSRC considered sixteen contract modification requests and took the following actions:

1. City of Laguna Hills, Contract #MS18099 to install EV charging infrastructure, approval of a sixteen-month no-cost term extension;
2. City of Rialto, Contract #ML18159 to procure nine light-duty zero emission vehicles and install EV charging infrastructure, approval of scope modification and four-month no-cost term extension;

3. Capistrano Unified School District, Contract #MS18108 to expand existing CNG station and train mechanics, approval of reduced scope and value and a sixteen-month no-cost term extension;
4. Universal Waste Systems, Contract #MS18122 to install new limited access CNG infrastructure, approval of reduced scope and value;
5. City of Pico Rivera, Contract #ML18067 to install EV charging infrastructure; approval of increased scope and an eleven-month no-cost term extension;
6. Penske Truck Leasing Co., L.P., Contract #MS21007 to deploy five zero emission yard tractors, approval of modified scope of work;
7. City of Fontana, Contract #ML18144 to install electric vehicle charging infrastructure, approval of a two-year no-cost term extension;
8. City of Temecula, Contract #ML18091 to install EV charging infrastructure, approval of modified scope and a 32- month no-cost term extension;
9. City of Eastvale, Contract #ML16040 to install EV charging infrastructure, approval of increased scope, reduction of contract value by \$66,409, and four-month term extension;
10. City of Riverside, Contract #ML18063 to expand existing CNG stations; approval of a 14-month term extension, reduced scope and value;
11. City of La Puente, Contract #ML18178 to purchase one heavy-duty near-zero emission vehicle; approval of a one-year no-cost term extension, contingent on this being the final extension;
12. City of Monterey Park, Contract #ML18093 to purchase one heavy-duty near-zero emission vehicle; approval of modified scope and a thirty-two-month no-cost term extension, contingent on this being the final extension;
13. City of Yucaipa, Contract #ML16057 to implement “Complete Streets” pedestrian access project; approval of a one year no-cost term extension, contingent on award of a construction contract by January 31, 2023;
14. City of Perris, Contract #ML18058 to procure one medium-duty zero emission vehicle and install EV charging infrastructure, approval of a four-year no-cost term extension, contingent on issuance of a purchase order for the vehicle by February 28, 2023;
15. County of Los Angeles, Contract #ML14027 to construct new CNG stations in Canyon Country and La Puente, approval of a fourteen month no-cost term extension; and
16. City of Montclair, Contract #ML18132 to install electric vehicle charging infrastructure, approval of three year no-cost term extension.

### **Contracts Administrator’s Report**

The MSRC AB 2766 Contracts Administrator’s report provides a written status report on all open contracts from FY 2008-09 to the present. The Contracts Administrator’s Report for October 27 through November 30, 2022 is attached (*Attachment 1*).

### **Attachment**

October 27 through November 30, 2022 Contracts Administrator’s Report

MSRC Agenda Item No. 3

**DATE:** December 15, 2022

**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 October 27 to November 30, 2022.

**RECOMMENDATION:** Receive and file report

**WORK PROGRAM IMPACT:** None

**Contract Execution Status**

**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 executed.

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 with the prospective contractor for signature or executed.

On June 4, 2021, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This award has been declined.

**2021-24 Work Program**

On September 2, 2022, the SCAQMD Governing Board approved an award under the Major Event Center Transportation Program. This contract is with the prospective contractor for signature.

### **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.

#### ***FY 2010-11 Invoices Paid***

No invoices were paid during this period.

#### ***FY 2011-12 Work Program Contracts***

One contract from this Work Program year is open, and 3 are in "Open/Complete" status, having completed all obligations except operations.

#### ***FY 2011-12 Invoices Paid***

One invoice in the amount of \$400,000 was paid during this period.

#### ***FYs 2012-14 Work Program Contracts***

5 contracts from this Work Program year are open, and 12 are in "Open/Complete" status. One contract closed during this period: City of Santa Ana, Contract #ML14012 – Purchase One Heavy-duty CNG Vehicle and Install EV Charging.

#### ***FYs 2012-14 Invoices Paid***

One invoice in the amount of \$41,220.00 was paid during this period.

#### ***FYs 2014-16 Work Program Contracts***

16 contracts from this Work Program year are open, and 28 are in "Open/Complete" status. 2 contracts closed during this period: City of Whittier, Contract #ML16027 – Purchase One Heavy-Duty Natural Gas Vehicle; and City of Rancho Cucamonga, Contract #ML16037 – Purchase One Heavy-Duty Natural Gas Vehicle. One contract moved into "Open/Complete" status during this period: City of Highland, Contract #ML16071 – Implement a "Complete Streets" pedestrian program.

#### ***FYs 2014-16 Invoices Paid***

One invoice in the amount of \$42,750.00 was paid during this period.

#### ***FYs 2016-18 Work Program Contracts***

68 contracts from this Work Program year are open, and 55 are in "Open/Complete" status. 5 contracts closed during this period: City of San Fernando, Contract #ML18083 – Implement Traffic Signal Synchronization; City of Baldwin Park, Contract #ML18165 – Expand CNG Station; City of Beverly Hills, Contract #ML18167 – Purchase 2 Heavy-duty Near-Zero Emission Vehicles; City of Bell, Contract #ML18174 – Purchase One Heavy-duty Near-Zero Emission Vehicle; and City of Beverly Hills, Contract #MS18118 – Expansion of Existing CNG Infrastructure.

#### ***FYs 2016-18 Invoices Paid***

4 invoices totaling \$114,751.26 were paid during this period.

***FYs 2018-21 Work Program Contracts***

15 contracts from this Work Program year are open.

***FYs 2018-21 Invoices Paid***

2 invoices totaling \$90,373.00 were paid during this period.

***Administrative Scope Changes***

3 administrative scope changes were initiated during the period from October 27 to November 30, 2022:

- City of Los Angeles, Contract #ML18145 (Purchase 11 Heavy-duty ZEVs and Provide Zero Emission Taxicab Incentive Program) – One-year no-cost term extension
- BNSF Railway Company, Contract #MS21023 (Install EV Charging Infrastructure) – One-year no-cost term extension
- City of Santa Ana, Contract #ML11029 (Install LPG Station, Expand CNG Station, and Modify Maintenance Facility) – Reduce scope, eliminating tasks and funding associated with CNG station and maintenance facility and reducing value from \$262,500 to \$75,000

***Attachments***

- FY 2010-11 through FYs 2018-21 (except FY 2009-10) Contract Status Reports





## AB2766 Discretionary Fund Program Invoices

September 29 to November 30, 2022

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
<i>2011-2012 Work Program</i>							
10/28/2022	11/2/2022	11/4/2022	11/28/2022	ML12045	City of Baldwin Park DPW	FY23Q2-270	\$400,000.00
<b>Total: \$400,000.00</b>							
<i>2012-2014 Work Program</i>							
10/12/2022	10/14/2022	10/19/2022	10/27/2022	ML14012	City of Santa Ana - Public Works Agency - Fleet	1012-01/FIN	\$41,220.00
<b>Total: \$41,220.00</b>							
<i>2014-2016 Work Program</i>							
10/4/2022	10/14/2022	10/19/2022	10/27/2022	MS16121	Long Beach Transit	11	\$42,750.00
10/28/2022	11/2/2022	11/4/2022	11/28/2022	MS16121	Long Beach Transit	12	\$42,750.00
10/4/2022	10/14/2022	10/19/2022	10/27/2022	ML16071	City of Highland	1(F)	\$264,500.00
<b>Total: \$350,000.00</b>							
<i>2016-2018 Work Program</i>							
11/3/2022	12/1/2022	12/6/2022		MS18024	Riverside County Transportation Commission	03169	\$40,400.00
11/3/2022	12/1/2022	12/6/2022		MS18023	Riverside County Transportation Commission	03168	\$22,028.96
11/3/2022	12/1/2022	12/6/2022	12/6/2022	ML18047	City of Whittier	8020000852	\$22,782.00
11/1/2022	11/2/2022	11/4/2022	11/28/2022	ML18080	City of Santa Monica	10202022	\$29,540.30
10/25/2022	11/2/2022	11/4/2022	11/28/2022	ML18159	City of Rialto	190209-1R	\$16,597.86
9/30/2022	10/14/2022	10/19/2022	10/27/2022	ML18051	City of Rancho Cucamonga	AR132403	\$20,000.00
10/14/2022	10/14/2022	10/18/2022		MS18015	Southern California Association of Governments	MS18015-01	\$415,803.97
10/7/2022	11/2/2022	11/4/2022	11/28/2022	ML18055	City of Long Beach	22-015	\$30,486.11
10/7/2022	10/14/2022	10/19/2022	10/27/2022	ML18055	City of Long Beach	22-014	\$12,244.70
<b>Total: \$609,883.90</b>							
<i>2018-2021 Work Program</i>							
10/21/2022	11/2/2022	11/4/2022	11/15/2022	MS21014	Green Fleet Systems, LLC	1	\$180,000.00
10/18/2022	11/2/2022	11/4/2022	11/28/2022	MS21019	Volvo Financial Services	001	\$495,869.15
11/8/2022	12/1/2022	12/6/2022		MS21006	Geographics	22-23038	\$373.00
11/2/2022	11/2/2022	11/4/2022	11/15/2022	MS21014	Green Fleet Systems, LLC	GFS100	\$90,000.00
10/14/2022	10/14/2022	10/18/2022		MS21006	Geographics	22-22985	\$373.00

Contract Admin.	MSRC Chair	MSRC Liaison	Finance	Contract #	Contractor	Invoice #	Amount
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Total: \$766,615.15

Total This Period: \$2,167,719.05



## FYs 2010-11 Through 2018-21 AB2766 Contract Status Report

12/8/2022

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2010-2011 Contracts</b>									
<b>Open Contracts</b>									
ML11029	City of Santa Ana - Public Works Ag	9/7/2012	3/6/2020	3/6/2023	\$262,500.00	\$75,000.00	Install New LPG Station	\$187,500.00	No
<b>Total: 1</b>									
<b>Declined/Cancelled Contracts</b>									
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
<b>Total: 22</b>									
<b>Closed Contracts</b>									
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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
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
ML11041	City of Santa Ana - Public Works Ag	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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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: 60**

#### 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	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**

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

### Declined/Cancelled Contracts

ML12016	City of Cathedral City	1/4/2013	10/3/2019		\$60,000.00	\$0.00	CNG Vehicle & Electric Vehicle Infrastructur	\$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
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
MS12007	WestAir Gases & Equipment				\$100,000.00	\$0.00	Construct New Limited-Acess 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: 13**

### 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
ML12014	City of Santa Ana - Public Works Ag	11/8/2013	8/7/2020	2/7/2022	\$338,000.00	\$255,977.50	9 H.D. Nat. Gas & LPG Trucks, EV Charging	\$82,022.50	Yes
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
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
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
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
ML12054	City of Palm Desert	9/30/2013	2/28/2015		\$77,385.00	\$77,385.00	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?
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
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
ML12066	City of Manhattan Beach	1/7/2014	4/6/2015		\$5,900.00	\$5,900.00	Electric Vehicle Charging Infrastructure	\$0.00	Yes
ML12091	City of Bellflower	10/5/2018	10/4/2019	6/30/2022	\$100,000.00	\$49,230.44	EV Charging Infrastructure	\$50,769.56	Yes
MS12001	Los Angeles County MTA	7/1/2012	4/30/2013		\$300,000.00	\$211,170.00	Clean Fuel Transit Service to Dodger Stadiu	\$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 Stadiu	\$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
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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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
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: 71**

#### 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

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
ML12045	City of Baldwin Park DPW	2/14/2014	12/13/2020	12/13/2026	\$400,000.00	\$400,000.00	Install New CNG Station	\$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: 4**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2012-2014 Contracts</b>									
<b>Open Contracts</b>									
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
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
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	4/4/2023	\$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	3/26/2024	\$1,250,000.00	\$1,148,376.17	Implement Various Signal Synchronization P	\$101,623.83	No
<b>Total: 5</b>									
<b>Declined/Cancelled Contracts</b>									
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
<b>Total: 11</b>									
<b>Closed Contracts</b>									
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
ML14012	City of Santa Ana - Public Works Ag	2/13/2015	10/12/2021	10/12/2022	\$41,220.00	\$41,220.00	EV Charging and 1 H.D. CNG Vehicle	\$0.00	Yes
ML14014	City of Torrance	9/5/2014	12/4/2019		\$56,000.00	\$56,000.00	EV Charging Infrastructure	\$0.00	Yes
ML14015	Coachella Valley Association of Gov	6/6/2014	9/5/2015		\$250,000.00	\$250,000.00	Street Sweeping Operations	\$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
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
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
ML14024	County of Los Angeles Department o	10/2/2015	9/1/2017	9/1/2021	\$230,000.00	\$230,000.00	Maintenance Fac. Modifications-Baldwin Par	\$0.00	Yes
ML14028	City of Fullerton	9/5/2014	1/4/2022		\$126,950.00	\$126,950.00	Expansion of Exisiting CNG Infrastructure	\$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
ML14030	County of Los Angeles Internal Servi	1/9/2015	3/8/2018	7/30/2021	\$425,000.00	\$216,898.02	Bicycle Racks, Outreach & Education	\$208,101.98	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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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
ML14072	City of Cathedral City	8/13/2014	1/12/2021	7/12/2022	\$41,000.00	\$41,000.00	Install Bicycle Racks & Implement Bicycle E	\$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
ML14097	County of Los Angeles Internal Servi	9/6/2019	9/5/2020	9/5/2021	\$104,400.00	\$104,400.00	Electric Vehicle Charging Infrastructure	\$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
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
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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
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
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: 62**

#### 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
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
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
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
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
MS14079	Waste Resources, Inc.	9/14/2016	8/13/2022	10/13/2024	\$100,000.00	\$100,000.00	New Limited Access CNG Station	\$0.00	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
MS14083	Hacienda La Puente Unified School	7/10/2015	3/9/2022	6/9/2023	\$175,000.00	\$175,000.00	New Limited Access CNG Station	\$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 2014-2016 Contracts

### Open Contracts

ML16006	City of Cathedral City	4/27/2016	4/26/2022	4/26/2023	\$25,000.00	\$0.00	Bicycle Outreach	\$25,000.00	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	5/4/2029	\$1,445,400.00	\$1,415,400.00	Purchase 50 Medium-Duty, 17 H.D. Nat. Ga	\$30,000.00	No
ML16022	Los Angeles Department of Water an	5/5/2017	3/4/2024	9/4/2027	\$240,000.00	\$0.00	Purchase 8 H.D. Nat. Gas Vehicles	\$240,000.00	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
ML16039	City of Torrance Transit Department	1/6/2017	9/5/2022	9/5/2024	\$32,000.00	\$0.00	Install Eight Level II EV Chargers	\$32,000.00	No
ML16047	City of Fontana	1/6/2017	8/5/2019	8/5/2024	\$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	12/25/2026	\$80,000.00	\$18,655.00	Install EV Charging Infrastructure	\$61,345.00	No
ML16057	City of Yucaipa	4/27/2016	1/26/2019	1/26/2023	\$380,000.00	\$0.00	Implement a "Complete Streets" Pedestrian	\$380,000.00	No
ML16075	City of San Fernando	10/27/2016	2/26/2019	8/26/2024	\$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	\$218,708.00	Pedestrian Access Improvements, Bicycle L	\$244,508.00	No
MS16094	Riverside County Transportation Co	1/25/2017	1/24/2022	4/24/2023	\$1,909,241.00	\$0.00	MetroLink First Mile/Last Mile Mobility Strate	\$1,909,241.00	No
MS16110	City of Riverside	10/6/2017	2/5/2025	2/5/2026	\$270,000.00	\$71,250.00	Expansion of Existing CNG Station and Main	\$198,750.00	No
MS16120	Omnitrans	4/7/2017	5/6/2025		\$945,000.00	\$826,500.00	Repower 63 Existing Buses	\$118,500.00	No
MS16121	Long Beach Transit	11/3/2017	4/2/2024	11/30/2028	\$600,000.00	\$541,500.00	Repower 39 and Purchase 1 New Transit Bu	\$58,500.00	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: 16**

### 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
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Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML16015	City of Yorba Linda	3/4/2016	11/3/2017		\$85,000.00	\$85,000.00	Install Bicycle Lanes	\$0.00	Yes
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
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
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
ML16026	City of Downey	5/6/2016	9/5/2017		\$40,000.00	\$40,000.00	Install EV Charging Infrastructure	\$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
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	Yes
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
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
ML16038	City of Palm Springs	4/1/2016	7/31/2022	9/30/2022	\$170,000.00	\$60,000.00	Install Bicycle Lanes & Purchase 2 Heavy-D	\$110,000.00	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
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
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
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	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
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
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
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
ML16062	City of Colton	6/3/2016	7/2/2020		\$21,003.82	\$21,003.82	Installation of EV Charging Infrastructure	\$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
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
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
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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML16076	City of San Fernando	2/21/2017	8/20/2021		\$43,993.88	\$43,993.88	Install EV Charging Infrastructure	\$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
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
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
MS16086	San Bernardino County Transportatio	9/3/2016	10/2/2021		\$800,625.00	\$769,021.95	Freeway Service Patrols	\$31,603.05	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
MS16096	San Bernardino County Transportatio	10/27/2016	12/26/2019	6/30/2021	\$450,000.00	\$450,000.00	EV Charging Infrastructure	\$0.00	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
MS16119	Omnitrans	4/21/2017	8/20/2022		\$150,000.00	\$0.00	New Public Access CNG Station	\$150,000.00	No
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
MS16127	Los Angeles County MTA	6/29/2021		6/28/2022	\$2,500,000.00	\$2,500,000.00	Expansion of the Willowbrook/Rosa Parks Tr	\$0.00	Yes

**Total: 64**

#### 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

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	Yes
ML16008	City of Pomona	9/20/2016	11/19/2022	5/19/2025	\$60,000.00	\$60,000.00	Purchase 3 Medium-Duty and 1 Heavy-Duty	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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	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
ML16040	City of Eastvale	1/6/2017	7/5/2022	7/5/2026	\$110,000.00	\$53,908.85	Install EV Charging Infrastructure	\$56,091.15	Yes
ML16041	City of Moreno Valley	9/3/2016	1/2/2021	4/2/2024	\$20,000.00	\$20,000.00	Install EV Charging Infrastructure	\$0.00	Yes
ML16046	City of El Monte	4/1/2016	5/31/2021	5/31/2023	\$20,160.00	\$14,637.50	Install EV Charging Infrastructure	\$5,522.50	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
ML16070	City of Beverly Hills	2/21/2017	6/20/2023		\$90,000.00	\$90,000.00	Purchase 3 H.D. Nat. Gas Vehicles	\$0.00	Yes
ML16071	City of Highland	5/5/2017	1/4/2020	1/4/2023	\$264,500.00	\$264,500.00	Implement a "Complete Streets" Pedestrian	\$0.00	Yes
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
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		\$32,170.00	\$32,170.00	Purchase 3 Transit Buses	\$0.00	Yes
MS16115	City of Santa Monica	4/14/2017	7/13/2025		\$450,000.00	\$450,000.00	Repower 30 Transit Buses	\$0.00	Yes
MS16116	Riverside Transit Agency	3/3/2017	1/2/2023		\$10,000.00	\$9,793.00	Purchase One Transit Bus	\$207.00	Yes
MS16117	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes
MS16118	Omnitrans	4/21/2017	6/20/2023		\$175,000.00	\$175,000.00	Expansion of Existing CNG Infrastructure	\$0.00	Yes

**Total: 27**



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
<b>FY 2016-2018 Contracts</b>									
<b>Open Contracts</b>									
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	11/6/2027	\$58,930.00	\$38,930.00	Install EVSE, Purchase up to 2-LD Vehicles	\$20,000.00	No
ML18036	City of Indian Wells	8/8/2018	5/7/2023	5/7/2026	\$50,000.00	\$0.00	Install EV Charging Stations	\$50,000.00	No
ML18041	City of West Hollywood	8/8/2018	12/7/2023	6/7/2024	\$50,000.00	\$50,000.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18046	City of Santa Ana - Public Works Ag	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	1/7/2029	\$113,910.00	\$68,346.00	Purchase 5 Heavy-Duty Near-Zero Emission	\$45,564.00	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	4/30/2027	\$91,500.00	\$72,500.00	Purchase 6 Light-Duty ZEVs, Install 3 Limite	\$19,000.00	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	11/29/2018	11/28/2026		\$622,220.00	\$278,854.36	Install EV Charging Stations	\$343,365.64	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 Medium-Duty ZEV and EV Char	\$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	8/4/2028	\$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	4/28/2028	\$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	7/6/2025	\$83,500.00	\$0.00	Install 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		\$375,000.00	\$300,000.00	Purchase 15 Heavy-Duty Vehicles	\$75,000.00	No
ML18080	City of Santa Monica	1/10/2019	12/9/2023	9/9/2025	\$121,500.00	\$44,288.92	Install EV Charging Stations	\$77,211.08	No
ML18082	City of Los Angeles Bureau of Sanita	8/30/2019	8/29/2028	8/29/2029	\$900,000.00	\$0.00	Purchase Medium-Duty Vehicles and EV Ch	\$900,000.00	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
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
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	4/30/2027	\$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
ML18099	City of Laguna Hills	3/1/2019	5/31/2023		\$32,250.00	\$0.00	Install EV Charging Stations	\$32,250.00	No
ML18100	City of Brea	10/29/2020	12/28/2024	7/28/2025	\$56,500.00	\$56,500.00	Install Twenty-Four Level II EV Charging Sta	\$0.00	No
ML18101	City of Burbank	2/1/2019	4/30/2024	10/30/2024	\$137,310.00	\$0.00	Install Twenty EV Charging Stations	\$137,310.00	No
ML18129	City of Yucaipa	12/14/2018	3/13/2023	3/13/2026	\$63,097.00	\$0.00	Install Six EV Charging Stations	\$63,097.00	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



Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
ML18141	City of Rolling Hills Estates	2/14/2020	1/13/2024	1/13/2025	\$40,000.00	\$10,000.00	Purchase One Light-Duty ZEV and Install Tw	\$30,000.00	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	11/30/2025	\$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	7/9/2026	\$60,000.00	\$0.00	Install Eighteen EV Charging Stations	\$60,000.00	No
ML18148	City of San Dimas	1/21/2022	5/20/2023		\$50,000.00	\$0.00	Implement Bicycle Detection Measures	\$50,000.00	No
ML18151	County of San Bernardino Departme	8/25/2020	10/24/2029		\$200,000.00	\$150,000.00	Purchase Eight Heavy-Duty Near Zero Emis	\$50,000.00	No
ML18152	County of San Bernardino Flood Con	8/11/2020	10/10/2029		\$108,990.00	\$75,000.00	Purchase Five Heavy-Duty Near Zero Emissi	\$33,990.00	No
ML18159	City of Rialto	12/13/2019	5/12/2024	5/12/2025	\$135,980.00	\$16,597.86	Purchase Nine Light-Duty ZEVs and EV Cha	\$119,382.14	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
ML18166	City of Placentia	2/18/2021	5/17/2027		\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
ML18168	City of Maywood	3/29/2019	11/28/2022		\$7,059.00	\$0.00	Purchase EV Charging Infrastructure	\$7,059.00	No
ML18170	City of Laguna Niguel	1/10/2020	8/9/2028		\$75,100.00	\$0.00	Purchase One Light-Duty ZEV and EV Char	\$75,100.00	No
ML18177	City of San Bernardino	6/7/2019	12/6/2026	12/6/2028	\$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	11/30/2027	\$25,000.00	\$0.00	Purchase One Heavy-Duty Near-Zero Emiss	\$25,000.00	No
MS18015	Southern California Association of G	7/13/2018	2/28/2021	5/31/2023	\$2,000,000.00	\$415,803.97	Southern California Future Communities Par	\$1,584,196.03	No
MS18023	Riverside County Transportation Co	6/28/2018	6/27/2021	12/27/2022	\$500,000.00	\$445,515.24	Weekend Freeway Service Patrols	\$54,484.76	No
MS18024	Riverside County Transportation Co	6/28/2018	8/27/2021	8/27/2023	\$1,500,000.00	\$812,660.00	Vanpool Incentive Program	\$687,340.00	No
MS18027	City of Gardena	11/2/2018	9/1/2026	1/1/2028	\$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	1/7/2029	\$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	\$2,000,000.00	Implement Metrolink Line Fare Discount Pro	\$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
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	7/6/2026	\$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
MS18122	Universal Waste Systems, Inc.	2/1/2019	3/31/2025	7/31/2027	\$200,000.00	\$200,000.00	Install New Limited Access CNG Infrastructur	\$0.00	No
MS18180	Omnitrans	8/4/2022	8/3/2023		\$83,000.00	\$0.00	Modify Vehicle Maintenance Facility and Trai	\$83,000.00	No
MS18183	Nikola-TA HRS 1, LLC	9/28/2022	1/27/2030		\$1,660,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,660,000.00	No

**Total: 68**

#### Pending Execution Contracts

MS18181	San Bernardino County Transportatio				\$1,662,000.00	\$0.00	Construct Hydrogen Fueling Station	\$1,662,000.00	No
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Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
MS18182	Air Products and Chemicals Inc.				\$1,000,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,000,000.00	No
<b>Total: 2</b>									
<b>Declined/Cancelled Contracts</b>									
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
ML18075	City of Orange				\$25,000.00	\$0.00	One Heavy-Duty Vehicle	\$25,000.00	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
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
ML18165	City of Baldwin Park	2/1/2019	1/30/2024		\$49,030.00	\$0.00	Expand CNG Station	\$49,030.00	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 Near-Zero Emiss	\$25,000.00	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
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
MS18184	Clean Energy				\$1,000,000.00	\$0.00	Install Publicly Accessible Hydrogen Fueling	\$1,000,000.00	No
<b>Total: 24</b>									
<b>Closed Contracts</b>									
ML18021	City of Signal Hill	4/6/2018	1/5/2022		\$49,661.00	\$46,079.31	Install EV Charging Stations	\$3,581.69	Yes
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
ML18040	City of Agoura Hills	7/13/2018	6/12/2022		\$17,914.00	\$17,914.00	Install EV Charging Infrastructure	\$0.00	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
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
ML18077	City of Orange	11/2/2018	10/1/2022		\$59,776.00	\$59,776.00	Four Light-Duty ZEV and EV Charging Infr	\$0.00	Yes
ML18088	City of Big Bear Lake	11/29/2018	8/28/2020	8/28/2021	\$50,000.00	\$50,000.00	Install Bicycle Trail	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
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
ML18130	City of Lake Forest	3/1/2019	9/30/2022		\$106,480.00	\$106,480.00	Install Twenty-One EVSEs	\$0.00	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
ML18139	City of Calimesa	8/30/2019	7/29/2020	11/29/2021	\$50,000.00	\$50,000.00	Install Bicycle Lane	\$0.00	Yes
ML18179	City of Rancho Mirage	8/20/2021	2/19/2022		\$50,000.00	\$50,000.00	Traffic Signal Synchronization	\$0.00	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
MS18002	Southern California Association of G	6/9/2017	11/30/2018	12/30/2021	\$2,500,000.00	\$2,276,272.46	Regional Active Transportation Partnership	\$223,727.54	Yes
MS18003	Geographics	2/21/2017	2/20/2021	6/20/2021	\$72,453.00	\$65,521.32	Design, Host and Maintain MSRC Website	\$6,931.68	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
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	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: 30**

#### **Closed/Incomplete Contracts**

ML18083	City of San Fernando	11/2/2018	11/1/2022		\$20,000.00	\$0.00	Implement Traffic Signal Synchronization	\$20,000.00	No
ML18133	City of Rancho Mirage	12/7/2018	11/6/2020		\$50,000.00	\$0.00	Traffic Signal Synchronization	\$50,000.00	No
ML18167	City of Beverly Hills	3/29/2019	6/28/2025		\$50,000.00	\$0.00	Purchase Two Heavy-Duty Near-Zero Emissi	\$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
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

**Total: 5**

#### **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
ML18020	City of Colton	5/3/2018	4/2/2024	4/2/2027	\$67,881.00	\$67,881.00	Purchase One Medium-Duty and One Heavy	\$0.00	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
ML18034	City of Calabasas	6/8/2018	3/7/2022	3/7/2023	\$50,000.00	\$50,000.00	Install EVSE	\$0.00	Yes

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
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
ML18038	City of Anaheim	10/5/2018	5/4/2025	5/4/2026	\$151,630.00	\$147,883.27	Purchase 5 Light-Duty ZEVs and Install EVS	\$3,746.73	Yes
ML18039	City of Redlands	6/28/2018	7/27/2024	1/27/2025	\$63,191.00	\$63,190.33	Purchase 1 Medium/Heavy-Duty ZEV and In	\$0.67	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
ML18043	City of Yorba Linda	9/7/2018	12/6/2023	12/6/2024	\$87,990.00	\$87,990.00	Install EV Charging Infrastructure	\$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
ML18056	City of Chino	3/29/2019	9/28/2023		\$103,868.00	\$103,868.00	Install EV Charging Infrastructure	\$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
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
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
ML18087	City of Murrieta	3/29/2019	3/28/2025		\$143,520.00	\$143,520.00	Install Four EV Charging Stations	\$0.00	Yes
ML18090	City of Santa Clarita	5/9/2019	2/8/2023	2/8/2024	\$122,000.00	\$118,978.52	Install Nine EV Charging Stations	\$3,021.48	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
ML18096	City of Highland	12/13/2019	8/12/2024		\$10,000.00	\$9,918.84	Purchase Light-Duty Zero Emission Vehicle	\$81.16	Yes
ML18098	City of Redondo Beach	2/1/2019	3/31/2023	3/31/2025	\$89,400.00	\$89,400.00	Install Six EV Charging Stations	\$0.00	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
ML18128	City of Aliso Viejo	8/30/2019	11/29/2023		\$65,460.00	\$65,389.56	Purchase Two Light-Duty ZEVs and Install S	\$70.44	Yes
ML18136	City of Orange	4/12/2019	8/11/2024		\$40,000.00	\$40,000.00	Purchase Four Light-Duty Zero Emission Ve	\$0.00	Yes
ML18138	City of La Canada Flintridge	2/8/2019	5/7/2023		\$32,589.00	\$32,588.07	Install Four EVSEs and Install Bicycle Racks	\$0.93	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		\$35,609.00	\$35,608.86	Install EV Charging Infrastructure	\$0.14	Yes
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	Yes
ML18157	City of Los Angeles Bureau of Street	6/21/2019	5/20/2027		\$85,000.00	\$85,000.00	Purchase One Medium-Duty ZEV	\$0.00	Yes
ML18160	City of Irwindale	3/29/2019	12/28/2022		\$14,263.00	\$14,263.00	Purchase Two Light-Duty ZEVs	\$0.00	Yes
ML18161	City of Indio	5/3/2019	10/2/2025		\$25,000.00	\$25,000.00	Purchase 1 Light-Duty Zero Emission and E	\$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

Cont.#	Contractor	Start Date	Original End Date	Amended End Date	Contract Value	Remitted	Project Description	Award Balance	Billing Complete?
ML18169	City of Alhambra	6/14/2019	8/13/2024		\$111,980.00	\$111,980.00	Install EV Charging Infrastructure	\$0.00	Yes
ML18171	City of El Monte	3/1/2019	4/30/2025		\$68,079.00	\$68,077.81	Purchase One Heavy-Duty ZEVs and EV Ch	\$1.19	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
MS18066	El Dorado National	12/6/2019	2/5/2026		\$100,000.00	\$100,000.00	Install New Limited-Access CNG Station	\$0.00	Yes
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	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
MS18124	County Sanitation Districts of Los An	7/31/2019	2/28/2027		\$275,000.00	\$275,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes
MS18125	U.S. Venture	5/9/2019	8/8/2025		\$200,000.00	\$200,000.00	Install New Limited-Access CNG Infrastructu	\$0.00	Yes

**Total: 54**

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	\$135,318.00	Programmatic Outreach Services	\$129,761.00	No
MS21004	Los Angeles County MTA	1/7/2021	5/31/2023		\$814,822.00	\$0.00	Clean Fuel Bus Service to Dodger Stadium	\$814,822.00	No
MS21005	Southern California Association of G	5/5/2021	1/31/2024	7/31/2025	#####	\$0.00	Implement Last Mile Goods Movement Progr	#####	No
MS21006	Geographics	4/1/2021	6/20/2023		\$12,952.00	\$6,622.75	Hosting & Maintenance of the MSRC Websit	\$6,329.25	No
MS21007	Penske Truck Leasing Co., L.P.	4/1/2022	3/31/2028		\$1,000,000.00	\$0.00	Deploy 5 Zero-Emission Yard Tractors	\$1,000,000.00	No
MS21009	ITS Technologies & Logistics, LLC	7/15/2022	7/14/2028		\$1,686,900.00	\$0.00	Deploy 12 Zero-Emission Yard Tractors	\$1,686,900.00	No
MS21010	MHX, LLC	9/29/2021	1/28/2028		\$569,275.00	\$0.00	Deploy One Zero-Emission Overhead Crane	\$569,275.00	No
MS21011	RDS Logistics Group	1/21/2022	7/20/2028		\$808,500.00	\$0.00	Deploy 3 Zero-Emission Yard Tractors and	\$808,500.00	No
MS21013	4 Gen Logistics	3/27/2022	5/26/2028		\$7,000,000.00	\$0.00	Deploy 40 Zero Emssion Trucks	\$7,000,000.00	No
MS21014	Green Fleet Systems, LLC	8/31/2021	8/30/2027	8/30/2028	\$500,000.00	\$270,000.00	Deploy up to 5 Near Zero Emission Trucks	\$230,000.00	No
MS21015	Premium Transportation Services, In	9/22/2021	5/21/2027		\$1,500,000.00	\$0.00	Deploy up to 15 Near-Zero Emissions Truck	\$1,500,000.00	No
MS21017	MHX, LLC	9/29/2021	9/28/2030		\$1,900,000.00	\$0.00	Deploy up to 10 Zero-Emission Trucks & Infr	\$1,900,000.00	No
MS21018	Pac Anchor Transportation, Inc.	8/17/2021	8/16/2027	8/16/2028	\$2,300,000.00	\$0.00	Deploy up to 23 Near Zero Emission Trucks	\$2,300,000.00	No
MS21019	Volvo Financial Services	3/31/2022	3/30/2030		\$3,930,270.00	\$495,869.15	Lease up to 14 Zero-Emission Trucks and Pr	\$3,434,400.85	No
MS21023	BNSF Railway Company	4/22/2022	4/21/2028		\$1,313,100.00	\$0.00	Install EV Charging Infrastructure	\$1,313,100.00	No

**Total: 15**

### Pending Execution Contracts

MS21012	Amazon Logistics, Inc.				\$4,157,710.00	\$0.00	Deploy up to 10 Zero-Emission and 100 Nea	\$4,157,710.00	No
MS21016	Ryder Integrated Logistics, Inc.				\$3,169,746.00	\$0.00	Procure Two Integrated Power Centers and	\$3,169,746.00	No
MS21025	Costco Wholesale				\$160,000.00	\$0.00	Install EV Charging Infrastructure	\$160,000.00	No

**Total: 3**

### Declined/Cancelled Contracts

MS21008	CMA CGM (America) LLC				\$3,000,000.00	\$0.00	Deploy 2 Zero-Emission Rubber Tire Gantry	\$3,000,000.00	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
MS21022	Orange County Transportation Autho				\$289,054.00	\$0.00	Implement Special Transit Service to the Or	\$289,054.00	No

**Total: 4**

### Closed Contracts

MS21001	Los Angeles County MTA	8/30/2019	7/29/2020		\$613,752.87	\$613,752.87	Implement Special Transit Service to Dodger	\$0.00	Yes
MS21003	Orange County Transportation Autho	7/8/2020	5/31/2021		\$468,298.00	\$241,150.48	Provide Express Bus Service to the Orange	\$227,147.52	Yes

**Total: 2**

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 15

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held public meetings on December 15-16, 2022. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Gideon Kracov, Member  
South Coast AQMD Governing Board

ft

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The California Air Resources Board (CARB or Board) held a public meeting on December 15-16, 2022 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

### **DISCUSSION ITEMS**

#### **22-16-1: Public Meeting to Consider the 2022 Climate Change Scoping Plan for Achieving Carbon Neutrality**

At the second of two Board hearings on this item, the Board approved the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan), which lays out a path to achieve carbon neutrality in California no later than 2045, as codified by Assembly Bill 1279 (Muratsuchi, Chapter 337, Statutes of 2022). The 2022 Scoping Plan provides a detailed sector--by-sector roadmap to guide California's economy away from its current dependance on petroleum and fossil gas to clean, renewable energy resources and zero-emission vehicles, and sustainable management of natural and working lands. The 2022 Scoping Plan draws on and continues several successful climate programs currently in effect and stresses the need to accelerate the greenhouse gas emissions reductions target to a 48% reduction below 1990 levels by the end of this decade. The 2022 Scoping Plan recommends a suite of actions to reduce demand for petroleum by 94%, cut air pollution by 71%, and reduce anthropogenic greenhouse gas emissions by 85% from 1990 levels. This transition away from fossil fuel combustion will benefit residents of the state's most impacted communities who are disproportionately burdened by pollution from the transportation sector. The 2022 Scoping Plan includes a commitment to build no new



fossil gas-fired power plants and increases support for mass transit. It also calls for a multi-agency process to ensure that the transition away from oil extraction and refining is equitable. The final 2022 Scoping Plan includes changes requested by the Board and Governor Newsom, public comments, and recommendations from the Environmental Justice Advisory Committee.

**22-16-2: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled “Impact of Air Pollution Exposure on Metabolic Health Outcomes for California Residents.”**

The Board approved funding of the research proposal with the University of California, Berkeley titled “Impact of Air Pollution Exposure on Metabolic Health Outcomes for California Residents”. This item is added to the agenda due to the contract amount and to satisfy Board approval requirements in Government Code section 1091 because one Board member is affiliated with the University of California, Berkeley. This research will examine health effects in racial and ethnic subgroups in addition to statewide average population effects. The research findings will inform CARB’s efforts to expand its analysis of health benefits associated with its current and future programs and regulations.

**22-16-3: Public Meeting to Consider the Appointment of New Members to the California Air Resources Board’s Research Screening Committee**

The Board approved six new members to fill vacancies on its Research Screening Committee (RSC), an 11-member committee that provides guidance on the wide range of proposed and completed research projects relevant to CARB programs. The new RSC members were selected through a public nomination and application process and have demonstrated experience in one or more desired areas of expertise, including backgrounds as physicians, scientists, biologists, chemists, engineers, meteorologists, and other subject matter experts.

**22-16-4: Public Meeting to Hear the 2022 Legislative Update**

The Board heard an overview of air quality and climate change legislation for the second year of the 2021-2022 legislative session. The Board heard that CARB legislative staff analyzed over 130 bills, including the Governor’s transformational Climate Package as well as legislative and budget actions to support the State’s transition to zero-emission technologies in the light-, medium-, and heavy-duty sectors.

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**Attachment**

Agenda for CARB December 15-16, 2022 Meeting





# Public Meeting Agenda

**Thursday, December 15, 2022, and  
Friday, December 16, 2022**

**California Environmental Protection Agency**  
1001 I Street, Sacramento, California 95814  
Byron Sher Auditorium, 2<sup>nd</sup> Floor

**Webcast** (Livestream/Watch Only)

**Zoom Webinar** [Register Here](#)

Phone Number: (669) 900-6833

Webinar ID: 892 1483 4126

The December 15-16, 2022, meeting of the California Air Resources Board (CARB or Board) will be held at 1001 I Street in Sacramento, with remote participation available to the public and Board members in accordance with [Senate Bill 189](#) (Gov. Code § 11133). This facility is accessible to persons with disabilities and by public transit. For transit information, call (916) 321-BUSS (2877) or visit <http://sacrt.com/>.

To only watch the Board Meeting and not provide verbal comments, please view the [webcast](#). 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. Please do not view the webcast and then switch over to the webinar to comment as the webcast will have a time delay; instead, register to participate via the Zoom webinar.

## **Public Comment Guidelines and Information**

- [In-Person Public Testimony](#)
- [Remote Public Participation](#)

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

Verbal testimony sign-ups (in person and via raised hands in Zoom) will close 30 minutes after public comment has begun.

**Spanish interpretation will be provided in Zoom, via the Spanish Webcast, and in person at the December Board Meeting.**

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

**Thursday, December 15, 2022 @ 9:00 a.m.**

**Discussion Item:**

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request.

**22-16-1: Public Meeting to Consider the 2022 Climate Change Scoping Plan for Achieving Carbon Neutrality\***

The Board will consider approving the 2022 Climate Change Scoping Plan (2022 Scoping Plan) along with considering whether to certify the Environmental Analysis prepared for the 2022 Scoping Plan (including adopting the California Environmental Quality Act findings and statement of overriding considerations). The plan recommends a suite of actions to reduce anthropogenic emissions by 85% below 1990 levels and achieve carbon neutrality in California no later than 2045. This is the second of two Board hearings on this item.

As part of this agenda item, the Board will consider delegating to the CARB Executive Officer the task to collaborate with the Natural Resources Agency in establishing the expert advisory committee required by Assembly Bill 757 to advise the state regarding carbon sequestration and other nature-based climate solutions to greenhouse gas emissions.

\*This item is scheduled to be heard on Thursday, December 15. Because the length of public testimony cannot be predicted in advance, this item may continue on Friday, December 16.

- [More Information](#)
  - [2022 Scoping Plan for Achieving Carbon Neutrality](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

**Friday, December 16, 2022 @ 8:30 a.m.**

**Discussion Items:**

Hardcopies of the Public Agenda and Proposed Resolutions (when applicable) will be provided at the meeting; all other documents linked below will only be available upon request.

**22-16-2: Public Meeting to Consider Proposed Research Contract with the University of California, Berkeley, Titled "Impact of Air Pollution Exposure on Metabolic Health Outcomes for California Residents."**

The Board will consider approval of the research proposal. This item is added to the agenda due to the contract amount and also to satisfy Board approval requirements in Government Code section 1091 because one Board member is affiliated with the University of California, Berkeley.

- [More Information](#)
- [Item Summary](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **22-16-3: Public Meeting to Consider the appointment of New Members to the California Air Resources Board's Research Screening Committee.**

The Board will hear an overview of the proposed new members for the CARB Research Screening Committee and consider a resolution to approve their appointments.

- [More Information](#)
- [Report of Biographies](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Proposed Resolution](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **22-16-4: Public Meeting to Hear the 2022 Legislative Update**

The Board will hear an update on 2022 air quality and climate legislation from the Office of Legislative Affairs.

- [More Information](#)
- [Item Summary](#)
- [Meeting Presentation](#)
- [Submit Written Comments](#)
- [View Public 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:

*California Air Resources Board v. Best Energy Solutions & Technology Corp.*  
Los Angeles Superior Court, Case No. 22STCV32487.

*California Air Resources Board v. Key Disposal, Inc. and John Katangian* Los Angeles Superior Court, Case No. BC650014.

*California Natural Gas Vehicle Coalition v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 20CECG02250; industry appeal California Court of Appeal, Fifth District, Case No. F084229.

*California Trucking Association v. California Air Resources Board, et al.* Fresno County Superior Court, Case No. 22CECG00919.

*California Trucking Association v. South Coast Air Quality Mgmt. District* United States District Court, Central District of California, Case No. 2:21-cv-6341.

*Central California Environmental Justice Network, et al. v. Randolph, et al.*, United States District Court, Eastern District of California, Case No. 2:22-cv-01714-TLN-CKD.

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

*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.*, U.S. District Court for the Central District of California, Case No. 2:17-cv-8733.

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

*Natural Resources Defense Council v. National Highway Traffic Safety Admin., et al.*, United States Court of Appeal, District of Columbia Circuit, Case No. 22-1080, consolidated with Nos. 22-1144, 22-1145.

*People ex rel. California Air Resources Board v. Noil Energy Group, Inc. & Speedy Fuel, Inc.* Los Angeles Superior Court Case Nos. 20STCV30142/20STCV30292.

*People ex rel. California Air Resources Board v. Wholesale Harvest Supply, Inc.* Mendocino County Superior Court, Case No. 22CV00491.

*State of California v. Andrew Wheeler et. al.*, District of Columbia Circuit, Case No. 19-1239, consolidated under No. 19-1230 along with other cases.

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

*State of California, et al. v. David Bernhardt, et al.*, United States District Court, Northern District of California, Case No. 3:18-cv-5712-DMR; United States Court of Appeals, Ninth Circuit, Case No. 20-16793.

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

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

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

*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. 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 Ohio, et al., v. Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 22-1081, consolidated with Case Nos. 22-1083, 22-1084, and 22-1085.

*State of Texas, et al., v. Environmental Protection Agency, et al.* United States Court of Appeals, District of Columbia Circuit, Case No. 22-1031.

*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.

*The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al.* United States District Court, Eastern District of California, Fresno, 1:22-cv-01474-ADA-BAM.

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

*Western States Petroleum Association v. California Air Resources Board, et al.*, Superior Court of the State of California for the County of Fresno, Case No. 22CECG03603.

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

*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](mailto: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](mailto:cotb@arb.ca.gov) or (916) 322-5594

CARB Homepage: [www.arb.ca.gov](http://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](mailto: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 electronico al [cotb@arb.ca.gov](mailto: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: January 6, 2023

AGENDA NO. 17

**PROPOSAL:** Determine That Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products, Are Exempt from CEQA; and Amend Rule 1106 and Rule 1107

**SYNOPSIS:** Rule 1106 establishes VOC limits for marine and pleasure craft coatings and Rule 1107 establishes VOC limits for coatings used on metal parts and products. Proposed Amended Rules 1106 and 1107 will remove references to ASTM D7767 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers and Blends and Thin Coatings Made from Them” to address U.S. EPA’s proposed limited disapproval. Since ASTM D7767 is a test method that has not been approved by U.S. EPA, this method cannot be used to enforce a SIP-approved rule. Proposed Amended Rule 1106 will also remove references to Elastomeric Adhesives and Metallic Heat Resistant Coatings, as recommended by U.S. EPA to align Rule 1106 with the U.S. EPA 1996 Marine Coatings Control Techniques Guidelines.

**COMMITTEE:** Stationary Source, November 18, 2022, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products, are exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rules 1106 and 1107.

Wayne Natri  
Executive Officer

## **Background**

Rule 1106 – Marine and Pleasure Craft Coatings (Rule 1106) was adopted in 1988 to reduce VOC emissions from marine and pleasure craft coatings formulated for use in the marine environment. Rule 1107 – Coating of Metal Parts and Products (Rule 1107) was adopted in 1979 to reduce VOC emissions from metal coating operations. The most recent amendments to Rule 1106 and Rule 1107 on May 3, 2019, and February 7, 2020, respectively, included a reference to ASTM<sup>1</sup> D7767-11 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers and Blends and Thin Coatings Made from Them” (ASTM D7767) in the definition for Energy Curable Coatings. ASTM D7767 is an alternative test method developed to determine the VOC content of thin film Energy Curable Coatings. Although this test method has not been approved by U.S. EPA, at the request of industry representatives, the Board approved including a reference to ASTM D7767 in Rules 1106 and 1107. Since U.S. EPA originally made no comment on this test method, the Board asked staff to send a letter to U.S. EPA directly inquiring if the test method could be approved.

On August 22, 2022, U.S. EPA proposed a limited SIP disapproval for Rules 1106 and 1107. The basis for the disapproval is the reference to ASTM D7767 in the rules. The U.S. EPA noted that while they had originally proposed approving Rules 1106 and 1107, they had recently become aware that ASTM D7767 is not a U.S. EPA-approved test method and therefore cannot be used to enforce a SIP-approved rule.<sup>2</sup> The U.S. EPA also recommended removing two product categories to improve Rule 1106, as they are not listed in the 1996 Shipbuilding and Ship Repair Operations (Surface Coating) Control Techniques Guidelines (1996 Marine Coatings CTG). If U.S. EPA issues a final SIP disapproval or partial disapproval of a rule submitted to the SIP, South Coast AQMD faces potential sanctions by the federal government and other consequences under the CAA unless the identified rule deficiencies are corrected and approved. Offset sanctions would be triggered 18 months after the effective date of a final disapproval and highway funding sanctions would be triggered six months after the offset sanctions are imposed. CAA would also require U.S. EPA to promulgate a Federal Implementation Plan within 24 months of the disapproval effective date. Sanctions will not be imposed if U.S. EPA determines that a subsequent SIP submission corrects the deficiencies before the applicable deadline.

Staff proposes to simultaneously amend Rules 1106 and 1107 to address the deficiency and incorporate U.S. EPA comments.

## **Proposed Amendments**

Proposed Amended Rule 1106 (PAR 1106) will remove the definition for Energy Curable Coatings with reference to ASTM D7767 and delete the language in the low-VOC coating exemption that references the test method. The revision does not change

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<sup>1</sup> ASTM International, formerly known as American Society for Testing and Materials.

<sup>2</sup> 87 Fed. Reg. 51300, 51302 (August 22, 2022)



the exemption for low-VOC coatings in paragraph (i)(1). Proposed Amended Rule 1107 (PAR 1107) will remove the definition for Energy Curable Coatings which references ASTM D7767 and the reference to the test method in the Methods of Analysis: Determination of VOC Content: Thin Film Energy Curable Coatings subparagraph (e)(1)(C). The revisions will not impact other provisions of the rule. Removing the definition for Energy Curable Coatings does not impose an impact to the rule compliance of this coating type under PAR 1106 or PAR 1107.

In addition, PAR 1106 will remove two product categories, Elastomeric Adhesives and Metallic Heat Resistant Coating, as recommended by U.S. EPA as they are not listed in the U.S. EPA 1996 Marine Coatings CTG, and subject them to other appropriate categories. Products that formerly fell under the Elastomeric Adhesive category will have to comply with a lower VOC limit in Rule 1168 – Adhesive and Sealant Applications under the category All Other Adhesives. Staff has identified Elastomeric Adhesives that comply with the Rule 1168 VOC limit. In addition, Rule 1168 includes a low-use exemption for facilities that use 55 gallons or less that could assist a facility using a Marine Elastomeric Adhesive that does not comply with the Rule 1168 VOC limit. Products that formerly fell under the Metallic Heat Resistant Coating category will be subject to the Heat Resistant Coating category with a lower limit in PAR 1106 to be aligned with the U.S. EPA 1996 Marine Coatings CTG. Staff identified Metallic Heat Resistant Coatings that comply with the lower VOC limit and has not identified a need for a higher VOC coating category. Staff is not aware of any end user, Marine Elastomeric Adhesive manufacturer, or Metallic Heat Resistant Coating manufacturer that will be impacted by the VOC limit changes.

### **Public Process**

PAR 1106 and PAR 1107 were developed through a public process. Staff held a Public Consultation meeting on November 9, 2022, for both proposed amended rules. One comment letter was received from a trade association representing the Ultraviolet/Electron Beam/Light Emitting Diode (UV/EB/LED) industry.

### **Key Issues**

Staff is aware of one remaining key issue regarding ASTM D7767. Some stakeholders that represent the UV/EB/LED industry object to the removal of the references to ASTM D7767 and the definition of Energy Curable Coatings.

U.S. EPA proposed a limited SIP disapproval for Rules 1106 and 1107 due to the inclusion of ASTM D7767. ASTM D7767 is not a U.S. EPA-approved test method and cannot be used to enforce a SIP-approved rule. Removing the reference to this test method is necessary to avoid the potential imposition of sanctions and other consequences under the CAA. The removal of this test method will not create any barriers or deter the use of Energy Curable Coatings. Staff is not aware of any manufacturers that rely on ASTM D7767 to determine the VOC content of their thin film Energy Curable Coatings. Manufacturers can, and often do, rely on the formulation

data to calculate the VOC of their products. Using formulation data to calculate the VOC of products is an easier and less expensive approach for manufacturers to determine if their products will comply with rule limits.

### **California Environmental Quality Act (CEQA)**

Pursuant to the CEQA Guidelines Sections 15002(k) and 15061, the proposed project (PAR 1106 and PAR 1107) 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 I to this Board Letter. If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

### **Socioeconomic Analysis**

The proposed amendments are administrative in nature and are not expected to have socioeconomic impacts. Staff is not aware of any end user, Marine Elastomeric Adhesive manufacturer, or Metallic Heat Resistant Coating manufacturer that will be impacted by this change and is not anticipating any VOC reduction.

### **AQMP and Legal Mandates**

Health and Safety Code Section 40460 requires South Coast AQMD to adopt an AQMP to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, Health and Safety Code Section 40440 requires the South Coast AQMD to adopt rules and regulations that carry out the objectives of the AQMP. The proposed amendments are not the result of an AQMP control measure but are needed to address the U.S. EPA's proposed limited disapproval of Rules 1106 and 1107.

### **Implementation and Resource Impact**

The amendment is administrative in nature, with no additional resource impacts to implement PAR 1106 and PAR 1107.

### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. PAR 1106
- G. PAR 1107
- H. Final Staff Report
- I. Notice of Exemption from CEQA
- J. Board Meeting Presentation

**ATTACHMENT A**  
**SUMMARY OF PROPOSAL**

Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings

Definitions

- Delete the definition for Energy Curable Coatings, which references ASTM Test Method 7767, “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.”
- Delete the definition for Elastomeric Adhesive and Metallic Heat Resistant Coating based on the United States Environmental Protection Agency (U.S. EPA) recommendation.

Requirements

- Delete Elastomeric Adhesives and Metallic Heat Resistant Coatings from Table of Standards I, as these categories will be subject to other appropriate categories.

Exemptions

- Amend the low-VOC coatings exemption in paragraph (i)(1) related to Energy Curable Coatings to delete the reference to ASTM D7767.

Proposed Amended Rule 1107 – Coating of Metal Parts and Products

Definitions

- Delete the definition for Energy Curable Coatings, which references ASTM Test Method 7767, “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.”

Methods of Analysis

- Delete Thin Film Energy Curable Coatings subparagraph (e)(1)(C), which references ASTM D7767 for thin film energy curable coating VOC content determinization.

**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings  
Proposed Amended Rule 1107 – Coating of Metal Parts and Products

Staff is aware of the following remaining issue.

**Issue**

Staff is proposing to delete the definition for Energy Curable Coatings, which was added during the previous rule amendments as a mechanism to include ASTM Test Method D7767, the test method for thin film UV/EB/LED materials, also referred to as Energy Curable materials. However, to avoid a SIP disapproval, staff is proposing to delete the definition. RadTech, the trade association that represents the UV/EB/LED industry, objects to the removal of this definition.

**Staff Response**

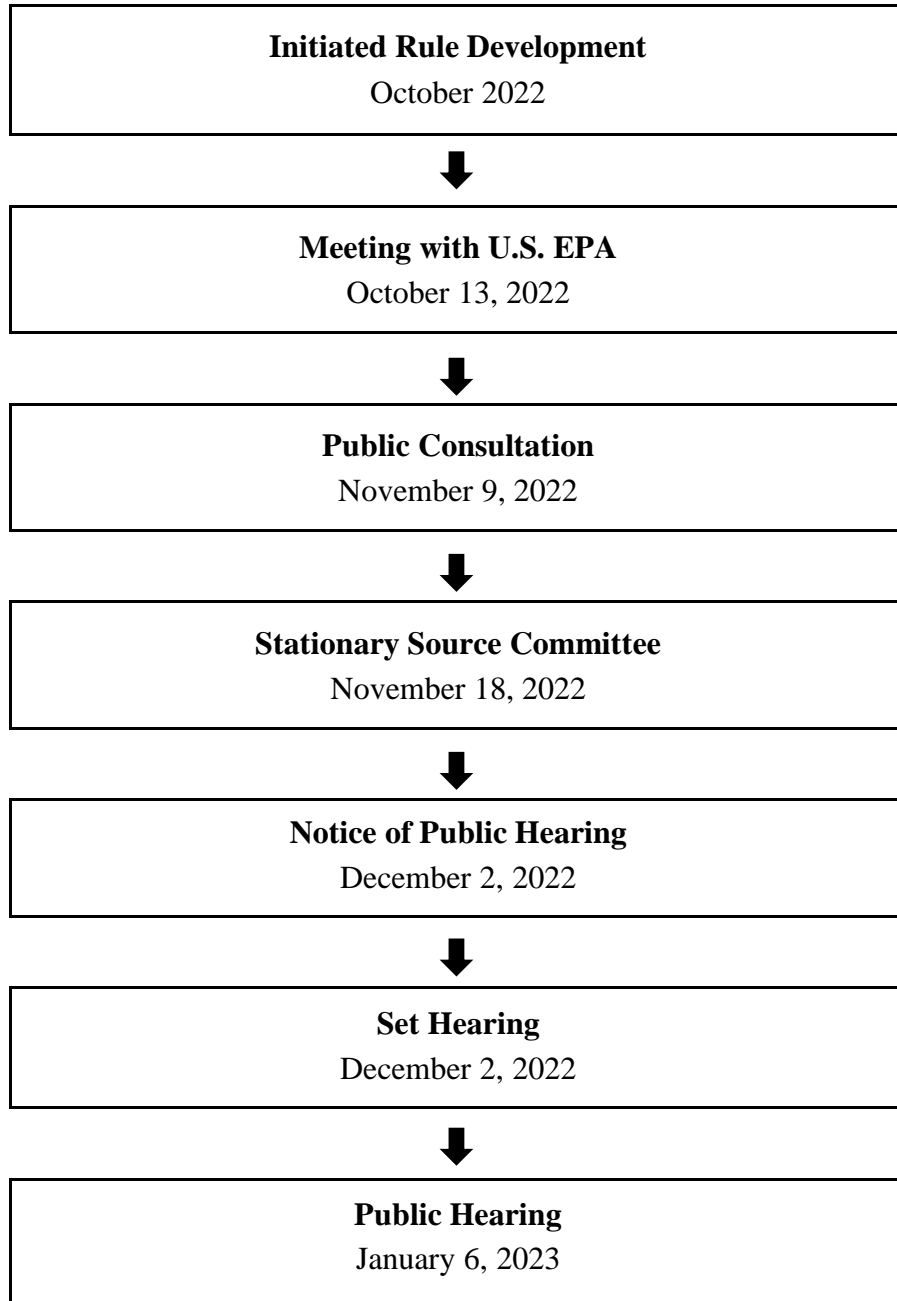
On August 22, 2022, U.S. EPA proposed a limited disapproval of Rule 1106 – Marine and Pleasure Craft Coatings and Rule 1107 – Coating of Metal Parts and Products. U.S. EPA had previously proposed approval of these rules, but noted that it had been brought to their attention that the rules included a reference to ASTM Test Method D7767. ASTM D7767 is not approved by U.S. EPA and therefore cannot be used to enforce a SIP approved rule. The U.S. EPA therefore deemed the provisions that reference ASTM Test Method D7767 do not satisfy the requirements of Section 110 and Part D of the Clean Air Act and preventing full approval of the rules. If U.S. EPA finalizes the limited disapproval they could impose sanctions and a Federal Implementation Plan.

An alternative approach for the UV/EB/LED industry is to use formulation data to calculate the VOC content of these thin film materials. Manufacturers can, and often do, rely on the formulation data to calculate the VOC of their products. Using formulation data to calculate the VOC content of products is an easier and less expensive approach for manufacturers to determine if their products comply with rule limits. When there is no appropriate test method, South Coast AQMD relies on the manufacturer's formulation data to confirm the VOC content of Regulated Products. For UV/EB/LED products such as Energy Curable Thin Film products, formulation data can be used to determine if a product complies with the VOC limits in the rules or qualifies for the low-VOC exemption. Staff does not anticipate any adverse impact to the UV/EB/LED industry from the proposed amended rules.

## ATTACHMENT C

### RULE DEVELOPMENT PROCESS

**Proposed Amended Rule 1106 - Marine and Pleasure Craft Coatings  
and  
Proposed Amended Rule 1107 - Coating of Metal Parts and Products**



**Three (3) months spent in rule development**

**One (1) Public Consultation Meeting**

**One (1) Stationary Source Committee Meeting**

## **ATTACHMENT D**

### **KEY CONTACTS LIST**

#### **Proposed Amended Rule 1106 - Marine and Pleasure Craft Coatings and Proposed Amended Rule 1107 - Coating of Metal Parts and Products**

##### **Coating Manufacturers**

- Akzo Nobel
- Cardinal Paint
- EPMAR Corporation
- ITW Polymer Sealants
- Pettit Marine Paints
- Sea Hawk Paints
- Sherwin Williams

##### **Government Agencies**

- California Air Resources Board
- Southern California Association of Governments
- U.S. Environmental Protection Agency

##### **Other Interested Parties**

- American Coatings Association
- Boeing
- E4 Strategic Solutions, Inc.
- Heraeus Noble Light America, LLC
- Metropolitan Water District of Southern California
- RADTECH International
- UV Specialties, LLC
- VACCO Industries
- WaveFront Technology

## **ATTACHMENT E**

RESOLUTION NO. 23 - \_\_\_\_\_

**A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products are exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board amending Rule 1106 – Marine and Pleasure Craft Coatings, and Rule 1107 – Coating of Metal Parts and Products.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1106 and Proposed Amended Rule 1107 are 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 that 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 because the proposed project is comprised of administrative clarifications without requiring physical modifications, 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 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**, Proposed Amended Rule 1106, Proposed Amended Rule 1107, and supporting documentation, including but not limited to, the Notice of Exemption and 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 no modifications have been made to the proposed project since notice of public hearing was published that are so substantial as to significantly affect the meaning of Proposed Amended Rule 1106 and Proposed Amended Rule 1107 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 rules, (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**, 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 amend Rule 1106 and Rule 1107 to ensure consistency with the United States Environmental Protection Agency (U.S. EPA) 1996 Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating) and address the U.S. EPA's proposed partial State Implementation Plan (SIP) disapproval citing the deficiency of referencing test method ASTM D7767-11, which is not approved by the U.S. EPA and cannot be used to enforce a SIP-approved rule; and

**WHEREAS**, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 40000, 40001, 40440, 40441, 40702, 40725 through 40728, and 41508 of the Health and Safety Code; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1106 and Proposed Amended Rule 1107 are written or 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 1106 and Proposed Amended Rule 1107 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decision, or state or federal regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1106 and Proposed Amended Rule 1107 do not impose the same requirements as any existing state or federal regulations, and the proposed amended



rules are 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 amending Rule 1106 and Rule 1107, references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 39002, 40001, 40406, 40702, 40440(a), 40725 through 40728.5, and Clean Air Act Sections 110, 172, and 182(e); and

**WHEREAS**, the South Coast AQMD Governing Board finds that Proposed Amended Rule 1106 and Proposed Amended Rule 1107 do not significantly affect air quality or emissions limitations, and can be met with existing coatings, and therefore a socioeconomic analysis pursuant to Health and Safety Code Section 40440.8, 40728.5, or 40920.6 is not required; and

**WHEREAS**, the South Coast AQMD staff conducted a Public Consultation Meeting regarding Proposed Amended Rule 1106 and Proposed Amended Rule 1107 on November 9, 2022; and

**WHEREAS**, the Public Hearing has been properly noticed in accordance with the provisions of Health and Safety Code Sections 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 the Planning, Rule Development and Implementation Manager overseeing the rule development for Proposed Amended Rule 1106 and Proposed Amended Rule 1107 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**WHEREAS**, Proposed Amended Rule 1106 and Proposed Amended Rule 1107 will be submitted to the California Air Resources Board (CARB) and U.S. EPA for inclusion into the State Implementation Plan; 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 judgement 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 1106 and Proposed Amended Rule 1107 as set forth in the attached, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 1106 and Proposed Amended Rule 1107 be submitted for inclusion in the State Implementation Plan; and

**BE IT FURTHER RESOLVED**, that the Executive Officer is hereby directed to forward a copy of this Resolution, Proposed Amended Rule 1106, and Proposed Amended Rule 1107 to CARB for approval and subsequent submittal to U.S. EPA for inclusion into the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## ATTACHMENT F

(Adopted November 4, 1988)(Amended May 5, 1989)(Amended June 2, 1989)  
(Amended March 2, 1990)(Amended November 2, 1990)(Amended December 7, 1990)  
(Amended August 2, 1991)(Amended January 13, 1995)  
(Amended May 3, 2019)(*Amended [Date of Adoption]*)

*[RULE INDEX TO BE ADDED AFTER RULE ADOPTION]*

### **PROPOSED AMENDED RULE 1106. MARINE AND PLEASURE CRAFT COATINGS**

(a) Purpose

The purpose of this rule is to reduce emissions of Volatile Organic Compounds (VOC) from Marine and Pleasure Craft Coatings.

(b) Applicability

This rule is applicable to any person who supplies, sells, offers for sale, markets, manufactures, blends, packages, repackages, possesses or distributes any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating for use within the South Coast AQMD Jurisdiction, as well as any person who applies, stores at a worksite, or solicits the application of any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating within the South Coast AQMD Jurisdiction.

(c) Definitions

For the purpose of this rule the following definitions shall apply:

- (1) AEROSOL COATING PRODUCT means a pressurized coating product containing pigments, resins, and/or other coating solids that dispenses product ingredients by means of a propellant, and is packaged in a disposable aerosol container for hand-held application.
- (2) AIR DRIED COATING is any coating that is formulated by the manufacturer to be cured at a temperature below 90 °C (194 °F).
- (3) ANTENNA COATING is any coating applied to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.
- (4) ANTIFOULANT COATING is any coating applied to the underwater portion of boats, ships, vessels, or pleasure craft to prevent or reduce the attachment of biological organisms and shall be registered with the United States Environmental

Protection Agency (“U.S. EPA”) as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code Section 136).

- (5) BAKED COATING is any coating that is formulated by the manufacturer to be cured at a temperature at or above 90 °C (194 °F).
- (6) CLEAR WOOD COATINGS are clear and semi-transparent topcoats applied to wood substrates to provide a transparent or translucent film.
- (7) DISTRIBUTOR means any person to whom a product is sold or supplied for the purposes of resale or distribution in commerce, except that manufacturers, retailers, and consumers are not distributors.
- ~~(8) ELASTOMERIC ADHESIVE is any adhesive containing natural or synthetic rubber.~~
- ~~(9) ENERGY CURABLE COATINGS are single component reactive products that cure upon exposure to visible light, ultra violet light or to an electron beam. The VOC content of thin film Energy Curable Marine and Pleasure Craft Coatings may be determined by manufacturers using ASTM Test Method 7767-11 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them”.~~
- (108) EXEMPT COMPOUNDS (See Rule 102 - Definition of Terms.)
- (149) EXTREME HIGH GLOSS COATING is any coating that achieves at least 95 percent reflectance on a 60° meter when tested by ASTM Test Method D-523-14 “Standard Test Method for Specular Gloss”.
- (1210) FINISH PRIMER/SURFACER is any coating applied with a wet film thickness of less than 10 mils (one mil = 0.001 of an inch) and is applied prior to the application of a Marine or Pleasure Craft Coating for the purpose of providing corrosion resistance, adhesion for subsequent coatings, a moisture barrier, or promotes a uniform surface necessary for filling in surface imperfections.
- (1311) GRAMS OF VOC PER LITER OF COATING LESS WATER AND LESS EXEMPT COMPOUNDS (REGULATORY VOC) is the weight of VOC per combined volume of VOC and coating solids and can be calculated by the following equation:

Grams of VOC per Liter of Coating, Less

$$\text{Water and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:  $W_s$  = weight of volatile compounds in grams  
 $W_w$  = weight of water in grams  
 $W_{es}$  = weight of exempt compounds in grams

$V_m$  = volume of material in liters  
 $V_w$  = volume of water in liters  
 $V_{es}$  = volume of exempt compounds in liters

(1412) GRAMS OF VOC PER LITER OF MATERIAL (ACTUAL VOC) is the weight of VOC per volume of material and shall be calculated by the following equation:

$$\text{Grams of VOC per Liter of Material} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where:  $W_s$  = weight of volatile compounds in grams  
 $W_w$  = weight of water in grams  
 $W_{es}$  = weight of exempt compounds in grams  
 $V_m$  = volume of material in liters

(1513) HEAT RESISTANT COATING is any coating that during normal use must withstand temperatures of at least 204 °C (400 °F).

(1614) HIGH GLOSS COATING is any coating that achieves at least 85 percent reflectance on a 60° meter when tested by ASTM Method D-523-14 “Standard Test Method for Specular Gloss”.

(1715) HIGH TEMPERATURE COATING is any coating that during normal use must withstand temperatures of at least 426 °C (800 °F).

(1816) HIGH BUILD PRIMER/SURFACER is any coating applied with a wet film thickness of 10 mils or more (one mil = 0.001 of an inch) prior to the application of a topcoat for purposes of providing corrosion resistance, adhesion of subsequent coatings, a moisture barrier, or promoting a uniform surface necessary for filling in surface imperfections.

(1917) HIGH-VOLUME, LOW-PRESSURE (HVLP) means spray application equipment designed to atomize 100 percent by air pressure only and is operated between 0.1 and 10 pounds per square inch gauge (psig), air atomizing pressure measured dynamically at the center of the air cap and at the air horns.

(2018) INORGANIC ZINC COATING is a coating that contains 960 grams per liter or more elemental zinc incorporated into an inorganic silicate binder that is applied to steel to provide galvanic corrosion resistance.

(2119) LOW ACTIVATION INTERIOR COATING is any coating used on interior surfaces aboard boats, ships, and vessels to minimize the activation of pigments on painted surfaces within a radiation environment.

(2220) LOW-SOLIDS COATINGS are coatings containing one pound or less of solids per gallon of material.

- (2321) MARINE COATING is any coating, except unsaturated polyester resin (fiberglass) coatings, containing volatile organic materials and applied by any means to boats, ships, and vessels, their appurtenances, and structures such as piers, docks, buoys and oil drilling rigs intended for the exposure to either a marine or fresh water environment.
- (2422) MARINE DECK SEALANT PRIMER is any sealant primer intended by the manufacturer to be applied to wooden marine decks. A sealant primer is any product intended by the manufacturer to be applied to a substrate, prior to the application of a sealant, to enhance the bonding surface.
- ~~(25) METALLIC HEAT RESISTANT COATING is any coating that contains more than 5 grams of metal particles per liter of coating as applied and must withstand temperatures over 80 °C (176 °F).~~
- (2623) MIST COATING is any low viscosity thin film epoxy coating applied to an inorganic zinc primer that penetrates the porous zinc primer and allows the occluded air to escape through the film prior to curing.
- (2724) NAVIGATIONAL AIDS COATING is any coating that is applied to buoys or other Coast Guard waterway markers that are recoated at their usage site aboard ship and immediately returned to the water.
- (2825) NONSKID COATING means any coating applied to the horizontal surface of a marine vessel for the specific purpose of providing slip resistance for personnel.
- (2926) ORGANIC ZINC COATING is a coating that contains 960 grams per liter or more elemental zinc incorporated into an organic silicate binder that is applied to steel to provide galvanic corrosion resistance.
- (3027) PLEASURE CRAFT are marine or fresh water vessels that are less than 20 meters in length and are manufactured or operated primarily for recreational purposes, or are leased, rented, or chartered to a person or business for recreational purposes. Vessels operated in amusement theme parks in a fresh water environment solely for the purpose of an amusement park attraction shall be considered pleasure craft vessels regardless of their length. The owner or operator of a pleasure craft vessel shall be responsible for certifying that the intended use is for recreational purposes.
- (3428) PLEASURE CRAFT COATING is any marine coating, except unsaturated polyester resin (fiberglass) coatings, applied by brush, spray, roller, or other means to a pleasure craft.
- (3229) PRETREATMENT WASH PRIMER is a coating that contains a minimum of 1/2 percent acid, by weight, applied directly to bare metal surfaces to provide necessary surface etching.

- (3330) REPAIR AND MAINTENANCE THERMOPLASTIC COATING is any resin-bearing coating, such as vinyl, chlorinated rubber, or bituminous coatings where the resin becomes pliable with the application of heat, and is used to recoat portions of a previously coated substrate that has sustained damage to following the initial coating.
- (3431) SEALANT FOR WIRE-SPRAYED ALUMINUM is any coating of up to one mil (one mil = 0.001 of an inch) in thickness of an epoxy material that is reduced for application with an equal part of an appropriate solvent (e.g. naphtha or ethylene glycol monoethyl ether).
- (3532) SEALER is a coating applied to bare wood to seal surface pores to prevent subsequent coatings from being absorbed into the wood.
- (3633) SOLVENT CLEANING is as defined in Rule 1171 - Solvent Cleaning Operations.
- (3734) SPECIAL MARKING COATING is any coating used for items such as flight decks, vessel identification numbers and other demarcations for safety or identification.
- (3835) TACK COAT is an epoxy coating of up to two mils (one mil = 0.001 of an inch) thick applied to an existing epoxy coating that has aged beyond the time limit specified by the manufacturer.
- (3936) TEAK PRIMER is a coating applied to teak wood or previously oiled teak wood decks in order to improve the adhesion of a seam sealer.
- (4037) TOPCOAT is any final coating applied to the interior or exterior of a marine or pleasure craft.
- (4138) TOUCH-UP COATING is any coating applied incidental to the main coating process but necessary to cover minor imperfections or minor mechanical damage incurred prior to use.
- (4239) TRANSFER EFFICIENCY means the amount of coating solids adhering to the object being coated divided by the total amount of coating solids sprayed expressed as a percentage.
- (4340) UNDERSEA WEAPONS SYSTEM COATING is any coating applied to any components of a weapons system intended for exposure to a marine environment that is intended to be launched or fired undersea.
- (4441) VARNISHES are clear or pigmented wood topcoats formulated with various resins to dry by chemical reaction.
- (4542) VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102 - Definition of Terms.

(4643) WIRE-SPRAYED ALUMINUM is any molten multi-aluminum coating applied to a steel substrate using oxygen fueled combustion spray equipment.

(d) Requirements

(1) VOC Content of Marine Coatings

Except as otherwise provided in this rule, a person shall not apply a marine coating within the South Coast AQMD jurisdiction with a VOC content in excess of the following limits shown in the Table of Standards I that are expressed as grams of VOC per liter of coating, as applied, less water and exempt solvents:

TABLE OF STANDARDS I

MARINE COATING CATEGORY	VOC LIMITS Less water and exempt compounds Grams per Liter (g/L)	
	BAKED	AIR DRIED
	CURRENT LIMIT	CURRENT LIMIT
Antenna Coating		340
Antifoulant Coatings:		
Aluminum Substrates		560
Other Substrates		400
<del>Elastomeric Adhesives (with 15%, by Weight, Natural or Synthetic Rubber)</del>		<del>730</del>
Inorganic Zinc Coating		340
Low Activation Interior Coating		420
Mist Coating		610
Navigational Aids Coating		340
Nonskid Coating		340
Organic Zinc Coating		340
Pre-Treatment Wash Primer	420	420
Repair and Maintenance Thermoplastic Coating		340
Sealant for Wire-Sprayed Aluminum		610
Special Marking Coating		420
Specialty Coatings:		
Heat Resistant Coating	360	420
<del>    Metallic Heat Resistant Coating</del>		<del>530</del>
High Temperature Coating		500
Tack Coating		610
Topcoats:		
Extreme High-Gloss Coating	420	490
High Gloss Coating	275	340
Undersea Weapons Systems Coating	275	340
Any Other Coating Type	275	340



(2) VOC Content of Pleasure Craft Coatings

Except as otherwise provided in this rule, a person shall not apply a pleasure craft coating within the South Coast AQMD jurisdiction with a VOC content in excess of the following limits shown in the Table of Standards II that are expressed as grams of VOC per liter of coating, as applied, less water and exempt solvents:

TABLE OF STANDARDS II

VOC LIMITS Less water and exempt compounds Grams per Liter (g/L)	
PLEASURE CRAFT COATING CATEGORY	CURRENT LIMIT
Antifoulant Coatings:	
Aluminum Substrate	560
Other Substrate	330
Clear Wood Coatings:	
Sealers	550
Varnishes	490
Primer Coatings:	
Finish Primer/Surfacer	420
High Build Primer/Surfacer	340
Marine Deck Sealant Primer	760
Pretreatment Wash Primer	780
Teak Primer	775
Topcoats:	
Extreme High Gloss Coating	490
High Gloss Coating	420
Any Other Coating Type	420

(3) VOC Content of Low-Solids Coatings

Except as otherwise provided in this rule, a person shall not apply a marine coating or a pleasure craft coating within the South Coast AQMD jurisdiction with a VOC content in excess of the following limit shown in the Table of Standards III that is expressed as grams of VOC per material of coating, as applied:

TABLE OF STANDARDS III

VOC LIMIT – MARINE & PLEASURE CRAFT COATINGS Grams per liter of material VOC	
COATING CATEGORY	CURRENT LIMIT
Low-Solids Coating	120

(4) Most Restrictive VOC Limit

If any representation or information on the container of any coating subject to this rule, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature that indicates that the coating meets the definition of, is recommended for use or is suitable for use for more than one of the marine coating categories listed in paragraph (d)(1) or the pleasure craft coating categories listed in paragraph (d)(2), or the low-solids coating category listed in paragraph (d)(3), then the lowest VOC content limit shall apply.

(5) Alternative Emission Control Plan

A person may comply with the provisions of paragraphs (d)(1), (d)(2) and (d)(3) by means of an Alternative Emission Control Plan, pursuant to Rule 108 - Alternative Emissions Control Plans.

(6) Exempt Compounds

A person shall not manufacture, sell, offer for sale, distribute for use in the South Coast AQMD jurisdiction, or apply any marine or pleasure craft coating which contains any Group II Exempt Compounds listed in Rule 102 - Definition of Terms, in quantities greater than 0.1 percent by weight. Cyclic, branched, or linear, completely methylated siloxanes (VMS) are not subject to this provision.

(7) Carcinogenic Materials

A person shall not manufacture, sell, offer for sale, distribute for use in the South Coast AQMD jurisdiction, or apply any marine or pleasure craft coating which contains cadmium, nickel, lead or hexavalent chromium that was introduced as a pigment or as an agent to impart any property or characteristic to the marine or pleasure craft coatings during manufacturing, distribution, or use of applicable marine or pleasure craft coatings.

(8) Application Equipment Transfer Efficiency

(A) A person shall not apply any marine coating or pleasure craft coating unless one of the following methods of coating transfer is used:

- (i) Electrostatic application; or
  - (ii) High-volume, low-pressure (HVLP) spray; or
  - (iii) Brush, dip, or roller; or
  - (iv) Spray gun application, provided the owner or operator demonstrates that the spray gun meets the HVLP definition in paragraph (c)(1917) in design and use. A satisfactory demonstration must be based on the manufacturer's published technical material on the design of the spray gun and by a demonstration of the operation of the spray gun using an air pressure tip gauge from the manufacturer of the spray gun; or
  - (v) Any such other marine coating or pleasure craft coating application methods as demonstrated, in accordance with the provisions of paragraph (g)(6), to be capable of achieving equivalent or better transfer efficiency than the marine coating or pleasure craft coating application method listed in clause (d)(8)(A)(ii), provided written approval is obtained from the Executive Officer prior to use.
- (B) A person shall not apply any marine coating or pleasure craft coating by any of the methods listed in subparagraph (d)(8)(A) unless such coating is applied with properly operating equipment, operated according to procedures recommended by the manufacturer and in compliance with applicable permit conditions, if any.
- (9) Solvent Cleaning, Storage and Disposal of VOC-containing Materials  
Solvent cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC-containing materials used in solvent cleaning activities shall be carried out pursuant to South Coast AQMD Rule 1171 - Solvent Cleaning Operations.
- (e) Prohibition of Possession, Specification and Sale
  - (1) For the purpose of this rule, no person shall store at a worksite any marine coating or pleasure craft coating subject to this rule within the South Coast AQMD jurisdiction that is not in compliance with the requirements shown in the Tables of Standards of paragraphs (d)(1), (d)(2), and (d)(3) unless the following condition applies:
    - (A) The marine or pleasure craft coating is for use at a facility that operates in compliance with an approved Alternative Emissions Control Plan pursuant

- to paragraph (d)(5), and the marine or pleasure craft coating is specified in the plan.
- (2) For the purpose of this rule, no person shall solicit from, specify, or require any other person to use in the South Coast AQMD jurisdiction any marine or pleasure craft coating that does not meet the following:
- (A) Applicable VOC limits required by paragraph (d)(1), (d)(2) or (d)(3) for the specific application unless:
- (i) The marine or pleasure craft coating is located at a facility that operates in compliance with an approved Alternative Emissions Control Plan pursuant to paragraph (d)(5), and the marine or pleasure craft coating is specified in the plan.
- (B) The requirements of paragraphs (d)(6) and (d)(7).
- (3) For the purpose of this rule, no person shall supply, sell, offer for sale, market, blend, package, repackage or distribute any marine or pleasure craft coating for use within the South Coast AQMD jurisdiction subject to the provisions in this rule that does not meet the:
- (A) Applicable VOC limits required by paragraphs (d)(1), (d)(2) and (d)(3) for the specific application, unless:
- (i) The marine or pleasure craft coating is for use at a facility that operates in accordance with an approved Alternative Emissions Control Plan pursuant to paragraph (d)(6), and the marine or pleasure craft coating is specified in the plan; and,
- (B) The requirements of paragraphs (d)(6) and (d)(7).
- (4) For the purpose of this rule, no person shall solicit from, specify, require, offer for sale, sell, or distribute to any other person for use in the South Coast AQMD jurisdiction any marine or pleasure craft coating application equipment that does not meet the requirements of subparagraph (d)(8)(A).
- (5) For the purpose of this rule, no person shall offer for sale, sell, supply, market, offer for sale or distribute an HVLP spray gun for use within the South Coast AQMD unless said person provides accurate information to the spray gun recipient. Such accurate information shall include the maximum inlet air pressure to the spray gun that would result in a maximum air pressure of 10 pounds per square inch gauge (psig) air pressure, measured dynamically at the center of the air cap and at the air horns, based on the manufacturer's published technical material on the design of the spray application equipment, and by a demonstration

of the operation of the spray application equipment using an air pressure tip gauge from the manufacturer of the gun. The information shall either be permanently marked on the gun, or provided on the company's letterhead or in the form of technical literature that clearly identifies the spray gun manufacturer, the seller, or the distributor.

- (6) Paragraphs (d)(1), (d)(2) and (d)(3) shall not apply to marine coatings or pleasure craft coatings that are sold, offered for sale, or solicited, for shipment or use outside of the South Coast AQMD jurisdiction, or for shipment to other manufacturers for repackaging provided such coatings are sold, offered for sale, or solicited, for shipment or use outside the South Coast AQMD jurisdiction.

(f) Recordkeeping Requirements

(1) Recordkeeping for VOC Emissions

Notwithstanding the provisions of subdivision (i), records of marine coating usage and pleasure craft coating usage, as applicable, shall be maintained pursuant to South Coast AQMD Rule 109 - Recordkeeping for Volatile Organic Compound Emissions, and shall be made available to the Executive Officer upon request.

(g) Test Methods

(1) Determination of VOC Content:

The VOC content of coatings, subject to the provisions of this rule shall be determined by the following methods:

- (A) U.S. EPA Reference Test Method 24 (Determination of Volatile Matter Content, Water Content, Volume Solids and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, Part 60, Appendix A). The exempt compounds' content shall be determined by South Coast AQMD Laboratory Test Method 303 (Determination of Exempt Compounds) contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or,
- (B) South Coast AQMD Method 304 [Determination of Volatile Organic Compounds (VOCs) in Various Materials] contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or,
- (C) South Coast AQMD Method 313 [Determination of Volatile Organic Compounds VOC by Gas Chromatography-Mass Spectrometry] in the South Coast AQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.

- (2) VOC content determined to exceed the limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of this rule.
- (3) Exempt Perfluorocarbon Compounds  
The following classes of compounds:
  - Cyclic, branched, or linear, completely fluorinated alkanes;
  - Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
  - Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
  - Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine,shall be analyzed as exempt compounds for compliance with subdivision (d), only at such time as manufacturers specify which individual compounds are used in the formulation of the coatings subject to this rule. In addition, prior to any such analysis, the manufacturers shall also identify the test methods approved by the U.S. EPA, California Air Resources Board (CARB), and the South Coast AQMD that will be used to quantify the amount of each exempt compound.
- (4) Determination of Iridescent Particles in Metallic/Iridescent Coatings  
The metal and silicon content in metallic/iridescent coatings subject to the provisions of this rule shall be determined by the South Coast AQMD Method 311 (Determination of Percent Metal in Metallic Coatings by Spectrographic Method) contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual.
- (5) Determination of Acid Content in Marine and Pleasure Craft Coatings  
The acid content of any coating subject to the provisions of this rule shall be determined by ASTM D-1613-06 (2012) (Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products).
- (6) Determination of Transfer Efficiency of Application Equipment  
The transfer efficiency of alternative marine coating and pleasure craft coating application methods, as defined by clause (d)(8)(A)(v), shall be determined in accordance with the South Coast AQMD method "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, May 24, 1989," and South Coast

AQMD “Guidelines for Demonstrating Equivalency With South Coast AQMD Approved Transfer Efficiency Spray Gun September 26, 2002.”

(7) Multiple Test Methods

When more than one test method or set of test methods are specified for any testing, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

(8) All test methods referenced in this section shall be the most recently approved version.

(h) Rule 442 Applicability

Any Marine Coating or Pleasure Craft Coating or any facility that is exempt pursuant to subdivision (i) from all or a portion of the VOC limits of subdivision (d) shall comply with the provisions of Rule 442 - Usage of Solvents.

(i) Exemptions

With the exception of paragraphs (d)(6) and (d)(7), the provisions of this rule shall not apply to:

- (1) Marine or pleasure craft coatings that have a VOC content of 50 g/L or less, or its equivalent, less water and exempt compounds, as applied, ~~provided that for energy curable coatings, product formulation data and test results, determined by ASTM D7767-11, shall first be submitted to the Executive Officer by the manufacturer.~~
- (2) Marine coatings applied to interior surfaces of potable water containers.
- (3) Touch-up coatings, as defined by paragraph (c)(4138) of this rule.
- (4) Any aerosol coating product.
- (5) The provisions of paragraph (d)(8) shall not apply to marine or pleasure craft coatings with a viscosity of 650 centipoise or greater, as applied.
- (6) The provisions of paragraphs (d)(1), (d)(2), and (d)(3) shall not apply to marine coatings that are used for vessels that are intended to submerge to at least 500 feet below the surface of the water provided that the total combined usage of such coatings does not exceed 12 gallons per calendar year and such coatings are in compliance with the VOC limits in the U.S. EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) for Shipbuilding and Ship Repair (Surface Coatings).

## ATTACHMENT G

(Adopted June 1, 1979)(Amended December 4, 1981)(Amended May 7, 1982)  
(Amended December 2, 1983)(Amended March 2, 1984)(Amended January 9, 1987)  
(Amended June 5, 1987)(Amended May 5, 1989)(Amended March 2, 1990)  
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(Amended March 8, 1996)(Amended August 14, 1998)  
(Amended November 17, 2000)(Amended November 9, 2001)  
(Amended November 4, 2005)(Amended January 6, 2006)  
(Amended February 7, 2020)(*Amended [Date of Adoption]*)

[RULE INDEX TO BE ADDED AFTER RULE ADOPTION]

### **PROPOSED AMENDED RULE 1107. COATING OF METAL PARTS AND PRODUCTS**

(a) Purpose and Applicability

The purpose of Rule 1107 is to reduce volatile organic compound (VOC) emissions from the coating of metal parts and products. This rule applies to all metal coatings operations except those performed on aerospace assembly, magnet wire, marine craft, motor vehicle, metal container, and coil coating operations. This rule does not apply to the coating of architectural components coated at the structure site or at a temporary unimproved location designated exclusively for the coating of structural components.

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) AEROSOL COATING PRODUCT is a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground traffic/marketing applications.
- (2) AIR-DRIED COATING is a coating that is cured at a temperature below 90°C (194°F).
- (3) ALTERNATIVE EMISSION CONTROL PLAN is a plan that allows a source to demonstrate an alternative method of rule compliance, pursuant to Rule 108 – Alternative Emission Control Plans.
- (4) BAKED COATING is a coating that is cured at a temperature at or above 90°C (194°F).
- (5) CAMOUFLAGE COATING is a coating used, principally by the military, to conceal equipment from detection.



- (6) CAPTURE EFFICIENCY is the percentage of VOCs used, emitted, evolved, or generated by the operation, that are collected and directed to an air pollution control device.
- (7) CATALYST is a substance that alters the rate of a chemical reaction without participating in that reaction or changing during the course of that reaction.
- (b) (8) COATING is a material which is applied to a surface and which forms a continuous film in order to beautify and/or protect such surface.
- (9) CONTRACT PAINTER is a non-manufacturer of metal parts and products who applies coatings to such products at his facility exclusively under contract with one or more parties that operate under separate ownership and control.
- (10) DIP COATING is a method of applying coatings to a substrate by submersion into and removal from a coating bath.
- (11) ELECTRIC-INSULATING VARNISH is a non-convertible-type coating applied to electric motors, components of electric motors, or power transformers, to provide electrical, mechanical, and environmental protection or resistance.
- (12) ELECTRIC-INSULATING AND THERMAL-CONDUCTING COATING is a coating that displays an electrical insulation of at least 1000 volts DC per mil on a flat test plate and an average thermal conductivity of at least 0.27 BTU per hour-foot-degree-Fahrenheit.
- (13) ELECTROCOATING is a process that uses coating concentrates or pastes added to a water bath. The coating is applied by using an electrical current in either an anodic or cathodic process.
- (14) ELECTROSTATIC APPLICATION is a method of applying coating particles or coating droplets to a grounded substrate by electrically charging them.
- ~~(15) ENERGY CURABLE COATINGS are single component reactive products that cure upon exposure to visible light, ultra violet light, or an electron beam. The VOC content of thin film energy curable coatings may be measured by manufacturers using ASTM D7767 11 (2018) Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.~~
- (15) ESSENTIAL PUBLIC SERVICE COATING is a protective (functional) coating applied to components of power, water, and natural gas production, transmission, or distribution systems during repair and maintenance procedures.
- (16) ETCHING FILLER is a coating that contains less than 23 percent solids by weight and at least 1/2-percent acid by weight, and is used instead of applying a pretreatment coating followed by a primer.

~~(1817)~~ EXEMPT COMPOUNDS (see Rule 102 – Definition of Terms).

~~(1918)~~ EXTREME HIGH-GLOSS COATING is a coating which, when tested by ASTM D523-14 (2018) – Standard Test Method for Specular Gloss, shows a reflectance of 75 or more on a 60° meter.

(b) ~~(2019)~~ EXTREME-PERFORMANCE COATING is a coating used on a metal surface where the coated surface is, in its intended use, subject to the following:

(A) Chronic exposure to corrosive, caustic or acidic agents, chemicals, chemical fumes, chemical mixtures, or solution;

(B) Repeated exposure to temperatures in excess of 250°F; or

(C) Repeated heavy abrasion, including mechanical wear and repeated scrubbing with industrial grade solvents, cleansers, or scouring agents.

~~(2120)~~ FLOW COAT is a non-atomized technique of applying coatings to a substrate with a fluid nozzle in a fan pattern with no air supplied to the nozzle.

~~(2221)~~ GRAMS OF VOC PER LITER OF COATING LESS WATER AND LESS EXEMPT COMPOUNDS is the weight of VOC per combined volume of VOC and coating solids and can be calculated by the following equation:

Grams of VOC per Liter of Coating Less Water and Less Exempt Compounds

$$= \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:  $W_s$  = weight of volatile compounds in grams

$W_w$  = weight of water in grams

$W_{es}$  = weight of exempt compounds in grams

$V_m$  = volume of material in liters

$V_w$  = volume of water in liters

$V_{es}$  = volume of exempt compounds in liters

~~(2322)~~ GRAMS OF VOC PER LITER OF MATERIAL is the weight of VOC per volume of material and can be calculated by the following equation:

$$\text{Grams of VOC per Liter of Material} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where:  $W_s$  = weight of volatile compounds in grams

$W_w$  = weight of water in grams

$W_{es}$  = weight of exempt compounds in grams

$V_m$  = volume of material in liters

- (2423) HAND APPLICATION METHODS is the application of coatings by manually held non-mechanically operated equipment. Such equipment includes paintbrushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.
- (b) (2524) HARDENER is a substance or mixture of substances that controls the viscosity of the reactants and products of a chemical reaction; while participating in chemical reaction and becoming part of the product or products of chemical reaction.
- (2625) HEAT-RESISTANT COATING is a coating that must withstand a temperature of at least 400°F during normal use.
- (2726) HIGH-PERFORMANCE ARCHITECTURAL COATING is a coating used to protect architectural subsections and which meets the requirements of the Architectural Aluminum Manufacturer Association's publication numbers AAMA 2604-05 – Voluntary Specification, Performance Requirements and Test Procedures for High Performance Organic Coatings on Aluminum Extrusions and Panels or AAMA 2605-05 – Voluntary Specification, Performance Requirements and Test Procedures for Superior Performing Organic Coatings on Aluminum Extrusions and Panels.
- (2827) HIGH-TEMPERATURE COATING is a coating that is certified to withstand a temperature of 1000°F for 24 hours.
- (2928) HIGH-VOLUME, LOW-PRESSURE (HVLP) SPRAY is a coating application system which is designed to be operated and which is operated between 0.1 and 10 pounds per square inch gauge (psig) air pressure, measured dynamically at the center of the air cap and the air horns.
- (3029) INK is a fluid that contains dyes and/or colorants and is used to make markings but not to protect surfaces.
- (3430) MAGNETIC DATA STORAGE DISK COATING is a coating used on a metal disk which stores data magnetically.
- (3231) METAL PARTICLES are pieces of an elemental pure metal or a combination of elemental metals.
- (3332) METAL PARTS AND PRODUCTS are any components or complete units fabricated from metal, except those subject to the coating provisions of other source specific rules of Regulation XI – Source Specific Standards.
- (3433) METALLIC COATING is a coating which contains more than 5 grams of metal particles per liter of coating, as applied.
- (3534) MIL is 0.001 inch.

- (3635) MILITARY SPECIFICATION COATING is a coating applied to metal parts and products and which has a paint formulation approved by a United States Military Agency for use on military equipment.
- (b) (3736) MOLD-SEAL COATING is the initial coating applied to a new mold or repaired mold to provide a smooth surface which, when coated with a mold release coating, prevents products from sticking to the mold.
- (3837) MOTOR VEHICLE is a passenger car, light-duty truck, medium-duty vehicle, or heavy-duty vehicle as defined in Title 13, California Administrative Code, Section 1902.
- (3938) MULTI-COMPONENT COATING is a coating requiring the addition of a separate reactive resin, commonly known as a catalyst or hardener, before application to form an acceptable dry film.
- (4039) ONE-COMPONENT COATING is a coating that is ready for application as it comes out of its container to form an acceptable dry film. A thinner, necessary to reduce the viscosity, is not considered a component.
- (4140) OPTICAL ANTI-REFLECTION COATING is a coating with a low reflectance in the infrared and visible wavelength range and is used for anti-reflection on or near optical and laser hardware.
- (4241) PAN-BACKING COATING is a coating applied to the surface of pots, pans, or other cooking implements that are exposed directly to a flame or other heating elements.
- (4342) PHOTORESIST COATING is a coating applied directly to a metal substrate to protect surface areas when chemical milling, etching, or other chemical surface operations are performed on the substrate.
- (4443) PHOTORESIST OPERATION is a process for the application and development of photoresist coating on a metal substrate, including preparation (except primary cleaning), soft bake, development, hard bake, and stripping, and can be generally subdivided as follows:
- (A) NEGATIVE PHOTORESIST OPERATION is a process where the photoresist hardens when exposed to light and the unhardened photoresist is stripped, exposing the metal surface for etching.
  - (B) POSITIVE PHOTORESIST OPERATION is a process where the photoresist softens when exposed to light and the softened photoresist is stripped, exposing the metal surface for etching.

- (4544) PREFABRICATED ARCHITECTURAL COMPONENT COATINGS are coatings applied to metal parts and products which are to be used as an architectural structure.
- (4645) PRETREATMENT COATING is a coating which contains no more than 12 percent solids by weight, and at least 1/2-percent acid by weight, is used to provide surface etching, and is applied directly to metal surfaces to provide corrosion resistance, adhesion, and ease of stripping.
- (b) (4746) REACTIVE DILUENT is a liquid which is a VOC during application and one in which, through chemical reaction such as polymerization, 20 percent or more of the VOC becomes an integral part of a finished coating.
- (4847) REPAIR COATING is a coating used to recoat portions of a product which has sustained mechanical damage to the coating following normal painting operations.
- (4948) ROLL COAT is a coating method using a machine that applies coating to a substrate by continuously transferring coating through a pair or set of oppositely rotating rollers.
- (5049) SAFETY-INDICATING COATING is a coating which changes physical characteristics, such as color, to indicate unsafe conditions.
- (5150) SILICONE-RELEASE COATING is any coating which contains silicone resin and is intended to prevent food from sticking to metal surfaces such as baking pans.
- (5251) SOLAR-ABSORBENT COATING is a coating which has as its prime purpose the absorption of solar radiation.
- (5352) SOLID-FILM LUBRICANT is a very thin coating consisting of a binder system containing as its chief pigment material one or more of molybdenum disulfide, graphite, polytetrafluoroethylene (PTFE), or other solids that act as a dry lubricant between faying surfaces.
- (5453) STENCIL COATING is an ink or a coating which is rolled or brushed onto a template or stamp in order to add identifying letters and/or numbers to metal parts and products.
- (5554) TEXTURED FINISH is a rough surface produced by spraying and splattering large drops of coating onto a previously applied coating. The coatings used to form the appearance of the textured finish are referred to as textured coatings.
- (5655) TOUCH-UP COATING is a coating used to cover minor coating imperfections appearing after the main coating operation.
- (5756) TRANSFER EFFICIENCY is the ratio of the weight or volume of coating solids adhering to an object to the total weight or volume, respectively, of coating solids used in the application process, expressed as a percentage.

(~~58~~57) VACUUM-METALIZING COATING is the undercoat applied to the substrate on which the metal is deposited or the overcoat applied directly to the metal film.

(~~59~~58) VOLATILE ORGANIC COMPOUND (VOC) (see Rule 102 – Definition of Terms).

(c) Requirements

(1) Operating Equipment

A person shall not apply VOC-containing coatings to metal parts and products subject to the provisions of this rule unless the coating is applied with equipment operated according to the equipment manufacturer specifications, and by the use of one of the following methods:

- (A) Electrostatic application;
- (B) Flow coat;
- (C) Dip coat;
- (D) Roll coat;
- (E) High-Volume, Low-Pressure (HVLP) Spray;
- (F) Hand Application Methods; or
- (G) Such other coating application methods as are demonstrated to the Executive Officer to be capable of achieving a transfer efficiency equivalent or better to the method listed in subparagraph (c)(1)(E) and for which written approval of the Executive Officer has been obtained.

(2) VOC Content of Coatings

A person shall not apply to metal parts and products subject to the provisions of this rule any coatings, including any VOC-containing materials added to the original coating supplied by the manufacturer, which contain VOCs in excess of the limits specified below:

<b>VOC LIMITS</b>				
<b>Less Water and Less Exempt Compounds</b>				
<b>Coating</b>	<b>Air-Dried</b>		<b>Baked</b>	
	<b>g/L</b>	<b>lb/gal</b>	<b>g/L</b>	<b>lb/gal</b>
General One-Component	275	2.3	275	2.3
General Multi-Component	340	2.8	275	2.3
Military Specification	340	2.8	275	2.3
Etching Filler	420	3.5	420	3.5
Solar-Absorbent	420	3.5	360	3.0
Heat-Resistant	420	3.5	360	3.0
Extreme High-Gloss	340	2.8	360	3.0
Metallic	420	3.5	360	3.0
Extreme Performance	420	3.5	360	3.0
Prefabricated Architectural One-Component	275	2.3	275	2.3
Prefabricated Architectural Multi-Component	340	2.8	275	2.3
Touch Up	420	3.5	360	3.0
Repair	420	3.5	360	3.0
Silicone Release	420	3.5	420	3.5
High-Performance Architectural	420	3.5	420	3.5
Camouflage	420	3.5	360	3.0
Vacuum-Metalizing	420	3.5	420	3.5
Mold-Seal	420	3.5	420	3.5
High-Temperature	420	3.5	420	3.5
Electric-Insulating Varnish	420	3.5	420	3.5
Pan Backing	420	3.5	420	3.5
Pretreatment Coatings	420	3.5	420	3.5

- (c) (3) A person shall not use VOC-containing materials which have a VOC content of more than 200 grams per liter of material for stripping any coating governed by this rule.
- (4) A person shall store and dispose of the following in closed containers, except when depositing or removing material from the container:
- (A) VOC-containing coatings, thinners, and coating-related waste materials applied to any metal parts and products subject to the provisions of this rule;
  - (B) Cloth or paper used in stripping cured coating; and
  - (C) VOC-laden application tools, such as a brush, pad, rag, cloth, or paper, used in the application of coatings applied to any metal parts and products subject to the provisions of this rule.

- (c) (5) Solvent cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC-containing materials used in cleaning operations shall be carried out pursuant to Rule 1171 – Solvent Cleaning Operations.
- (6) For coatings that contain reactive diluents, the Grams of VOC per Liter of Coating Less Water and Less Exempt Compounds shall be calculated by the following equation:

Grams of VOC per Liter of Coating Less Water and Less Exempt Compounds

$$= \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:  $W_s$  = weight of volatile compounds not consumed during curing, in grams  
 $W_w$  = weight of water not consumed during curing, in grams  
 $W_{es}$  = weight of exempt compounds not consumed during curing, in grams  
 $V_m$  = volume of the material prior to reaction, in liters  
 $V_w$  = volume of water not consumed during curing, in liters  
 $V_{es}$  = volume of exempt compounds not consumed during curing, in liters

- (7) Owners or operators of control equipment may comply with provisions of paragraph (c)(1) and/or (c)(2) by using approved air pollution control equipment provided:
- (A) The control device reduces VOC emissions from an emission collection system by at least 95 percent by weight or the output of the air pollution control device is no more than 5 parts per million (ppm) VOC by volume calculated as carbon with no dilution; and
- (B) The owner or operator demonstrates that the emission collection system collects at least 90 percent by weight of the VOC emissions generated by the sources of VOC emissions.
- (d) Prohibition of Specifications
- A person shall not specify the use in the South Coast AQMD of any coating to be applied to any metal parts and products subject to the provisions of this rule that does not meet the



limits and requirements of this rule. The requirements of this paragraph shall apply to all written and oral contracts.

(e) Methods of Analysis

All applicable methods of analysis shall be as cited in paragraphs (e)(1) through (e)(6), or any other applicable method approved in writing by the Executive Officer, United States Environmental Protection Agency (U.S. EPA), and the California Air Resources Board (CARB).

(1) Determination of VOC Content

(A) The VOC content of coatings subject to the provisions of this rule shall be determined by the following methods:

- (i) U.S. EPA Reference Method 24 (Title 40, Code of Federal Regulations, Part 60, Appendix A) – Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings. The exempt solvent content shall be determined by South Coast AQMD Method 303 – Determination of Exempt Compounds contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or
- (ii) South Coast AQMD Method 304 – Determination of Volatile Organic Compounds (VOC) in Various Materials contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual.

(B) Exempt Perfluorocarbon Compounds

The following classes of compounds:

- cyclic, branched, or linear, completely fluorinated alkanes;
- cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine;

will be analyzed as exempt compounds for compliance with subdivision (c) only when manufacturers specify which individual compounds are used in the coating formulation. In addition, the manufacturers must identify the

U.S. EPA, CARB, and the South Coast AQMD approved test methods used to quantify the amount of each exempt compound.

(e) ~~(1) — (C) — Thin Film Energy Curable Coatings~~

~~The VOC content of thin film energy curable coatings may be measured by manufacturers using ASTM D7767-11 (2018) — Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.~~

- (2) Determination of the Acid Content of Pretreatment Coatings and Etching Fillers  
The acid content of pretreatment coatings and etching fillers shall be determined by ASTM D1613-17 – Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products.

- (3) Determination of the Metal Particle Content of Metallic Coatings  
The metal particle content of metallic coatings subject to the provisions of this rule shall be determined by the following methods:

- (A) South Coast AQMD Method 318 – Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual for coatings containing elemental aluminum metal; or
- (B) South Coast AQMD Method 311 – Analysis of Percent Metal in Metallic Coatings by Spectrographic Method contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual for all other non-aluminum particle content analyses.

- (4) Determination of Efficiency of Emission Control System

- (A) Capture efficiency specified in paragraph (c)(7), shall be determined by verifying the use of a Permanent Total Enclosure (PTE) and 100% capture efficiency as defined by U.S. EPA Method 204 – Permanent (PTE) or Temporary Total Enclosure (TTE) for Determining Capture Efficiency. Alternatively, if a U.S. EPA Method 204 defined PTE is not employed, capture efficiency shall be determined using a minimum of three sampling runs subject to data quality criteria presented in the U.S. EPA technical guidance document, "Guidelines for Determining Capture Efficiency", January 9, 1995. Individual capture efficiency test runs subject to the U.S. EPA technical guidance document shall be determined by:

- (i) The Temporary Total Enclosure (TTE) approach of U.S. EPA Methods 204 through 204F; or

- (e) (4) (A) (ii) The South Coast AQMD "Protocol for Determination of Volatile Organic Compounds (VOC) Capture Efficiency."

Notwithstanding the test methods specified by the technical guidance document, any other method approved in writing by the U.S. EPA, CARB, and the South Coast AQMD Executive Officer may be substituted.

- (B) The efficiency of the control device of the emission control system as specified in paragraph (c)(7) and the VOC content in the control device exhaust gases, measured and calculated as carbon, shall be determined by the U.S. EPA Test Method 25 – Determination of Total Gaseous Nonmethane Organic Emissions as Carbon, U.S. EPA Test Method 25A – Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer, South Coast AQMD Method 25.1 – Determination of Total Gaseous Non-Methane Organic Emissions as Carbon, or South Coast AQMD Method 25.3 – Determination of Low Concentration Non-Methane Non-Ethane Organic Compound Emissions from Clean Fueled Combustion Sources, as applicable. U.S. EPA Test Method 18 – Measurement of Gaseous Organic Compound Emissions by Gas Chromatography, or CARB Method 422 – Determination of Volatile Organic Compounds in Emissions from Stationary Sources shall be used to determine emissions of exempt compounds.

(5) Multiple Test Methods

When more than one test method or set of methods are specified for any testing, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

- (6) Demonstrations of transfer efficiency shall be conducted in accordance with South Coast AQMD method "Spray Equipment Transfer Efficiency Test Procedure for Equipment User", May 24, 1989 and South Coast AQMD "Guidelines for Demonstrating Equivalency with District Approved Transfer Efficiency Spray Guns", September 26, 2002.

(f) Exemptions

- (1) The provisions of paragraphs (c)(1) and (c)(2) of this rule shall not apply to:
  - (A) Stencil coatings;
  - (B) Safety-indicating coatings;
  - (C) Magnetic data storage disk coatings;
  - (D) Solid-film lubricants; and

- (f)
  - (1) (E) Electric-insulating and thermal-conducting coatings.
  - (2) The provisions of paragraph (c)(1) of this rule shall not apply to the application of touch-up coatings, repair coatings, and textured finishes.
  - (3) The provisions of paragraphs (c)(1), (c)(2), and (c)(3) of this rule do not apply to the application of coatings and use of cleaning solvents while conducting performance tests on the coatings at paint manufacturing facilities.
  - (4) The provisions of paragraph (c)(2) of this rule shall not apply to aerosol coating products.
  - (5) The provisions of paragraph (c)(2) of this rule shall not apply to the use of essential public service coatings provided such aggregate use does not exceed 55 gallons in any one calendar year per facility.
  - (6) The provisions of paragraph (c)(2) of this rule shall not apply to the use of optical anti-reflective coatings provided such aggregate use does not exceed 10 gallons in any one calendar year, per facility.
  - (7) The provisions of paragraph (c)(2) shall not apply to photoresist operations applying liquid photoresist coating used for photofabrication of metal substrates with a thickness not exceeding 0.060 inches provided the annual usage per facility is 10 gallons or less.
  - (8) The provisions of paragraph (c)(1) shall not apply to metal coatings with a viscosity of 650 centipoise or greater, as applied.
- (g) Rule 442 Applicability  
Any coating, coating operation, or facility which is exempt from all or a portion of the VOC limits of this rule shall comply with the provisions of Rule 442 – Usage of Solvents.
- (h) Alternative Emission Control Plan  
An owner or operator may achieve compliance with paragraph (c)(2) by means of an Alternative Emission Control Plan pursuant to Rule 108 – Alternative Emission Control Plans.
- (i) Qualification for Classification as Extreme-Performance Coating  
A coating may be classified as an extreme-performance coating provided that the applicator requests and receives written approval of such classification from the Executive Officer, prior to application of such coating, and shows that the intended use of each coated object would require coating with an extreme-performance coating.

(j) Recordkeeping

Records of coating and solvent usage shall be maintained pursuant to Rule 109 – Recordkeeping for Volatile Organic Compound Emissions.

(k) Emission Reduction Credits

Facilities that use high-performance architectural, pretreatment, or vacuum-metalizing coatings shall not receive emission reduction credit(s) pursuant to Rule 1309 – Emission Reduction Credits and Short Term Credits above those emission reduction credit(s) that the facility would have received if it was operated with coatings having a VOC content of no more than 420 grams per liter, less water and less exempt compounds.

## ATTACHMENT H

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### **Final Staff Report**

**Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings**

**Proposed Amended Rule 1107 – Coating of Metal Parts and Products**

**January 2023**

### **Deputy Executive Officer**

Planning, Rule Development, and Implementation

Sarah L. Rees, Ph.D.

### **Assistant Deputy Executive Officer**

Planning, Rule Development, and Implementation

Michael Krause

### **Planning and Rules Manager**

Planning, Rule Development, and Implementation

Heather Farr

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Author:	Emily Yen	–	Assistant Air Quality Specialist
Contributors:	Barbara Radlein	–	Program Supervisor
	Sina Taghvaei, Ph.D.	–	Air Quality Specialist
	Brian Vlasich	–	Air Quality Specialist
	Elaine Shen, Ph.D.	–	Planning and Rules Manager
Reviewed By:	Yanrong Zhu	–	Program Supervisor
	Kathryn Roberts	–	Deputy District Counsel II

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**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD**

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Cities of Riverside County Representative

Vice Chair: VANESSA DELGADO  
Senator (Ret.)  
Senate Rules Committee Appointee

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County of Orange

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Governor's Appointee

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Mayor, Highland  
Cities of San Bernardino County

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Supervisor, Second District  
County of Los Angeles

VERONICA PADILLA-CAMPOS  
Speaker of the Assembly Appointee

V. MANUEL PEREZ  
Supervisor, Fourth District  
County of Riverside

NITHYA RAMAN  
Council Member, Fourth District  
City of Los Angeles Representative

REX RICHARDSON  
Mayor, City of Long Beach  
Cities of Los Angeles County/Western Region

CARLOS RODRIGUEZ  
Council Member, Yorba Linda  
Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

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## EXECUTIVE SUMMARY

Air districts, such as the South Coast Air Quality Management District (South Coast AQMD), which exceed the National Ambient Air Quality Standards (NAAQS) established by the United States Environmental Protection Agency (U.S. EPA) are required to develop and submit a State Implementation Plan (SIP) for U.S. EPA approval. SIPs consist of rules and documents that a state or local air district implements, maintains, and enforces to fulfill requirements of the Clean Air Act (CAA) and are used to demonstrate how the region will meet the NAAQS. If U.S. EPA issues a SIP disapproval or partial disapproval of a rule, South Coast AQMD will face the possibility of sanctions by the federal government and other consequences under CAA unless the identified rule deficiencies are not corrected and approved by U.S. EPA. Offset sanctions would be triggered 18 months after the effective date of a final disapproval and highway funding sanctions would be triggered six months after the offset sanctions are imposed. CAA would also require U.S. EPA to promulgate a Federal Implementation Plan within 24 months of the disapproval effective date. Sanctions will not be imposed if U.S. EPA determines that a subsequent SIP submission corrects the deficiencies before the applicable deadline.

On August 22, 2022, U.S. EPA proposed a limited SIP disapproval for Rule 1106 – Marine and Pleasure Craft Coatings (Rule 1106) and Rule 1107 – Coating of Metal Parts and Products (Rule 1107). This limited disapproval was subsequent to U.S. EPA’s previous proposed approval of the rules. The basis of the limited disapproval is the reference to cited the deficiency of referencing ASTM<sup>1</sup> D7767-11, “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers and Blends and Thin Coatings Made from Them” (ASTM D7767).<sup>2</sup> U.S. EPA states that they recently became aware that ASTM D7767 which is not a U.S. EPA-approved test method and therefore cannot be used to enforce a SIP approved rule.<sup>2</sup> The U.S. EPA also recommended removing two product categories to improve Rule 1106, as those categories are not listed in the 1996 U.S. EPA Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating), which will be referred to as the U.S. EPA Marine Coating CTG in this staff report.

Proposed Amended Rule 1106 (PAR 1106) and Proposed Amended Rule 1107 (PAR 1107) will address the deficiency and incorporate U.S. EPA comments.

## BACKGROUND

### Regulatory History for Rules 1106 and 1107

Rule 1106 is a source specific rule that was adopted to reduce volatile organic compound (VOC) emissions from marine and pleasure craft coatings formulated for use in the marine environment. Rule 1106 regulates marine coatings applied to boats, ships, and vessels, their appurtenances, and structures such as piers, docks, buoys and oil drillings rigs intended for the marine environment, and for pleasure craft. Rule 1106 was adopted on November 4, 1988, and it has been subsequently amended eight times, with the most recent amendment on May 3, 2019. The May 2019 amendment combined the requirements of Rule 1106 and Rule 1106.1 – Pleasure Craft Coating Operations (Rule 1106.1) into one rule, rescinded Rule 1106.1, aligned VOC content limits with U.S. EPA Marine Coatings CTG and the requirements of other California air districts, prohibited the possession and sale of non-compliant coatings, established requirements for transfer efficiency,

<sup>1</sup> ASTM International, formerly known as American Society for Testing and Materials

<sup>2</sup> 87 Fed. Reg. 51300, 51302 (August 22, 2022)

and provided rule clarifications. The May 2019 amendment also included a new definition for Energy Curable Coatings that referenced test method ASTM D7767 and a new exemption for coatings with VOC content of 50 g/L or less that referenced ASTM D7767. For Energy Curable Coatings, test results from the ASTM D7767 method were allowed, in conjunction with product formulation data, to be used to verify if these coatings qualified for this new exemption. Formulation data is the product recipe which includes all the components in a product, including the VOC content and amount of each component.

Rule 1107 is a source specific rule that was adopted to reduce VOC emissions from metal coating operations. Rule 1107 was adopted on June 1, 1979, and it has been subsequently amended eighteen times, with the most recent amendment on February 7, 2020. The February 2020 amendment addressed the Reasonably Available Control Technology (RACT) deficiencies raised by U.S. EPA and the changes to VOC limits requested by the California Air Resources Board (CARB). Additionally, the amendment included a definition for Energy Curable Coatings which referenced ASTM D7767 and added ASTM D7767 to the Methods of Analysis subdivision, which includes test methods that can be used to determine the VOC content of regulated coatings.

### **Background on ASTM D7767**

Determining the VOC content of most ultraviolet, electron beam, and light-emitting diode (UV/EB/LED) materials can accurately be measured using U.S. EPA Reference Method 24 (Method 24), which includes a non-solids test method specifically for the analysis of UV/EB/LED materials. However, Method 24 is not an appropriate method for thin film materials, which are applied at such a thin film the weight of the materials cannot be accurately measured. Members of industry who represent the UV/EB/LED industry developed a test method to estimate the VOC of these thin film materials, that method was adopted in 2011 by the ASTM Committee as ASTM D7767.

In 2012, South Coast AQMD Laboratory staff traveled to 3M headquarters in Minneapolis, MN to meet with a developer of ASTM D7767 observed the following limitations of the method:

- 1) The method provides only an estimation of the VOC content, a distinction that was confirmed in-person by the creator of the method during the 3M visit;
- 2) The VOC estimate is based on the measurement of the reactive components (i.e., acrylate monomers, oligomers, and blends), not of the fully formulated product which also includes the pigments and additives that are excluded so that the product can be tested at a thick enough film in order to accurately measure the weight loss for VOC quantification;
- 3) Supplier-specified cure condition, end-use film thickness, and specific photo-initiator are required to accurately perform the method; and
- 4) It is not a direct method for measuring volatiles from thin coatings, as the method was developed to help formulators identify and select lower VOC constituents during coating production.

ASTM D7767 also cannot be used for enforcement purposes. South Coast AQMD relies on laboratory testing of the fully formulated product collected in the field to determine if a product complies with VOC limits. The South Coast AQMD Laboratory cannot independently perform ASTM D7767 and have the confidence that the results accurately reflect the composition of a sample collected in the field. If South Coast AQMD compliance staff collected a sample of a thin-film energy curable product, the manufacturer would need to supply the raw materials and a photo-

initiator for South Coast AQMD Laboratory staff to accurately perform the method. ASTM D7767 offers no ability to confirm that the components supplied by the manufacturer are the actual constituents of the product collected in the field. South Coast AQMD staff have expressed concern over the years that Method D7767 does not measure VOC content with sufficient accuracy to be used for compliance purposes. Further, the method does not directly measure the VOC content of fully formulated materials as they are used, and only measures the VOC content of the reactive components, which is not suitable for enforcement purposes.

## **PUBLIC PROCESS**

The development of PAR 1106 and PAR 1107 has been conducted through a public process. Staff had a discussion with U.S. EPA and held a Public Consultation meeting on November 9, 2022. Proposed rule language was included in the presentation for the Public Consultation Meeting, which was released November 4, 2022, and the Initial Draft PAR 1106 and PAR 1107 were released November 9, 2022.

## **AFFECTED FACILITIES**

Rule 1106 is applicable to any person who supplies, sells, offers for sale, markets, manufactures, blends, packages, repackages, possesses or distributes any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating for use within the South Coast AQMD jurisdiction, as well as any person who applies, stores at a worksite, or solicits the application of any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating within the South Coast AQMD jurisdiction.

Rule 1107 is applicable to all metal coatings operations except those performed on aerospace assembly, magnet wire, marine craft, motor vehicle, metal container, and coil coating operations. This rule does not apply to the coating of architectural components coated at the structure site or at a temporary unimproved location designated exclusively for the coating of structural components. Approximately 1,100 facilities are subject to existing Rule 1107.

## **CONTROL TECHNOLOGY**

The proposed amendments do not include requirements for control technologies.

## **SUMMARY OF PROPOSAL**

### **Proposed Amendments to Rule 1106**

PAR1106 will remove the references to test method ASTM D7767 by deleting the definition for Energy Curable Coatings and the language in the paragraph (i)(1) exemption that refers to the test method. The revision does not change the exemption for coatings with a VOC content of 50 g/L or less under paragraph (i)(1).

In addition, PAR 1106 will remove two product categories, Elastomeric Adhesives and Metallic Heat Resistant Coating, as recommended by U.S. EPA as they are not listed in the 1996 U.S. EPA Marine Coatings CTG, and subject them to other appropriate categories as shown in Table 1. Elastomeric Adhesives should be subject to Rule 1168 – Adhesive and Sealant Applications under the category All Other Adhesives. Metallic Heat Resistant Coating will be subject to Heat Resistant Coating in PAR 1106.

**Table 1. Comparison of VOC Limits for Current and Future Categories**

<i>Current Category</i>	VOC Limit (g/L)	Rule	<i>New Category</i>	VOC Limit (g/L)
<i>Elastomeric Adhesives</i>	730	1168	<i>All Other Adhesives</i>	250
<i>Metallic Heat Resistant Coating</i>	530	1106	<i>Heat Resistant Coating</i>	420

Removing the category for an Elastomeric Adhesive from Rule 1106 helps clarify the rule as the applicability includes coatings and their associated solvents, but not adhesives. Rule 1168 includes several categories of sealants and adhesives for marine applications including Top and Trim Adhesives, Marine Deck Sealants and Marine Deck Sealant Primers. Products that formerly fell under the Elastomeric Adhesive category will have to comply with a lower VOC limit. Staff has identified Elastomeric Adhesives that comply with the Rule 1168 VOC limit. In addition, Rule 1168 includes a low-use exemption for facilities that use 55 gallons or less that could assist a facility using a Marine Elastomeric Adhesive that does not comply with the Rule 1168 VOC limit. Staff is not aware of any end user or Marine Elastomeric Adhesive manufacturer that will be impacted by this change and is not anticipating any VOC reduction.

The VOC limit for Metallic Heat Resistant Coatings will also be lower than the current limit. In this case, the VOC limit will be aligned with the U.S. EPA Marine Coatings CTG. The South Coast AQMD is in extreme non-attainment for ozone and VOC emissions are a precursor for ozone formation; therefore, VOC limits should never exceed the federal standards. Exception can be allowed for niche products that serve a very specific need provided there have very low sales volumes. In the case of Metallic Heat Resistant Coatings, staff identified coatings that comply with the 420 g/L VOC limit and has not identified a need for a higher VOC coating category. Staff is not aware of any end user or Metallic Heat Resistant Coating manufacturer that will be impacted by this VOC limit change and is not anticipating any VOC reductions.

*Remove Definition for Energy Curable Coatings in paragraph (c)(9)*

Paragraph (c)(9) defines Energy Curable Coatings and includes a reference to ASTM D7767. The term “Energy Curable Coatings” is only used in the portion of the paragraph (i)(1) exemption that staff is also proposing to delete. Staff is proposing to delete the definition as the term is not used anywhere else in the rule.

(c) *Definitions*

~~(9) *ENERGY CURABLE COATINGS are single-component reactive products that cure upon exposure to visible light, ultra-violet light or to an electron beam. The VOC content of thin film Energy Curable Marine and Pleasure Craft Coatings may be determined by manufacturers using ASTM Test Method 7767-11 “Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them”.*~~

*Revise Exemption Provision Related to Energy Curable Coatings in paragraph (i)(1)*

Paragraph (i)(1) provides an exemption for coatings containing 50 g/L VOC or less. Staff is proposing the following revision to remove the reference to ASTM D7767.

(i) *Exemptions*

*With the exception of paragraphs (d)(6) and (d)(7), the provisions of this rule shall not apply to:*

- (1) *Marine or pleasure craft coatings that have a VOC content of 50 g/L or less, or its equivalent, less water and exempt compounds, as applied; ~~provided that for energy curable coatings, product formulation data and test results, determined by ASTM D7767-11, shall first be submitted to the Executive Officer by the manufacturer.~~*

*Remove Definition for Elastomeric Adhesive in paragraph (c)(8)*

Paragraph (c)(8) defines Elastomeric Adhesives. Staff is proposing to delete the definition based on the U.S. EPA recommendation.

(c) *Definitions*

- ~~(8) *ELASTOMERIC ADHESIVE is any adhesive containing natural or synthetic rubber.*~~

*Remove Definition for Metallic Heat Resistant Coating in paragraph (c)(25)*

Paragraph (c)(25) defines Metallic Heat Resistant Coatings. Staff is proposing to delete the definition based on the U.S. EPA recommendation.

(c) *Definitions*

- ~~(25) *METALLIC HEAT RESISTANT COATING is any coating that contains more than 5 grams of metal particles per liter of coating as applied and must withstand temperatures over 80 °C (176 °F).*~~

*Revise Table of Standards I in paragraph (d)(1)*

Paragraph (d)(1) provides a table of standards for marine coating category VOC limits. Staff is proposing the following revisions based on the U.S. EPA recommendation.

(d) *Requirements*

(1) *VOC Content of Marine Coatings*

*Except as otherwise provided in this rule, a person shall not apply a marine coating within the South Coast AQMD jurisdiction with a VOC content in excess of the following limits shown in the Table of Standards I that are expressed as grams of VOC per liter of coating, as applied, less water and exempt solvents:*

TABLE OF STANDARDS I

MARINE COATING CATEGORY	VOC LIMITS Less water and exempt compounds Grams per Liter (g/L)	
	BAKED	AIR DRIED
	CURRENT LIMIT	CURRENT LIMIT
Antenna Coating		340
Antifoulant Coatings:		
Aluminum Substrates		560
Other Substrates		400
<del>Elastomeric Adhesives (with 15%, by Weight, Natural or Synthetic Rubber)</del>		<del>730</del>
Inorganic Zinc Coating		340
Low Activation Interior Coating		420
Mist Coating		610
Navigational Aids Coating		340
Nonskid Coating		340
Organic Zinc Coating		340
Pre-Treatment Wash Primer	420	420
Repair and Maintenance Thermoplastic Coating		340
Sealant for Wire-Sprayed Aluminum		610
Special Marking Coating		420
Specialty Coatings:		
Heat Resistant Coating	360	420
<del>    Metallic Heat Resistant Coating</del>		<del>530</del>
High Temperature Coating		500
Tack Coating		610
Topcoats:		
Extreme High-Gloss Coating	420	490
High Gloss Coating	275	340
Undersea Weapons Systems Coating	275	340
Any Other Coating Type	275	340

### Proposed Amendments to Rule 1107

PAR 1107 will remove the references to the ASTM test method D7767 by removing the definition for Energy Curable Coatings and subparagraph (e)(1)(C) for thin film energy curable coating VOC content determinization. The revisions will not impact other provisions of the rule.

#### *Remove Definition for Energy Curable Coatings in paragraph (b)(15)*

Paragraph (b)(15) defines Energy Curable Coatings and includes a reference to ASTM D7767. The term “Energy Curable Coatings” is only used in subparagraph (e)(1)(C), which staff is also proposing to delete. Staff is proposing to delete the definition as the term is not utilized anywhere else in the rule.



(b) *Definitions*

~~(15) *ENERGY CURABLE COATINGS are single-component reactive products that cure upon exposure to visible-light, ultra-violet light, or an electron beam. The VOC content of thin film energy curable coatings may be measured by manufacturers using ASTM D7767-11 (2018) — Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.*~~

*Remove subparagraph (e)(1)(C)*

Staff is proposing to delete subparagraph (e)(1)(C) which references ASTM D7767 for thin film energy curable coating VOC content determinization.

(e) *Methods of Analysis*

*All applicable methods of analysis shall be as cited in paragraphs (e)(1) through (e)(6), or any other applicable method approved in writing by the Executive Officer, United States Environmental Protection Agency (U.S. EPA), and the California Air Resources Board (CARB).*

(1) *Determination of VOC Content*

~~(C) *Thin Film Energy Curable Coatings*~~

~~*The VOC content of thin film energy curable coatings may be measured by manufacturers using ASTM D7767-11 (2018) — Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers, and Blends and Thin Coatings Made from Them.*~~

## **EXPECTED EMISSIONS REDUCTIONS**

Proposed Amended Rules 1106 and 1107 are not anticipated to result in emission reductions. Subjecting the Rule 1106 Elastomeric Adhesives and Metallic Heat Resistant Coating categories to other appropriate categories in Rule 1168 and Rule 1106, respectively, should not change the emission profile. There are products in the market that can meet the lower limits proposed and facilities can use higher-VOC adhesives pursuant to the Rule 1168 55-Gallon exemption in paragraph (e)(6).

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 1106 and PAR 1107) 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 if the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

**SOCIOECONOMIC ANALYSIS**

The proposed amendments are administrative in nature and are not expected to have socioeconomic impacts. Staff is not aware of any end user, Marine Elastomeric Adhesive manufacturer, or Metallic Heat Resistant Coating manufacturer that will be impacted by this change and is not anticipating any VOC reduction.

**DRAFT FINDINGS UNDER THE HEALTH AND SAFETY CODE 40727**

Before adopting, amending, or repealing a rule, the Health and Safety Code requires South Coast AQMD to adopt written findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined in Health and Safety Code Section 40727. The draft findings are as follows:

**Necessity** – PAR 1106 and PAR 1107 are necessary to: 1) satisfy the requirements of CAA, and 2) address U.S. EPA proposed SIP disapproval in a timely manner to avoid possible sanctions by the federal government and other consequences under CAA.

**Authority** – The South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 41508, and 41700.

**Clarity** – The South Coast AQMD Governing Board has determined that PAR 1106 and PAR 1107 are written and displayed so that the meaning can be easily understood by persons directly affected by them.

**Consistency** – The South Coast AQMD Governing Board has determined that PAR 1106 and PAR 1107 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

**Non-Duplication** – The South Coast AQMD Governing Board has determined that PAR 1106 and PAR 1107 do not impose the same requirement as any existing state or federal regulation, and the proposed amendments are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

**Reference** – In adopting this regulation, the South Coast AQMD Governing Board references the following statutes, which the South Coast AQMD hereby implements, interprets, enforces, or makes specific: Health and Safety Code Section 40440.

**COMPARATIVE ANALYSIS**

Health and Safety Code Section 40727.2(g) is not applicable to PAR 1107 because the proposed amended rule does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore, a comparative analysis is not required. PAR 1106 will impose more stringent emission standards for Metallic Heat Resistant Coating and Elastomeric Adhesives; therefore, staff conducted the following comparative analysis pursuant to California Health and Safety Code Section 40727.2 (g).

PAR1106 is not in conflict with the current National Emission Standards for Hazardous Air Pollutants (NESHAP) for Shipbuilding and Ship Repair Operations (Surface Coating), 40 CFR Part 63, dated June 18, 1996, or the current U.S. EPA Marine Coating CTG, dated August 27, 1996. PAR 1106 will remove the category for Metallic Heat Resistant Coatings, which has a VOC



limit of 530 g/L, and subject those coatings to the Heat Resistant Coating VOC limit of 420 g/L to be consistent with U.S. EPA Marine Coatings CTG. PAR 1106 will remove the category for Elastomeric Adhesives, which has a VOC limit of 730 g/L, and those adhesives will be subject to the Rule 1168 category for All Other Adhesives with a VOC limit of 250 g/L because the U.S. EPA Marine Coatings CTG does not include a category for Elastomeric Adhesives.

The NESHAP for Shipbuilding and Ship Repair Operations (Surface Coating) sets forth Hazardous Air Pollutants (“HAP”) emission limits for major source facilities that apply coatings used in volumes of 200 liters (52.8 gallons) or more. Affected sources under this NESHAP are Shipbuilding and Ship Repair Operations (Surface Coating) that are major sources under federal law or are coating operations located within the confines of a federal major source.

U.S. EPA Marine Coating CTG is intended to provide state and local air pollution authorities’ information to assist them in determining RACT for VOCs for Shipbuilding and Ship Repair Operations (Surface Coating).

The proposed amendments to Rule 1106 are not expected to reduce or increase VOC emissions. Current Rule 1106 and Proposed Amended Rule 1106 do not regulate Hazardous Air Pollutants (HAP) emissions directly; therefore, the existing as well as the proposed VOC limits of Rule 1106 are not in conflict with federal regulations.

Table 2 has been prepared to show comparisons between South Coast AQMD Proposed Amended Rule 1106, the U.S. EPA CTG, and the NESHAP regulation.

**Table 2. Comparative Analysis**

Category	South Coast AQMD PAR 1106 – Marine and Pleasure Craft Coatings	1996 U.S. EPA Marine Coating CTG	U.S. EPA NESHAP 40 CFR Part 63 – NESHAP for HAP for Shipbuilding and Ship Repair Operations (Surface Coating)
Purpose	Reduces emissions of VOCs from Marine & Pleasure Craft Coatings.	Provides state and local air pollution authorities' information to assist them in determining RACT, to control VOCs from surface coating operations in the shipbuilding and ship repair industry.	Establishes National Emission Standards for Hazardous Air Pollutants for shipbuilding and ship repair (surface coating) facilities.
Applicability	Applies to local Marine and Pleasure Craft Coatings.	Applies to facilities that perform surface coating operations in the shipbuilding and ship repair industry. Does not include pleasure craft coating operations.	Applies to shipbuilding and ship repair (surface coating) operations at any facility that is a major source. Does not include pleasure craft coating operations.
Averaging Provisions	None.	None.	None.
Units	Mass/Volume: Grams/Liter (less water and exempt compounds).	Mass/Volume: Grams/Liter (minus water and exempt compounds).	Mass/Volume: Grams/Liter (minus water and exempt compounds).
Requirements	VOC Limits for Marine Coatings: Antenna Coating: 340 Antifoulant Coatings: Aluminum Substrates: 560 Other Substrates: 400 Inorganic Zinc Coating: 340 Low Activation Interior Coating: 420 Mist Coating: 610 Navigational Aids Coating: 340 Nonskid Coating: 340 Organic Zinc Coating: 340 Pre-Treatment Wash Primer: 420	VOC Limits for Marine Coatings: General use: 340 Specialty Air flask: 340 Antenna: 530 Antifoulant: 400 Heat resistant: 420 High-gloss: 420 High-temperature: 500 Inorganic zinc high-build: 340 Military exterior: 340 Mist: 610 Navigational aids: 550	VOC Limits for Marine Coatings: General use: 340 Specialty Air flask: 340 Antenna: 530 Antifoulant: 400 Heat resistant: 420 High-gloss: 420 High-temperature: 500 Inorganic zinc high-build: 340 Military exterior: 340 Mist: 610

Category	South Coast AQMD PAR 1106 – Marine and Pleasure Craft Coatings	1996 U.S. EPA Marine Coating CTG	U.S. EPA NESHAP 40 CFR Part 63 – NESHAP for HAP for Shipbuilding and Ship Repair Operations (Surface Coating)
	Repair and Maint. Thermoplastic Coating: 340 Sealant for Wire-Sprayed Aluminum: 610 Special Marking Coating: 420 Specialty Coatings: Heat Resistant Coating: 360 (baked), 420 (air dried) High Temperature Coating: 500 Tack Coating: 610 Topcoats: Extreme High-Gloss Coating: 420 (baked), 490 (air dried) High Gloss Coating: 275 (baked), 340 (air dried) Undersea Weapons Systems Coating: 275 (baked), 340 (air dried) Any Other Coating Type: 275 (baked), 340 (air dried)	Nonskid: 340 Nuclear: 420 Organic zinc: 360 Pretreatment wash primer: 780 Repair and maint. of thermoplastics: 550 Rubber camouflage: 340 Sealant for thermal spray aluminum: 610 Special marking: 490 Specialty interior: 340 Tack coat: 610 Undersea weapons systems: 340 Weld-through precon. primer: 650	Navigational aids: 550 Nonskid: 340 Nuclear: 420 Organic zinc: 360 Pretreatment wash primer: 780 Repair and maint. of thermoplastics: 550 Rubber camouflage: 340 Sealant for thermal spray aluminum: 610 Special marking: 490 Specialty interior: 340 Tack coat: 610 Undersea weapons systems: 340 Weld-through precon. primer: 650
Operating Parameters	Has HVLP type transfer efficiency requirements for coating application equipment.	No HVLP type transfer efficiency requirements for application equipment.	Does not include the use of HVLP type transfer efficiency for application equipment.
Method to Determine VOC	U.S. EPA Method 24, or South Coast AQMD Method 304, or South Coast AQMD Method 313.	Does not mention U.S. EPA Methods for determining VOC.	U.S. EPA Method 24 of 40 CFR part 60, appendix A.
Capture Efficiency	None.	Does not mention U.S. EPA Methods for capture efficiency.	Does not mention U.S. EPA Methods for capture efficiency.

Category	South Coast AQMD PAR 1106 – Marine and Pleasure Craft Coatings	1996 U.S. EPA Marine Coating CTG	U.S. EPA NESHAP 40 CFR Part 63 – NESHAP for HAP for Shipbuilding and Ship Repair Operations (Surface Coating)
Control Device Efficiency	None.	Does not mention U.S. EPA Methods for control device efficiency.	Does not mention U.S. EPA Methods for control device efficiency.
Work Practices	Defers to Rule 1171 for storage and disposal of VOC containing materials.	Does not contain any work practices recommendations.	VOC containing containers to be kept closed when not in use. Minimize spills of VOC containing materials.
Monitoring	None.	None.	None.
Reporting	None.	No mention for reporting.	No mention for reporting.
Recordkeeping	Defers recordkeeping to Rule 109.	No mention for recordkeeping.	Comprehensive records required annually to support compliance.
Other Elements	Prohibition of possession, specification and sale for non-compliant marine and pleasure craft coatings.	No mention of a prohibition of sale requirement.	No mention of a prohibition of sale requirement.
	Offers five exemptions: Marine or pleasure craft coatings with 50 g/L VOC or less, marine coatings applied to interior surfaces of potable water containers, touch-up coatings, aerosol coating products, marine coatings used on vessels intended to be submerged at least 500 feet below the water surface.	No transfer efficiency requirements in the CTG.	Offers two exemptions: annual usage of less than 200 liters for an individual coating and aerosol containers.

**COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6 requires a cost-effectiveness analysis when establishing BARCT requirements. PAR 1106 and 1107 do not establish or impose any BARCT requirements; therefore, a cost effectiveness analysis was not conducted. The proposed amendments are administrative in nature and are not expected to have socioeconomic impacts.

**INCREMENTAL COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6(a)(3) states that an incremental cost-effectiveness assessment should be performed on identified potential control options that meet air quality objectives. PAR 1106 and PAR 1107 are not establishing or imposing any BARCT requirements that require control options; therefore, an incremental cost effectiveness analysis was not conducted.

**APPENDIX A: RESPONSE TO PUBLIC COMMENTS**

South Coast AQMD held a Public Consultation on November 9, 2022, via Zoom video conference. Comments were received during the Public Consultation Meeting. One comment letter was received after the comment period that ended on November 23, 2022.

The following responses summarize the key comments received during the Public Consultation:

**Comment 1:** Clarification for the timeline for U.S. EPA to finalize the disapproval.

**Response 1:** U.S. EPA has not indicated a timeline for finalizing the disapproval; however, once the disapproval is finalized, South Coast AQMD will face the possibility of sanctions by the federal government and other consequences under the CAA if the identified rule deficiencies are not corrected and approved by U.S. EPA. Offset sanctions would be triggered 18 months after the effective date of a final disapproval and highway funding sanctions would be triggered six months after the offset sanctions are imposed. CAA would also require U.S. EPA to promulgate a Federal Implementation Plan within 24 months of the disapproval effective date. Sanctions will not be imposed if U.S. EPA determines that a subsequent SIP submission corrects the deficiencies before the applicable deadline.

**Comment 2:** Clarification for the implication of removing Elastomeric Adhesives from Rule 1106 per U.S. EPA recommendation.

**Response 2:** Elastomeric Adhesives should be subject to Rule 1168 – Adhesive and Sealant Applications under the category All Other Adhesives. Rule 1168 includes several categories of sealants and adhesives for marine applications including Top and Trim Adhesives, Marine Deck Sealants and Marine Deck Sealant Primers. Products that formerly fell under the Elastomeric Adhesive category will have to comply with a lower VOC limit; however, Rule 1168 includes a low-use exemption for facilities that use 55 gallons or less that could assist a facility using a Marine Elastomeric Adhesive that does not comply with the Rule 1168 VOC limit.

**Comment Letter #1:**

November 29<sup>th</sup>, 2022

Ms. Heather Farr  
South Coast Air Quality Management District  
[hfarr@aqmd.gov](mailto:hfarr@aqmd.gov)

Re: Public Comments Marine Coatings (Rule 1106) and Metal Coatings (Rule 1107)--OPPOSE

Dear Ms. Farr:

RadTech International is the premier trade association in North America for Ultraviolet/Electron Beam/Light Emitting Diode (UV/EB/LED) technology. We speak on behalf of our over 800 members who are involved in a myriad of industry sectors ranging from printing and packaging to nail polish. UV/EB processes are all electric, eliminating the need for add-on control devices thereby preventing emissions of criteria pollutants (Nitrogen Oxides) and Greenhouse Gases. The materials are not formulated with conventional solvents and therefore the emissions of Volatile Organic Contaminants (VOCs) are negligible. The very low VOC content of these materials has rendered the traditional VOC test method (EPA Method 24) unsuitable as the VOC content is within the error margin of the test (plus or minus 20 grams/liter). Unfortunately, we cannot support the staff proposal for Rules 1106 and 1107.

Rule 1106 (c)(9) & Rule 1107 (b)(15)—Deletion of Definition of Energy Curable Materials

The staff contends that the definition of energy curable materials is being removed to avoid disapproval by the EPA. This decision is premature because the EPA has not issued a disapproval but rather has asked for public comments on a proposed disapproval. Our association and member companies submitted formal comments to EPA on this matter and we are hopeful that we can reach a mutually acceptable solution. Thus, the staff proposal is throwing the cart before the horse by assuming that the EPA will not heed our public comments. Deleting a definition of energy curable materials will be detrimental to the industry. It will bring uncertainty because the rule is silent on including these products as potential compliance options. In contrast, competing technologies enjoy detailed definitions. This approach is inequitable and puts energy curable technology at a competitive disadvantage.



Staff has acknowledged (Rule 1168 Test Method Guidance document; Page 4) that:

“...at this time, there is no method that can be used for enforcement purposes.”

The Guidance document also refers to ASTM D7767-11 “as a tool for manufacturers to determine the VOC content of thin film energy curable products” Our industry developed ASTM D7767-11 because both the EPA and the district told us they had no way of measuring the VOC content from our materials as it was too low to measure. Neither the EPA or the district have provided any other alternatives to the test method and thus, eliminating it as an option puts our members at risk of penalties and fines by regulators, including by the district. The EPA has long recognized our industry as pollution prevention dating back to 1997 when the EPA Administrator testified to a Congressional committee. Our materials meet EPA’s Lowest Achievable Emission Rate and the district’s Best Available Control Technology. Our industry is strongly opposed to the proposal because it is unfair to take away the agreed upon test method and leave us in regulatory limbo.

The EPA approved the method in 2015 as part of the Graphic Arts rule so we do not understand the draconian proposal to reverse course without proposing an alternative or articulating any reason why the method is not suitable. We would hope that the district joins arms with our industry to gain EPA approval of the method rather than prematurely concluding that the EPA will not heed the public comments submitted objecting to the proposed disapproval. UV/EB/LED processes can provide additional emission reductions but putting a hurdle in our path will be detrimental to our Southern California businesses and impede voluntary emission reductions above and beyond those mandates by district rules.

The District should retain the definition of Energy Curable materials. The EPA has never questioned the definition of energy curable materials itself and limited the issue to the test method. By eliminating the definition altogether, the district is going far beyond what EPA is suggesting.

We request that:

- 1) The rule adoption be delayed to allow EPA review of our comments
- 2) Staff join our efforts to obtain EPA approval of ASTM D7767-11 from EPA

Sincerely,

Rita M. Loof

Director, Environmental Affairs



**Response to Comment Letter #1:**

Staff appreciates the participation of RadTech International in the rule development process.

South Coast AQMD staff agrees that EPA Method 24 is not an appropriate method for thin film UV/EB/LED materials, which are applied at such a thin film the weight of the materials cannot be accurately measured.

Staff proposes to remove the definition for Energy Curable Coatings in PAR 1106 and PAR 1107 to remove the reference to test method ASTM D7767. Removing the definition does not impose an impact to the rule compliance of this coating type under PAR 1106 and PAR 1107. Energy Curable Coatings are not listed as a coating category in the Table of Standards in either rule. The VOC limits are dependent on the type of coating or the type of substrate to which they are applied, e.g., topcoats, primer, wood coatings, and sometimes on the curing mechanism of the coatings, e.g., air-dried coatings, or baked coatings in Rule 1107. Neither rule contains VOC limits that are specific to Energy Curable Coatings. Once the reference to Energy Curable Coatings is removed from the Exemption subdivision of Rule 1106 and the Methods of Analysis subdivision in Rule 1107, the term “Energy Curable Coatings” will not appear in either rule. To avoid confusion, staff has a policy not to include defined terms that are not used anywhere in the rule language. Staff believes removing the definition will provide clarity.

Staff is proposing to remove the reference to the test method because U.S. EPA proposed a limited SIP disapproval for Rule 1106 and Rule 1107 on August 22, 2022. U.S. EPA had originally proposed approving the rules, but issued the proposed limited disapproval on the basis that it had recently been brought to their attention that the rules referenced ~~The limited disapproval cited the deficiency of referencing~~ ASTM D7767. That method which is not a U.S. EPA-approved test method and cannot be used to enforce a SIP approved rule. ~~The main concern was the inclusion of ASTM D7767 in Rules 1106 and 1107.~~

South Coast AQMD Laboratory staff met with ASTM D7767 developer (3M, Minneapolis, MN) and confirmed that this method is not applicable for compliance verification purposes. Nevertheless, staff had included a reference to this test method in Rule 1106 based on a request to do so by the commenter. Staff further officially requested that U.S. EPA provide guidance regarding appropriate test methods for UV/EB/LED products. While U.S. EPA originally proposed to approve Rule 1106, they have subsequently proposed a limited disapproval of the rule as it has now been brought to their attention that ASTM D7767 is not a U.S. EPA-approved test method. Staff discussed this issue with U.S. EPA regarding the proposed disapproval and shares U.S. EPA’s concerns about the enforceability of this test method. While the commenter notes that U.S. EPA previously issued a final approval for a rule containing a reference to ASTM D7767 in 2015 (Graphic Arts rule), this is not equivalent to U.S. EPA approval of the method, and instead appears to be the case that U.S. EPA failed to realize that the rule contained a reference to method that was not EPA-approved. Given this context it is likely that U.S. EPA will proceed with finalizing the limited disapproval unless the reference to ASTM D7767 is removed.

South Coast AQMD relies on laboratory testing of the fully formulated product collected in the field to determine if a product complies with VOC limits. The South Coast AQMD Laboratory cannot independently perform ASTM D7767 and have the confidence that the results accurately reflect the composition of a sample collected in the field. If South Coast AQMD compliance staff

collected a sample of a thin-film energy curable product, the manufacturer would need to supply the raw materials and a photo-initiator for South Coast AQMD Laboratory staff to perform the method. ASTM D7767 offers no ability to confirm that the components supplied by the manufacturer are the actual constituents of the product collected in the field.

South Coast AQMD staff have expressed concern over the years that Method D7767 does not measure VOC content with sufficient accuracy to be used for compliance purposes. Further, the method does not directly measure the VOC content of fully formulated materials as they are used, and only measures the VOC content of the reactive components, which is not suitable for enforcement purposes.

When there is no appropriate test method, South Coast AQMD relies on the manufacturer's formulation data to confirm the VOC content of Regulated Products. For UV/EB/LED products such as Energy Curable Thin Film products, formulation data can be used to determine VOC content for the purposes of demonstrating compliance with a VOC limit or demonstrating the material qualifies for the low-VOC exemption. Manufacturers can, and often do, rely on the formulation data to calculate the VOC of their products. Using formulation data to calculate the VOC content of products is an easier and less expensive approach for manufacturers to determine if their products will comply with rule limits. Staff does not anticipate any adverse impact to the UV/EB/LED industry based on this proposed change to Rules 1106 and 1107.

Staff is proposing these amendments now, even though U.S. EPA partial disapproval has not been finalized, due to the severity of the potential sanctions if the deficiency is not corrected and approved, and the likelihood that U.S. EPA will proceed with a final disapproval. If U.S. EPA issues a final SIP disapproval, South Coast AQMD faces the possibility of sanctions by the federal government and other consequences under the federal CAA. Offset sanctions would be triggered 18 months after the effective date of a final disapproval, and the highway funding sanction would be triggered six months after the offset sanction is imposed. Staff proposes to simultaneously amend both rules to address the deficiency for the disapproval and incorporate U.S. EPA comments. In the case that U.S. EPA does approve the test method at some point in the future, the rules can be revisited.

## ATTACHMENT I



# South Coast Air Quality Management District

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 1106 – MARINE AND PLEASURE CRAFT COATINGS, AND PROPOSED AMENDED RULE 1107 – COATING OF METAL PARTS AND PRODUCTS**

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 filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research for posting 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-2023>.

**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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<b>To:</b> County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research – State Clearinghouse	<b>From:</b> South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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**Project Title:** Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings, and Proposed Amended Rule 1107 – Coating of Metal Parts and Products

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:** Proposed Amended Rule 1106 (PAR 1106) and Proposed Amended Rule 1107 (PAR 1107) have been developed to address the United States Environmental Protection Agency (U.S. EPA) proposed limited disapproval of the State Implementation Plan (SIP) for Rules 1106 and 1107 citing a deficiency from referencing ASTM International D7767-11 "Standard Test Method to Measure Volatiles from Radiation Curable Acrylate Monomers, Oligomers and Blends and Thin Coatings Made from Them" (ASTM D7767). To remedy this issue, PAR 1106 will remove the references to ASTM D7767 by deleting the definition of Energy Curable Coatings and removing the reference to this test method in the low-VOC coating exemption in paragraph (i)(1). PAR 1106 will also delete two product categories and their corresponding VOC limits, Elastomeric Adhesives and Metallic Heat Resistant Coating, because they are not included in the U.S. EPA 1996 Control Techniques Guidelines. PAR 1107 will remove the references to ASTM D7767 by deleting the definition of Energy Curable Coatings and removing the reference to this test method in the Methods of Analysis: Determination of VOC Content: Thin Film Energy Curable Coatings subparagraph (e)(1)(C), which includes the test method used to determine the VOC content of regulated coatings. The benefits of the proposed project provide clarifications which will remedy the SIP deficiency and improve the enforceability of both rules. Implementation of the proposed project will not result in emission reductions.

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**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

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**Reasons why project is exempt:** South Coast AQMD, as Lead Agency, has reviewed the proposed project (PAR 1106 and PAR 1107) 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 proposed project is comprised of administrative clarifications without requiring physical modifications, it can be seen with certainty that implementing the proposed project would not cause 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.

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**Date When Project Will Be Considered for Approval (subject to change):**  
South Coast AQMD Governing Board Public Hearing: January 6, 2023

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<b>CEQA Contact Person:</b> Sina Taghvaei, Ph.D.	<b>Phone Number:</b> (909) 396-2192	<b>Email:</b> <a href="mailto:staghvaei@aqmd.gov">staghvaei@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
<b>Rules Contact Person:</b> Emily Yen	<b>Phone Number:</b> (909) 396-3206	<b>Email:</b> <a href="mailto:EYen@aqmd.gov">EYen@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982

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**Date Received for Filing:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

*(Signed and Dated Upon Board Approval)*

Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Implementation



# **Proposed Amended Rule 1106 – Marine and Pleasure Craft Coatings**

# **Proposed Amended Rule 1107 – Coating of Metal Parts and Products**

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**Board Meeting**

**January 6, 2023**

**Attachment J**





# Background

Rule 1106 was adopted in 1988, last amended in 2019

- Applies to marine and pleasure craft coatings

Rule 1107 was adopted in 1979, last amended in 2020

- Applies to metal coating operations

Proposed Amended Rules 1106 and 1107

- Addresses U.S. EPA's proposed limited disapproval of rules

Public Process

- Internal meetings, meeting with U.S. EPA
- Public Consultation on November 9, 2022
- Stationary Source Committee on November 18, 2022

# U.S. EPA Proposed Disapproval

On August 22, 2022, U.S. EPA proposed a limited SIP disapproval for Rules 1106 & 1107, citing the deficiency of referencing ASTM D7767

U.S. EPA also recommends removing two product categories from Rule 1106 as they are not listed in the 1996 Marine Coatings Control Technology Guidelines (CTG)

- Elastomeric Adhesives
- Metallic Heat Resistant Coating

Regulated products that were subject to those categories will be subject to other appropriate categories

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2022-0373; FRL-9765-01-R9]

### Air Plan Revisions; California; South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; partial withdrawal of proposed rule; withdrawal of proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing a limited approval and limited disapproval of two revised rules and an approval of a rule rescission to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) from marine and pleasure craft coating operations and the coating of metals. The EPA previously proposed to fully approve these SIP revisions on the grounds that they satisfied the relevant requirements under the Clean Air Act (CAA or the Act). After the comment periods, the EPA identified a deficiency in the submittals that warrants a limited disapproval. Therefore, we are withdrawing our previously proposed approvals of these SIP revisions as they

A person wearing a white protective suit and a respirator mask is using a spray gun to apply a substance to a dark, textured surface. The background is dark and industrial.

# ASTM D7767

UV/EB/LED industry requested inclusion of ASTM D7767 in most VOC rules

- Several rule amendments included ASTM D7767
- U.S. EPA approved a rule which references method in definition only

Per Board's request in 2022, staff submitted a letter to U.S. EPA directly inquiring if the test method could be approved

On August 22, 2022, U.S. EPA issued a limited disapproval of Rules 1106 and 1107, citing the inclusion of ASTM D7767

- ASTM D7767 is not a U.S. EPA-approved test method
- Cannot be used to enforce a SIP-approved rule

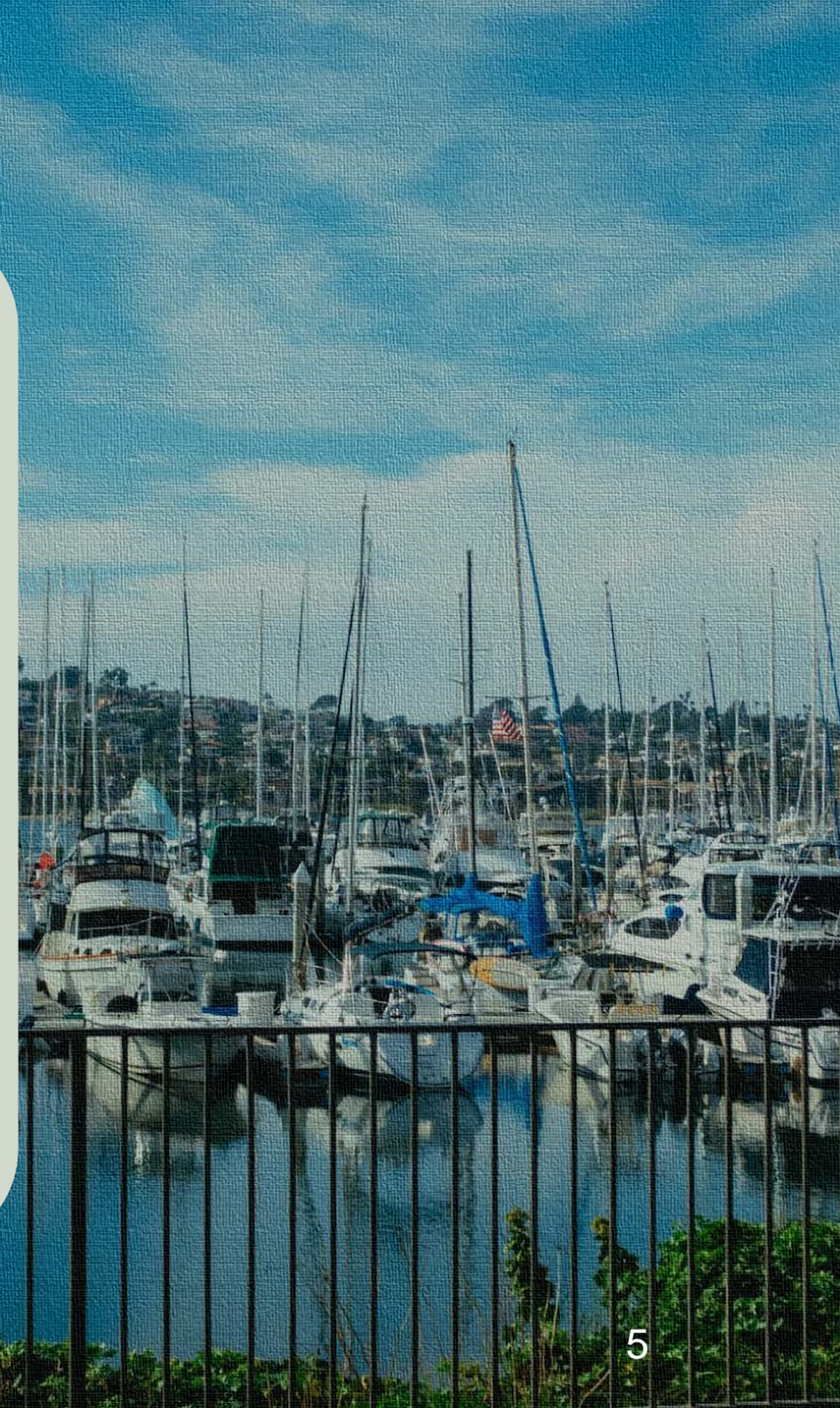


# Proposed Amended Rules 1106 and 1107

Remove definition of Energy Curable Coatings which references ASTM D7767

Remove ASTM D7767 from:

- Low-VOC Exemption in Rule 1106
- Methods of Analysis in Rule 1107



# PAR 1106 – Remove Two Product Categories

- Two product categories will be removed to align with U.S. EPA CTG and will be subject to the following:

“Elastomeric Adhesives”



Rule 1168 - Adhesive and Sealant Applications,  
"All Other Adhesives," VOC limit of 250 g/L

“Metallic Heat Resistant  
Coating”



Rule 1106, “Heat Resistant Coating,”  
VOC limit of 420 g/L

- Internet search with manufacturer confirmation demonstrates there are Elastomeric Adhesive and Metallic Heat Resistant Coating products that comply with the lower limits
- Rule 1168 includes low-use exemption for facilities that use 55 gallons or less





# Key Remaining Issue

## Concern:

- Impact to UV/EB/LED industry by removing ASTM D7767 test method reference

## Staff response:

- Manufacturers can, and often do, rely on formulation data to calculate the VOC of regulated products
- Using formulation data to calculate the VOC of products is an easier and less expensive approach for manufacturers to determine if their products will comply with rule limits
- Staff is not aware of any manufacturer using this method

# Staff Recommendations

## Adopt Resolution:

- Determining that PAR 1106 and 1107 are exempt from the requirements of the California Environmental Quality Act; and
- Amending Rule 1106 and Rule 1107



[↑ Back to Agenda](#)

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 18

**PROPOSAL:** Determine That Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares is Exempt from CEQA; and Amend Rule 1118

**SYNOPSIS:** Rule 1118 establishes requirements to monitor and record data on refinery and related flaring operations, and to control and minimize flaring and flare-related emissions. On September 21, 2022, U.S. EPA issued a limited SIP disapproval of the July 2017 amended rule. Proposed Amended Rule 1118 will address the disapproval by modifying an existing provision, so that ASTM standards not currently listed in the rule must be approved by CARB and U.S. EPA, along with approval by the Executive Officer.

**COMMITTEE:** Stationary Source, November 18, 2022, Reviewed

**RECOMMENDED ACTIONS:**

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares, is exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 1118.

Wayne Natri  
Executive Officer

SR:MK:HF:SK:ZB

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**Background**

Rule 1118 – Control of Emissions from Refinery Flares (Rule 1118) was adopted on February 13, 1998, with the purpose of monitoring, recording, and reporting data on refinery and related flaring operations. Rule 1118 has been amended twice, most recently on July 7, 2017, which was the first phase of a two-phase amendment intended to minimize flaring and flare-related emissions. The second phase of the rule

development to further reduce refinery flaring began in July 2022 and the Public Hearing is scheduled for later in 2023. This proposed rule amendment is solely to address a limited U.S. EPA SIP disapproval of Rule 1118.

Air districts, such as South Coast AQMD, which fail to attain the National Ambient Air Quality Standards (NAAQS) are required to develop and submit a State Implementation Plan (SIP) for U.S. EPA approval. SIPs consist of rules and documents that a state or local air district implements, maintains, and enforces to fulfill the requirements of the Clean Air Act (CAA) and are used to demonstrate how the region will meet NAAQS. According to CAA Section 110, documents submitted for inclusion into SIP should not include excessive Executive Officer discretion that allows approval of alternatives to the applicable SIP without following the SIP revision process. Rule 1118 paragraph (j)(1) and Attachment A paragraphs (4)(n) and (5)(n) currently provides the Executive Officer sole authority to approve ASTM International (ASTM) standards not included in the rule, which is not consistent with the requirements of CAA Section 110.

On September 21, 2022, U.S. EPA issued a final limited SIP disapproval of Rule 1118 effective on October 24, 2022, and South Coast AQMD faces the possibility of federally imposed sanctions and other consequences under CAA if the identified rule deficiency is not corrected and approved by U.S. EPA by April 24, 2024. Offset sanctions would be triggered 18 months after the effective date of a final disapproval and highway funding sanctions would be triggered six months after the offset sanctions are imposed. CAA would also require U.S. EPA to promulgate a Federal Implementation Plan within 24 months of the disapproval effective date. Sanctions will not be imposed if U.S. EPA determines that a subsequent SIP submission corrects the deficiencies before the applicable deadline.

### **Proposed Amendment**

Proposed Amended Rule 1118 (PAR 1118) will require CARB and U.S. EPA approval for any ASTM standards not currently listed in Rule 1118 to address U.S. EPA's limited SIP disapproval of Rule 1118.

### **Public Process**

PAR 1118 was developed through a public process. Staff presented PAR 1118 during a Working Group Meeting held on October 26, 2022. No comment letters were received regarding the proposed amendments.

### **Key Issues**

Staff did not receive any comments and is not aware of any key issues.

### **California Environmental Quality Act**

Pursuant to the CEQA Guidelines Sections 15002(k) and 15061, the proposed project (PAR 1118) 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, will be included as Attachment H to the Board Package. If PAR 1118 is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

### **Socioeconomic Impact Assessment**

The proposed amendments to Rule 1118 are administrative in nature and have no adverse socioeconomic impacts.

### **AQMP and Legal Mandates**

Health and Safety Code Section 40460(a) requires South Coast AQMD to adopt an AQMP to meet state and federal ambient air quality standards in the South Coast Air Basin. In addition, the Health and Safety Code requires South Coast AQMD to adopt rules and regulations that carry out the objectives of the AQMP. The proposed amendments are not the result of an AQMP control measure but are needed to address U.S. EPA's proposed limited disapproval of Rule 1118.

### **Implementation and Resource Impacts**

The amendment is administrative in nature, with no additional resource impacts to implement PAR 1118.

### **Attachments**

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 1118
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Meeting Presentation

**ATTACHMENT A**

**SUMMARY OF PROPOSAL**

Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares

PAR 1118 will include a requirement that in addition to the South Coast AQMD's Executive Officer, the California Air Resources Board (CARB) and the United States Environmental Protection Agency (U.S. EPA) must also approve ASTM standards not included in the rule.



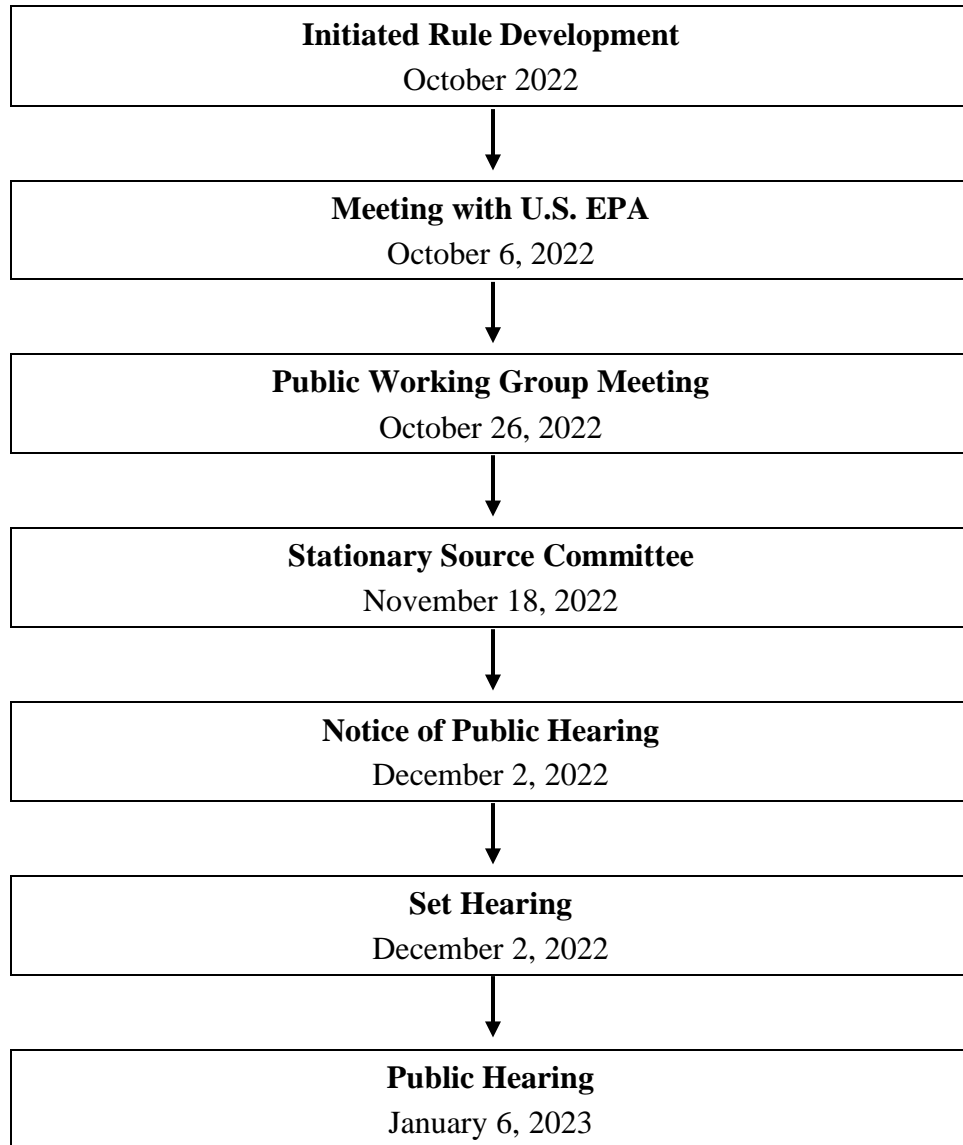
**ATTACHMENT B**  
**KEY ISSUES AND RESPONSES**

Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares
Staff did not receive any comments and is not aware of any key issues.

## **ATTACHMENT C**

### **RULE DEVELOPMENT PROCESS**

#### **Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares**



**Three (3) months spent in rule development**

**One (1) Public Working Group Meeting**

**One (1) Stationary Source Committee Meetings**

**ATTACHMENT D**  
**KEY CONTACTS LIST**

**Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares**

**Facilities**

- Air Liquide Large Industries U.S., LP
- Air Products and Chemical, Inc.
- AltAir Paramount
- Chevron Products Co.
- Marathon Petroleum Corporation
- Phillips 66 Company
- Torrance Refining Company
- Ultramar Inc.

**Associations or Entities**

- Ramboll
- Western States Petroleum Association

**Government Agencies**

- California Air Resources Board
- Southern California Association of Governments
- U.S. Environmental Protection Agency

**Other Interested Parties**

- California Council for Environmental and Economic Balance
- Coalition for Clean Air
- Communities for a Better Environment
- Earthjustice
- East Yard Communities
- Sierra Club

**ATTACHMENT E**  
**RESOLUTION NO. 23-\_\_\_\_\_**

**A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares is exempt from the requirements of the California Environmental Quality Act (CEQA).**

**A Resolution of the South Coast AQMD Governing Board amending Rule 1118 – Control of Emissions from Refinery Flares.**

**WHEREAS**, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1118 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 that 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 because the proposed expansion of the authority to approve other ASTM International (ASTM) standards to include California Air Resources Board (CARB) and United States Environmental Protection Agency (U.S. EPA) is administrative in nature and would not require physical modifications to occur, it can be seen with certainty that implementing Proposed Amended Rule 1118 would not cause 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**, Proposed Amended Rule 1118 and supporting documentation, including but not limited to, the Notice of Exemption and 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 no modifications have been made to the proposed project since notice of public hearing was published that are so substantial as to significantly affect the meaning of Proposed Amended Rule 1118 within the meaning of Health and Safety Code Section 40726 because removing the phrase “as applicable” from clauses (j)(1)(A)(i) and (j)(1)(B)(i) and Attachment A paragraphs (4)(n) and (5)(n) is to provide clarification and: (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**, 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 amend Rule 1118 to address the U.S. EPA’s partial disapproval of the State Implementation Plan citing the South Coast AQMD’s Executive Officer sole authority to approve ASTM standards not explicitly included in the rule which does not satisfy the requirements of the federal Clean Air Act Section 110; and

**WHEREAS**, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Sections 39002, 40000, 40001, 40440, 40441, 40702, and 40725 through 40728 of the Health and Safety Code; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Rule 1118, as proposed to be amended, is written or 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 Rule 1118, as proposed to be amended, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decision, or state or federal regulations; and

**WHEREAS**, the South Coast AQMD Governing Board has determined that Rule 1118, as proposed to be amended, 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 amending Rule 1118, references the following statutes which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 39002, 40001, 40702, 40440(a), 40725 through 40728.5, and federal Clean Air Act Sections 110, 172, and 182(e); and

**WHEREAS**, the South Coast AQMD Governing Board finds that Proposed Amended Rule 1118 does not significantly affect air quality or emissions limitations, and proposed amendments are administrative in nature, and therefore a socioeconomic analysis pursuant to Health and Safety Code Sections 40440.8, 40728.5, or 40920.6 is not required; and

**WHEREAS**, the South Coast AQMD staff conducted a Working Group Meeting regarding Proposed Amended Rule 1118 on October 26, 2022; and

**WHEREAS**, the Public Hearing has been properly noticed in accordance with all provisions of Health and Safety Code Sections 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 the Planning, Rule Development and Implementation Manager overseeing the rule development for Proposed Amended Rule 1118 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

**WHEREAS**, Proposed Amended Rule 1118 will be submitted to CARB and U.S. EPA for inclusion into the State Implementation Plan; 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 judgement 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 1118 as set forth in the attached, and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 1118 be submitted for inclusion in the State Implementation Plan; and

**BE IT FURTHER RESOLVED**, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1118 to CARB for approval and subsequent submittal to U.S. EPA for inclusion into the State Implementation Plan.

DATE: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE BOARDS

## ATTACHMENT F

(Adopted February 13, 1998)(Amended November 4, 2005)(Amended July 7, 2017)  
(Amended [*Date of Adoption*])

### **PROPOSED AMENDED RULE 1118. CONTROL OF EMISSIONS FROM REFINERY FLARES**

(a) Purpose and Applicability

The purpose of Rule 1118 is to monitor and record data on refinery and related flaring operations, and to control and minimize flaring and flare related emissions. The provisions of this rule are not intended to preempt any petroleum refinery, sulfur recovery plant and hydrogen production plant operations and practices with regard to safety. This rule applies to all flares used at petroleum refineries, sulfur recovery plants and hydrogen production plants.

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) CLEAN SERVICE STREAM is a gas stream such as natural gas, hydrogen gas and/or liquefied petroleum gas. Other gases with a fixed composition that inherently have a low sulfur content and are vented from specific equipment may be classified as clean service streams if determined to be equivalent and approved in writing by the Executive Officer.
- (2) EMERGENCY is a condition beyond the reasonable control of the owner or operator of a flare requiring immediate corrective action to restore normal and safe operation, which is caused by a sudden, infrequent and not reasonably preventable equipment failure, upset condition, equipment malfunction or breakdown, electrical power failure, steam failure, cooling air or water failure, instrument air failure, reflux failure, heat exchanger tube failure, loss of heat, excess heat, fire and explosion, natural disaster, act of war or terrorism or external power curtailment, excluding power curtailment due to an interruptible power service agreement from a utility. For the purpose of this rule, a flare event caused by poor maintenance, or a condition caused by operator error that results in a flare event shall not be deemed an emergency.



- (3) ESSENTIAL OPERATIONAL NEED is an activity other than resulting from poor maintenance or operator error, determined by the Executive Officer to meet one of the following:
  - (A) Temporary fuel gas system imbalance due to:
    - (i) Inability to accept gas compliant with Rule 431.1 by an electric generation unit at the facility that produces electricity to be used in a state grid system, or
    - (ii) Inability to accept gas compliant with Rule 431.1 by a third party that has a contractual gas purchase agreement with the facility, or
    - (iii) The sudden shutdown of a refinery fuel gas combustion device that is not due to an emergency or breakdown;
  - (B) Venting of streams that cannot be recovered due to incompatibility with recovery system equipment or with refinery fuel gas systems, including supplemental natural gas or other gas compliant with Rule 431.1 that is used for the purpose of maintaining the higher heating value of the vent gas above 300 British Thermal Units per standard cubic foot. Such streams include inert gases, oxygen, gases with low or high molecular weights outside the design operating range of the recovery system equipment and gases with low or high higher heating values that could render refinery fuel gas systems and/or combustion devices unsafe;
  - (C) Venting of clean service streams to a clean service flare or a general service flare.
- (4) FLARE is a combustion device that uses an open flame to burn combustible gases with combustion air provided by uncontrolled ambient air around the flame. When used as a verb means the combustion of vent gases in a flare device. Based on their use, flares are classified as:
  - (A) CLEAN SERVICE FLARE is a flare that is designed and configured by installation to combust only clean service streams.
  - (B) GENERAL SERVICE FLARE is a flare that is not a Clean Service Flare.
- (5) FLARE EVENT is any intentional or unintentional combustion of vent gas in a flare. The start is determined by the vent gas flow velocity exceeding 0.10 feet per second and the end is determined when the vent gas flow velocity drops below 0.12 feet per second, or when the owner or operator

can demonstrate that no more vent gas was combusted based upon the monitoring records of the flare water seal level and/or other parameters as approved by the Executive Officer in the Flare Monitoring and Recording Plan as described in subdivision (f). For flare events that can be attributed to the same process unit(s) or equipment and has more than one start and end within a 24 hour period, it shall be considered a continuation of the same event, and not a separate or unique event. For a flare event that continues for more than 24 hours, each calendar day of venting of gases shall constitute a flare event.

- (6) FLARE GAS RECOVERY SYSTEM is a system comprised of compressors, pumps, heat exchangers, knock-out pots and water seals, installed to prevent or minimize the combustion of vent gas in a flare.
- (7) FLARE MINIMIZATION PLAN is a document intended to meet the requirements of subdivision (e).
- (8) FLARE MONITORING SYSTEM is the monitoring and recording equipment used for the determination of flare operating parameters, including higher heating value, total sulfur concentration, combustion efficiency, standard volumetric flow rate and/or on/off flow indication.
- (9) FLARE TIP VELOCITY is the velocity of flare gases exiting a flare tip averaged over 15 minute time periods, starting at 12 midnight to 12:15 am, 12:15 am to 12:30 am, and so on, concluding at 11:45 pm to midnight, and calculated as the volumetric flow divided by the area of the flare tip.
- (10) HYDROGEN PRODUCTION PLANT is a facility that produces hydrogen by steam hydrocarbon reforming, partial oxidation of hydrocarbons, or other processes, using refinery fuel gas, process gas or natural gas, and which supplies hydrogen for petroleum refinery operations.
- (11) NATURAL GAS is a mixture of gaseous hydrocarbons, with at least 80 percent methane (by volume), and of pipeline quality, such as the gas sold or distributed by any utility company regulated by the California Public Utilities Commission.
- (12) NOTICE OF SULFUR DIOXIDE EXCEEDANCE is a notice issued by the Executive Officer to the owner or operator when the petroleum refinery has exceeded a performance target of this rule.
- (13) PETROLEUM REFINERY is a facility that processes petroleum, as defined in the North American Industry Classification System (NAICS) as Industry No. 324110, Petroleum Refineries. For the purpose of this rule, all portions

of the petroleum refining operation, including those at non-contiguous locations operating flares, shall be considered as one petroleum refinery.

- (14) PILOT is an auxiliary burner used to ignite the vent gas routed to a flare.
- (15) PLANNED FLARE EVENT is any flaring as a result from process unit(s) or equipment startup, shutdown, turnaround, maintenance, clean-up, and non-emergency flaring. Flaring from the startup of a process unit or equipment that is more than 36 hours after the end of an unplanned flare event of that same process unit shall be considered a Planned Flare Event.
- (16) PURGE GAS is a continuous gas stream introduced into a flare header, flare stack and/or flare tip for the purpose of maintaining a positive flow that prevents the formation of an explosive mixture due to ambient air ingress.
- (17) REPRESENTATIVE SAMPLE is a sample of vent gas collected from the location as approved in the Flare Monitoring and Recording Plan and analyzed utilizing test methods specified in subdivision (j).
- (18) SHUTDOWN is the procedure by which the operation of a process unit or piece of equipment is stopped due to the end of a production run, or for the purpose of performing maintenance, repair and replacement of equipment. Stoppage caused by frequent breakdown due to poor maintenance or operator error shall not be deemed a shutdown.
- (19) SMOKELESS CAPACITY is the maximum vent gas volumetric flow rate or mass flow rate that a flare is designed to operate without visible emissions.
- (20) SPECIFIC CAUSE ANALYSIS is a process used by a facility subject to this rule to investigate the cause of a flare event, identify corrective measures and prevent recurrence of a similar event.
- (21) STARTUP is the procedure by which a process unit or piece of equipment achieves normal operational status, as indicated by such parameters as temperature, pressure, feed rate and product quality.
- (22) SULFUR RECOVERY PLANT is a facility that recovers elemental sulfur or sulfur compounds from sour gases and/or sour water generated by petroleum refineries.
- (23) TURNAROUND is a planned activity involving shutdown and startup of one or several process units for the purpose of performing periodic maintenance, repair and replacement of equipment or installation of new equipment.

- (24) VENT GAS is any gas generated at a facility subject to this rule that is routed to a flare, excluding assisting air or steam, which are injected in the flare combustion zone or flare stack via separate lines.
- (25) VOLATILE ORGANIC COMPOUNDS (VOC) is as defined in Rule 102.
- (26) WEB-BASED FLARE EVENT NOTIFICATION SYSTEM is a web page that allows facilities to notify the District about flaring events and to enter information such as the time that flaring begins and ends, vent gas flow rates, and emissions.

(c) Requirements

The owner or operator of a petroleum refinery, sulfur recovery plant or hydrogen production plant subject to this rule shall:

- (1) Maintain a pilot flame present at all times a flare is operational.
- (2) Operate all flares in a smokeless manner with no visible emissions except for periods not to exceed a total of five minutes during two consecutive hours, as determined by the test method in paragraph (j)(2).
- (3) Except as specified in (c)(10), operate all general service flares at petroleum refineries such that the flare tip velocity is less than:
  - (A) 60 feet per second, or the lesser of 400 feet per second and  $V_{Max}$ , where:

$$\text{Log}_{10}(V_{Max}) = \frac{\text{Net Heating Value}_{Vent Gas} + 1,212}{850}$$

and the Net Heating Value<sub>Vent Gas</sub> in British Thermal Units per standard cubic foot is determined pursuant to monitoring required in subdivision (g).

- (4) Effective January 30, 2019, general service flares at petroleum refineries shall maintain the net heating value of the flare combustion zone gas (NHV<sub>cz</sub>) at or above 270 British Thermal Units per standard cubic feet, averaged over a 15-minute period. The owner or operator shall calculate NHV<sub>cz</sub> as specified in Title 40 of the Code of Federal Regulations Part 63 Subpart CC – National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.
- (5) Conduct an annual acoustical or temperature leak survey of all pressure relief devices connected directly to a flare and repair leaking pressure relief

devices no later than the next turnaround. The survey shall be conducted no earlier than 90 days prior to the scheduled process unit turnaround.

- (6) Conduct a Specific Cause Analysis for any flare event, excluding planned shutdown, planned startup and turnarounds, when any of the thresholds in (c)(6)(A) through (C) is exceeded. Flare events resulting from non-standard operating procedure during a planned shutdown, planned startup or turnaround, must also conduct a Specific Cause Analysis when any of the thresholds in (c)(6)(A) through (C) is exceeded.
  - (A) Emissions exceed 100 pounds of VOC; or
  - (B) Emissions exceed 500 pounds of sulfur dioxide; or
  - (C) More than 500,000 standard cubic feet of vent gas are combusted.
- (7) Effective January 30, 2019, conduct a Specific Cause Analysis for any flare event at a petroleum refinery when the smokeless capacity of the flare is exceeded and either:
  - (A) The visible emission limits in paragraph (c)(2) or Rule 401 are exceeded; or
  - (B) The flare tip velocity limits in subparagraph (c)(3)(A) is exceeded.
- (8) Submit all Specific Cause Analyses as required by paragraphs (c)(6) or (c)(7) to the Executive Officer within 30 days of the start of the flare event, identifying the cause and duration of the flare event, and any mitigation and corrective actions taken or to be taken to prevent recurrence of a similar event. The owner or operator may request that the Executive Officer grant an extension of up to 15 days to submit the Specific Cause Analysis.
- (9) All corrective actions identified in a Specific Cause Analysis required under paragraph (c)(6) or (c)(7) shall be implemented within 45 days of the flare event for which the Specific Cause Analysis was required. A corrective action identified in a Specific Cause Analysis may be implemented more than 45 days after the flare event if justified in a Specific Cause Analysis by showing the required elements in (c)(9)(A):
  - (A) An implementation schedule to complete the corrective action as soon as practicable, an explanation of the reason(s) why more than 45 days is needed to complete the corrective action, and a demonstration that the implementation schedule is the soonest practicable.

- (B) After reviewing the Specific Cause Analysis, the Executive Officer may request additional information justifying why the implementation schedule beyond 45 days is the soonest practical.
  - (C) Within 30 days of receipt of all information necessary to evaluate the Specific Cause Analysis, the Executive Officer may require a modification to the corrective action or schedule, including increments of progress, and shall notify the operator in writing with an explanation describing why the corrective action is inadequate or the schedule can be shortened.
- (10) Effective January 30, 2019, no flare event at a petroleum refinery shall occur above the smokeless capacity of the flare under the following conditions:
- (A) When the limits in clauses (c)(10)(D)(i) or (ii) are exceeded and the flare event is due to operator error or poor maintenance.
  - (B) Two times at a flare in any consecutive three year period, if the flare events exceed the limits in clauses (c)(10)(D)(i) or (ii) and a Specific Cause Analysis shows the same cause for both flare events from the same equipment.
  - (C) Three times at a flare in any consecutive three year period, if the flare events exceed the limits in clauses (c)(10)(D)(i) or (ii), and the flare events are due to any cause.
  - (D) Pursuant to subparagraphs (c)(10)(A) through (C), flare events shall not exceed:
    - (i) The visibility limits in paragraph (c)(2) or Rule 401; or
    - (ii) The velocity limits in subparagraph (c)(3)(A).
  - (E) If more than one flare exceeds the limits in (c)(10)(D)(i) or (ii) during a single event, and a Specific Cause Analysis demonstrates that the flaring events at these flares have the same root cause, then one flaring event at each flare shall be considered to have exceeded these limits.
  - (F) Notwithstanding the provisions in Rule 430 - Breakdown Provisions and Rule 2004 - Requirements, the prohibitions listed in paragraph (c)(10) of this rule shall be applicable during all periods including breakdowns, with the exception of exemptions listed in subdivision (k).

- (11) Conduct an analysis and determine the relative cause of any other flare events where more than 5,000 standard cubic feet of vent gas are combusted. When it is not feasible to determine relative cause, state the reason why it was not feasible to make the determination.
- (12) Maintain the following information and submit to the Executive Officer upon request:
  - (A) Detailed process flow diagrams of all upstream equipment and process units venting to each flare and a complete description and technical specifications for each flare system components such as flares, associated knock-out pots, surge drums, water seals and flare gas recovery systems, and an audit of the vent gas recovery capacity of each flare system, the available storage for excess vent gases and the scrubbing capacity available for vent gases, including any limitations associated with scrubbing vent gases for use as a fuel; and
  - (B) A description of the equipment, processes and procedures installed or implemented within the last five years to reduce flaring; and
  - (C) A descriptions of any equipment, processes or procedures the owner or operator plans to install or implement to eliminate or reduce flaring. The description shall specify the scheduled year of installation or implementation.
- (13) Submit to the Executive Officer 12 months after July 7, 2017 a Scoping Document that evaluates the feasibility of minimizing flaring emissions that includes the following components:
  - (A) The Scoping Document shall describe how a facility operator or owner can reduce emissions from all planned flare events and essential operational needs flare events, to emission limits specified in subparagraph (c)(13)(B). The Scoping Document shall describe two potential alternatives for each applicable level in (c)(13)(B)(i) through (iv), and shall include an analysis of the following:
    - (i) proposed physical controls and/or operating practices,
    - (ii) technical feasibility constraints,
    - (iii) approximate cost (initial capital and ongoing),
    - (iv) timing constraints.

- (B) The Scoping Document shall analyze the feasibility of achieving each of the following annual emission levels for planned flare events and essential operational needs as soon as feasible:
  - (i) 0.10 tons of sulfur oxides per million barrels of a petroleum refinery's 2004 calendar year crude processing capacity,
  - (ii) 0.05 tons of sulfur oxides per million barrels of a petroleum refinery's 2004 calendar year crude processing capacity, and
  - (iii) 0.01 tons or lower of sulfur oxides per million barrels of a petroleum refinery's 2004 calendar year crude processing capacity, and
  - (iv) 0.1 tons per year of volatile organic compounds from flares that only vent clean service streams.
- (C) Using the criteria described in clauses (c)(13)(A)(i) through (iv), the Scoping Document shall analyze the feasibility of installing and maintaining at least three physical or automated process controls as soon as feasible that can be used together or separately to avoid or minimize emergency flare events described in (c)(13)(C)(i) through (iv).
  - (i) A sudden influx of vent gas into a flare gas header. The amount of vent gas is equivalent to the highest vent gas flow rate, averaged over a 15-minute period, vented to the flare gas header from all emergency flare events at that flare since January 1, 2012.
  - (ii) A sudden loss of the process unit with the highest fuel gas consumption rate of recovered flare gas at that facility, averaged over a 15-minute period, since January 1, 2012.
  - (iii) A sudden loss of all external electrical power to the facility.
  - (iv) A sudden loss of all electrical power from any non-backup electrical generation unit that is currently operating at a facility.
- (D) For each flare operated at the facility, the Scoping Document shall contain a description of:
  - (i) The smokeless capacity, and documentation for how the smokeless capacity was determined;
  - (ii) The maximum vent gas flow rate;
  - (iii) The maximum supplemental gas flow rate;



- (iv) Process flow diagram which shows all gas lines that are associated with the flare (e.g., waste, purge, supplemental gases, assist steam);
  - (v) Detailed process flow diagrams of all associated upstream equipment and process units venting to each flare, with a general description of components, identifying the type and location of each flare and all associated control equipment including but not limited to knockout drums, flare headers, assist, and ignition systems.
- (14) Operate all flares in such a manner that minimizes all flaring and that no vent gas is combusted except during emergencies, shutdowns, startups, turnarounds or essential operational needs.
- (15) Prevent the combustion in any flare of vent gas with a hydrogen sulfide concentration in excess of 160 ppm, averaged over three hours, excluding any vent gas resulting from an emergency, shutdown, startup, or process upset.
- (d) Performance Targets

The owner or operator of a petroleum refinery subject to this rule shall minimize flare emissions and meet a performance target for sulfur dioxide emissions from flares of less than 0.5 tons per million barrels of crude processing capacity, calculated as an average over one calendar year.

  - (1) Compliance with this performance target shall be determined at the end of each calendar year based on the facility's annual flare sulfur dioxide emissions normalized over the crude oil processing capacity in calendar year 2004.
  - (2) In the event the petroleum refinery specific performance target of subdivision (d) is exceeded for any calendar year, the Executive Officer may issue a Notice of Sulfur Dioxide Exceedance that shall become a part of the refinery compliance record.
  - (3) In the event the petroleum refinery specific performance target of subdivision (d) is exceeded for any calendar year, the owner or operator of the petroleum refinery shall:
    - (A) Submit a Flare Minimization Plan pursuant to subdivision (e), and

- (B) Pay the District mitigation fees, within 90 days following the end of a calendar year for which the performance target was exceeded, according to the following schedule:
  - (i) If excess emissions are no more than ten percent of the petroleum refinery specific performance target, \$25,000 per ton for all sulfur dioxide emission(s) in excess of the applicable performance target, or
  - (ii) If excess emissions are greater than ten percent but no more than twenty percent of the petroleum refinery specific performance target, \$50,000 per ton of all sulfur dioxide emission(s) in excess of the applicable performance target, or
  - (iii) If excess emissions are greater than twenty percent of the petroleum refinery specific performance target, \$100,000 per ton of all sulfur dioxide emission(s) in excess of the applicable performance target.
- (e) Flare Minimization Plan
  - (4) The owner or operator of a petroleum refinery exceeding the performance target in subdivision (d) shall submit, no later than 90 days after the end of a calendar year with emissions exceeding the annual performance target, a complete Flare Minimization Plan for approval by the Executive Officer. This plan shall constitute a plan pursuant to Rule 221 and fees shall be assessed pursuant to Rule 306. The plan application shall list all actions to be taken by the petroleum refinery to meet the performance target in subdivision (d), and shall include the following information:
    - (A) A complete description and technical specifications for each flare and associated knock-out pots, surge drums, water seals and flare gas recovery systems;
    - (B) Refinery policies and procedures to be implemented and any equipment improvements to minimize flaring and flare emissions and comply with the performance target of subdivision (d) for:
      - (i) Planned turnarounds and other scheduled maintenance, based on an evaluation of these activities during the previous five years;

- (ii) Essential operational needs and the technical reason for which the vent gas cannot be prevented from being flared during each specific situation, based on supporting documentation on flare gas recovery systems, excess gas storage and gas treating capacity available for each flare; and
      - (iii) Emergencies, including procedures that will be used to prevent recurring equipment breakdowns and process upsets, based on an evaluation of the adequacy of maintenance schedules for equipment, process and control instrumentation.
    - (C) Any flare gas recovery equipment and treatment system(s) to be installed to comply with the performance targets of subdivision (d).
  - (5) The Executive Officer will make the Flare Minimization Plans available for public review for a period of 60 days and respond to comments received prior to plan approval. The Executive Officer will approve a plan upon determining that it meets the requirements of subdivision (e), or notify the owner or operator in writing that the plan is deficient and specify the required corrective action. If the owner or operator fails to submit an amendment within 45 days to correct the deficiency, the Executive Officer will deny the Flare Minimization Plan. The facility shall be deemed in violation of this rule upon the Executive Officer's denial of the Flare Minimization Plan.
  - (6) The owner or operator of a petroleum refinery having an existing approved Flare Minimization Plan shall, no later than 90 days after the end of a calendar year, submit for the approval of the Executive Officer a revised Flare Minimization Plan, subject to the provisions of paragraphs (e)(1) and (e)(2), in the event the annual performance target for that calendar year is exceeded.
  - (7) The owner and operator of a petroleum refinery shall comply with all provisions of an approved Flare Minimization Plan. Violation of any of the terms of the plan is a violation of this rule.
- (f) Flare Monitoring and Recording Plan Requirements
- (1) The owner or operator of an existing petroleum refinery, sulfur recovery plant or hydrogen production plant, upon modification or replacement of any monitoring equipment included in an approved Flare Monitoring and

Recording Plan shall submit a revised Flare Monitoring and Recording Plan, complete with an application and appropriate fees, for each facility to the Executive Officer for approval. This plan shall constitute a plan pursuant to Rule 221 and fees shall be assessed pursuant to Rule 306. Each Flare Monitoring and Recording Plan shall contain the information described in paragraph (f)(4) of this rule.

- (2) The owner or operator of an existing petroleum refinery, sulfur recovery plant or hydrogen production plant shall:
  - (A) Comply with the most current Flare Monitoring and Recording Plan approved by the Executive Officer. The current plan shall remain in effect until any revised Flare Monitoring and Recording Plan, submitted pursuant to paragraph (f)(1) is approved by the Executive Officer.
  - (B) The owner or operator of a petroleum refinery, sulfur plant or hydrogen plant shall comply with all provisions of an approved Flare Monitoring and Recording Plan. Violation of any of the terms of the plan is a violation of this rule.
- (3) The owner or operator of a new or an existing non-operating petroleum refinery, sulfur recovery plant or hydrogen production plant starting or restarting operations that were not shut down from a turnaround or other shut-down as part of normal operations on or after July 7, 2017 shall:
  - (A) Provide the Executive Officer a written notice of the date of start-up no later than seven (7) days prior to starting or commencing operations.
  - (B) No later than 180 days prior to the initial startup or resumption of operations, submit a complete application and appropriate fees for a Flare Monitoring and Recording Plan to the Executive Officer for approval. This plan shall constitute a plan pursuant to Rule 221 and fees shall be assessed pursuant to Rule 306. Each Flare Monitoring and Recording Plan shall contain the information described in paragraph (f)(4) of this rule.
- (4) Each Flare Monitoring and Recording Plan shall include, at a minimum, the following:
  - (A) A facility plot plan showing the location of each flare in relation to the general plant layout.

- (B) Type of flare service, as defined in paragraph (b)(4), and information regarding design capacity, operation and maintenance for each flare.
- (C) The following information regarding pilot and purge gas for each flare:
  - (i) Type(s) of gas used;
  - (ii) Actual set operating flow rate in standard cubic feet per minute;
  - (iii) Maximum total sulfur concentration expected for each type of gas used; and
  - (iv) Average higher (gross) heating value expected for each type of gas used.
- (D) Drawing(s), preferably to scale with dimensions, and an as-built process flow diagram of the flare(s) identifying major components, such as flare header, flare stack, flare tip(s) or burner(s), any bypass line, purge gas system, pilot gas system, ignition system, assist system, water seal, knockout drum and molecular seal.
- (E) Detailed process flow diagrams identifying the type and location of each flare and all associated control equipment including but not limited to knockout drums, flare headers, assist, and ignition systems, and a representative flow diagram showing the interconnections of the flare system(s) with vapor recovery system(s), process units and other equipment as applicable.
- (F) A complete description of the assist system process control, flame detection system and pilot ignition system.
- (G) A complete description of the gas flaring process for an integrated gas flaring system which describes the method of operation of the flares (e.g. sequential, etc.).
- (H) A complete description of the flare gas recovery system and vapor recovery system(s) which have interconnection to a flare, such as compressor description(s), design capacities of each compressor and the vapor recovery system, and the method currently used to determine and record the amount of vapors recovered.
- (I) Drawing(s) with dimensions, preferably to scale, showing the following information for proposed vent gas:
  - (i) Sampling locations; and

- (ii) Flow meter device(s), on/off flow indicators, higher heating value analyzer, and total sulfur analyzer locations and the method used to determine the location.
  - (J) A detailed description of manufacturer's specifications, including but not limited to, make, model, type, range, precision, accuracy, calibration, maintenance, a quality assurance procedure and any other specifications and information referenced in Attachment A for all existing and proposed flow metering devices, on/off flow indicating devices, higher heating value and total sulfur analyzers for vent gas.
  - (K) A complete description and the data used to determine and to set the actuating and de-actuating and the method to be used for verification of each setting for each on/off flow indicator.
  - (L) A complete description of proposed analytical and sampling methods or estimation methods, if applicable, for determining higher (gross) heating value and total sulfur concentration of the flare vent gas.
  - (M) A complete description of the proposed data recording, collection, management, and any other specifications and information referenced in Attachment A for each flare monitoring system.
  - (N) A complete description of proposed method to determine, monitor and record total volume, higher heating value, and total sulfur concentration of gases vented to a flare for each flare event pursuant to the requirements of this rule.
  - (O) For new or existing non-operating petroleum refinery, sulfur recovery plant or hydrogen production plant starting or restarting operations, other than from standard turnarounds or process unit shut-downs, on or after July 7, 2017, a schedule for the installation and operation of each flare monitoring system.
  - (P) A complete description of any proposed alternative criteria to determine a sampling flare event for each specific flare, if any, and detailed information used for the basis of establishing such criteria.
- (g) Operation, Monitoring and Recording Requirements
- The owner or operator of a flare subject to this rule shall comply with the following:

- (1) On or before six (6) months after approval of the Flare Monitoring and Recording Plan or Revised Flare Monitoring and Recording Plan, start monitoring and recording in accordance with subdivision (g) and the provisions in the approved Flare Monitoring and Recording Plan or Revised Flare Monitoring and Recording Plan.
- (2) Notwithstanding the provisions in Rule 430 - Breakdown Provisions and Rule 2004 - Requirements, the Operation Monitoring and Recording Requirements of this rule shall be applicable during all periods including breakdowns except as specified in paragraph (g)(5)(A).
- (3) Perform monitoring and recording of the operating parameters, as applicable, according to the monitoring and recording requirements and frequency shown in Table 1 (including footnotes) below, except as specified in paragraph (g)(4) and (g)(5).

**TABLE 1**

<b>TYPE OF FLARE</b>	<b>OPERATING PARAMETER</b>	<b>MONITORING AND RECORDING</b>
Clean Service	Gas Flow <sup>1</sup>	Measured and Recorded <sup>2</sup> Continuously with Flow Meter(s) and/or On/Off Flow Indicator(s)
	Gas Higher Heating Value <sup>3</sup>	Calculated or Continuously Measured and Recorded with a Higher Heating Value Analyzer
	Total Sulfur Concentration <sup>4</sup>	Calculated or Semi-Continuously Measured and Recorded with a Total Sulfur Analyzer
General Service	Gas Flow <sup>1</sup>	Measured and Recorded <sup>2</sup> Continuously with Flow Meter(s) with or without on/off flow indicator(s)
	Gas Higher Heating Value <sup>3</sup>	Continuously Measured and Recorded with a Higher Heating Value Analyzer
	Total Sulfur Concentration <sup>4</sup>	Semi-Continuously Measured and Recorded with a Total Sulfur Analyzer

1. Standard Cubic Feet per Minute.
2. All flow meters, flow indicators and recorders shall meet or exceed the minimum specifications in Attachment A.
3. Higher (Gross) Heating Value in British Thermal Units per Standard Cubic Foot.
4. Total Sulfur as SO<sub>2</sub>, ppmv.



- (4) Alternative Flare Vent Gas Sampling
  - (A) In cases where sampling of vent gas is exempted pursuant to paragraph (k)(1), the owner or operator of a gas flare shall identify for each flare event, the cause of event, the process system(s) involved, date and time event started and duration and any other information related to the type of vent gas (e.g. total sulfur concentration) which is necessary to calculate flare emissions using the guidelines in Appendix B for substituted data. The estimated emissions, subject to approval by the Executive Officer as representative of emissions from that flare event, shall be reported and submitted with the quarterly report as specified in paragraph (i)(4).
- (5) Flare Monitoring System
  - (A) Maintain any flare monitoring system, used to ensure compliance with paragraph (g)(3) of this rule, in good operating condition at all times when the flare that it serves is operational, except when out of service due to:
    - (i) Breakdowns and unplanned system maintenance, which shall not exceed 96 hours, cumulatively, per quarter for each reporting period; or,
    - (ii) Planned maintenance, which shall not exceed 14 days per 18 month period commencing the start of flare monitoring and recording, provided that a written notification detailing the reason for maintenance and methods that will be used during the maintenance period to determine emissions associated with flare events is provided to the Executive Officer prior to, or within 24 hours of, removal of the monitoring system from service.
  - (B) A flare monitoring system may be used to measure and record the operating parameters required in paragraph (g)(3) of this rule for more than one flare provided that:
    - (i) All the gases being measured and recorded are delivered to the flare(s) for combustion; and,
    - (ii) If the flare monitoring system is used to measure and record the operating parameters for general service flares, the flare monitoring system shall consist of a continuous vent gas

flow meter, a continuous higher heating value analyzer, a total sulfur analyzer and recorder that meet the requirements specified in Attachment A.

- (6) Monitor the presence of a pilot flame using a thermocouple or any other equivalent device approved by the Executive Officer to detect the presence of a flame.
- (7) Monitor all flares for visible emissions using color video monitors with date and time stamp, capable of recording a digital image of the flare and the flame of flares that are not enclosed, at a rate of no less than one frame per minute. Effective January 30, 2019, monitor all flares for visible emissions using color video monitors with date and time stamp, capable of recording a digital image of the flare, the flame of flares that are not enclosed, and a sufficient area above the flame of all flares that is suitable for visible emissions observations, at a rate of no less than one frame every 15 seconds.
- (8) All general service flares shall:
  - (A) Have a flow meter installed in a manner and at a location that would allow for accurate measurements of the total volume of vent gas to each flare. If the flow meter cannot be placed in the location that would allow for accurate measurement due to physical constraints, the operator shall retrofit or equip the existing flow meters with totalizing capability to indicate the true net volume of gas flow to each flare.
  - (B) Monitor and record the pilot gas and purge gas flow to each flare using a flow meter or equivalent device approved by the Executive Officer.
- (9) No later than January 30, 2019, for all general service flares:
  - (A) Install, operate, calibrate, maintain, and record data from any monitoring systems required by Title 40 of the Code of Federal Regulations Part 63 Subpart CC – National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries that are not already required by paragraph (g).

(h) **Recordkeeping Requirements**

The owner or operator of a flare shall maintain records in a manner approved by the Executive Officer for a period of five (5) years for all the information required to be monitored under paragraphs (g)(3), (g)(4), (g)(5), (g)(6), (g)(7), (g)(9), and

subparagraph (g)(8)(B) as applicable and make such records available to the Executive Officer upon request.

(i) Notification and Reporting Requirements

The owner or operator of a flare shall:

- (1) Provide a 24 hour telephone service for access by the public for inquiries about flare events. The owner or operator shall provide the Executive Officer in writing the name and number of the initial contact and any contact update.
- (2) Notify the Executive Officer via the Web-Based Flare Event Notification System within one hour from the start of any unplanned flare event with emissions exceeding either 100 pounds of VOC or 500 pounds of sulfur dioxide, or exceeding 500,000 standard cubic feet of flared vent gas.
- (3) Notify the Executive Officer via the Web-Based Flare Event Notification System at least 24 hours prior to the start of a planned flare event with emissions exceeding either 100 pounds of VOC or 500 pounds of sulfur dioxide, or 500,000 standard cubic feet of combusted vent gas. Within one hour of the start of a planned flare event, submit a notification via the Web-Based Flare Event Notification System, referencing the notification number assigned to the planned flare event at the time of the original notification.
- (4) Notify the Executive Officer via the Web-Based Flare Event Notification System within one hour after the cumulative daily total amount of flare gas vented from a flare exceeds 100,000 standard cubic feet, if a notification has not already been provided for that day pursuant to paragraphs (i)(2) or (i)(3).
- (5) If the Web-Based Flare Event Notification System is not available, or if functions within the Web-Based Flare Event Notification System do not allow facilities to enter the necessary information required in (i)(2) through (i)(4), then notifications shall be made to 800-CUT-SMOG (800-288-7664).
- (6) Submit a quarterly report in an electronic format approved by the Executive Officer within 30 days after the end of each quarter. Each quarterly report shall be certified for accuracy in writing by the responsible facility official and shall include the following:
  - (A) The information required to be monitored under paragraphs (g)(3), (g)(4), (g)(5), (g)(6), and (g)(9), and subparagraph (g)(8)(C) of this rule. Notwithstanding the January 30, 2019 compliance date in

paragraph (g)(9), data collected pursuant to paragraph (g)(9) shall be made available in the first quarterly report after the applicable monitors have been certified.

- (B) The total daily and quarterly emissions of criteria pollutants from each flare and each flare event along with all information used to calculate the emissions, which includes standard volumes, higher heating values and total sulfur concentration of the vent gases, event duration and emission factors. Identify each reported value of flow rate, higher heating values or sulfur concentration reported using Data Substitution Procedures in Attachment B, and identify the data substitution method used and the date the method was approved by the Executive Officer, if applicable.
  - (i) Emissions from flares shall be calculated using the Emissions Calculation Procedures outlined in Attachment B: Guidelines for Emissions Calculations.
  - (ii) During all down time periods of the monitoring system, emissions shall be calculated using the Missing Data Substitution Procedures outlined in Attachment B: Guidelines for Emissions Calculations.
- (C) The description of the cause of each flare event as analyzed pursuant to paragraphs (c)(6), (c)(7), and (c)(11) and the category of flare event such as emergency, shutdown, startup or essential operational need or other specific cause(s), and the associated emissions.
- (D) Records of annual acoustical or temperature leak survey conducted pursuant to paragraph (c)(5). The record shall include identification of all valves inspected, date of inspections, and the name of the person(s) conducting the inspections.
- (E) Flare monitoring system downtime periods, including dates and times and explanation for each period.
- (F) A copy of written notices for all reportable air releases related to any flare event, as required by 40 CFR, Part 302 - Designation, Reportable Quantities, and Notification and 40 CFR, Part 355 - Emergency Planning and Notification, if applicable.

- (j) Testing and Monitoring Methods
  - (1) For the purpose of this rule, the test methods listed below shall be used:
    - (A) The higher (gross) heating value of vent gases shall be determined by:
      - (i) ASTM Method D4809-13, ASTM Method D 3588-98(2011), ASTM Method D4891-13, or other ASTM standard as approved by the Executive Officer, California Air Resources Board and U.S. Environmental Protection Agency, as applicable; and
      - (ii) With a higher heating value analyzer that meets or exceeds the specifications in Attachment A.
    - (B) The total sulfur concentration, expressed as sulfur dioxide, shall be determined by:
      - (i) District Method 307-91 or ASTM Method D 5504-12, or other ASTM standard as approved by the Executive Officer, California Air Resources Board and U.S. Environmental Protection Agency, as applicable; and
      - (ii) With a total sulfur analyzer that meets or exceeds the specifications in Attachment A.
    - (C) The vent gas flow shall be determined by a flow measuring device that meets or exceeds the specifications described in Attachment A, as applicable. The accuracy of all flow meters shall be verified every twelve months according to the manufacturers' procedures and the results shall be submitted to the Executive Officer within 30 days after the reports are issued.
  - (2) Visible emissions pursuant to paragraph (c)(2) shall be determined by US EPA Method 22, 40 CFR Part 60 Appendix A.
  - (3) Notwithstanding paragraph (j)(1), continuous monitoring systems certified under Rule 2011 - Requirements for Monitoring, Reporting and Recordkeeping of Oxides of Sulfur (SO<sub>x</sub>) Emissions and Rule 2012 - Requirements for Monitoring, Reporting and Recordkeeping of Oxides of Nitrogen (NO<sub>x</sub>) Emissions, may be used for the monitoring of vent gases.

(k) Exemption

- (1) Notwithstanding a flare monitoring system, consisting of a flow meter, higher heating value analyzer, net heating value analyzer and total sulfur analyzer that is in operation, sampling and analyses of representative samples for higher heating values, net heating values, and total sulfur concentration pursuant to paragraph (g)(3) may not be required for any flare event that:
  - (A) Is a result of a catastrophic event including a major fire or an explosion at the facility such that collecting a sample is infeasible or constitutes a safety hazard, or
  - (B) Constitutes a safety hazard to the sampling personnel at the sampling location approved in the Flare Monitoring and Recording Plan during the entire flare event, provided that a sample is collected at an alternative location where it is safe as determined by the facility owner or operator. The owner or operator shall demonstrate to the Executive Officer that the sample collected at an alternative location is representative of the flare event.
- (2) Any sulfur dioxide emissions, visible emissions prohibited in paragraph (c)(10), and flare tip velocities that exceed limits in subparagraph (c)(3)(A) from flare events caused by external power curtailment beyond the operator's control (excluding interruptible service agreements), natural disasters or acts of war or terrorism shall not count towards either:
  - (A) The performance targets specified in subdivision (d) upon submittal of documentation proving the existence of such events and certified in writing by the petroleum refinery official responsible for emission reporting; or
  - (B) The prohibitions listed in paragraph (c)(10).

ATTACHMENT A  
**FLARE MONITORING SYSTEM REQUIREMENTS**

The components of each flare monitoring system must meet or exceed the minimum specifications listed below. Components with other specifications may be used provided the owner or operator of a gas flare can demonstrate that the specifications are equivalent and has been approved by the Executive Officer.

**1. Continuous Flow Measuring Device**

The monitor must be sensitive to rapid flow changes, and have the capability of reporting both instantaneous velocity and totalized flow. Materials exposed to the flare gas shall be corrosion resistant. If required by the petroleum refinery or the hydrogen production plant, the manufacturer must provide an enclosure with an area classification rating of Class 1, Division 2, Groups A, B, C, D, and is FM and CSA approved. The monitor shall (i) feature automated daily calibrations at low and high ranges, and (ii) shall signal alarms if the calibration error or drift is exceeded, provided that the monitor is equipped with such capability. The volumetric flow measuring device may consist of one or more flow meters, and, as combined, shall meet the following specifications.

Velocity Range:	0.1-250 ft/sec
Repeatability:	± 1% of reading over the velocity range
Accuracy:	± 20% of reading over the velocity range of 0.1-1 ft/s and ± 5% of reading over the velocity range of 1-250 ft/s
Installation:	Applicable AGA, ANSI, API, or equivalent standard; hot tap capability. If applicable, the manufacturer must specify the straight-run pipe requirements in terms of the minimum upstream and downstream distances from the nearest flow disturbances to the device
Flow Rate Determination:	Must be corrected to one atmosphere pressure and 68 <sup>0</sup> F and recorded as one-minute averages
Data Records	Measured continuously and recorded over one-minute averages. The instrument shall be capable of storing or transferring all data for later retrieval
QA/QC	Shall comply with the flow QA/QC requirements of District Rule 218.1. An annual verification of accuracy

is required, and shall be specified by the manufacturer.

Note: A flow RATA is generally infeasible due to safety concerns

**2. On/Off Flow Indicator**

The on/off flow indicator is a device which is used to demonstrate the flow of vent gas during a flare event, and shall meet or exceed specifications as approved by the Executive Officer. The on/off flow indicator setting shall be verifiable.

**3. Data Recording System**

All data as generated by the above flow meters and the on/off flow indicators must be continuously recorded by strip chart recorders or computers. The strip chart must have a minimum chart width of 10 inches, a readability of 0.5% of the span, and a minimum of 100 chart divisions. The computer must have the capability to generate one-minute average data from that which is continuously generated by the flow meters and the on/off limit switch.

**4. Continuous and Semi-continuous Gaseous Stream Higher Heating Value (HHV) Flare Monitoring Systems**

The following is intended to ensure that verifiable, meaningful, and representative data are collected from continuous and semi-continuous gaseous stream HHV flare measurement monitoring devices systems. All procedures are subject to Executive Officer review and approval.

General Requirements:

- a. The monitoring system must be capable of measuring HHV within the requirements of the rule.
- b. The monitoring system must be capable of adjusting to rapid changes in HHV within a reasonable time meeting the definition of a continuous or semi-continuous monitoring system as defined in the applicable rule and as approved by the Executive Officer.
- c. Monitoring system sampling interfaces and analyzers in contact with sample gas must be compatible with sample gases and able to resist flow temperatures and pressures.
- d. The sampling inlet system interface must be heated as necessary so as to prevent condensation.



- e. Sample gas must be conditioned such that the sample is free of particulate or liquid matter.
- f. The sample must flow without impediment through the instrument sampling system sampling interface and analyzer.
- g. Use an enclosure with an area classification rating of Class 1, Division 2, Groups A, B, C, D, and is FM or CSA approved. The enclosure must be able to maintain a stable analyzer temperature as required for analyzer performance.
- h. The monitoring system must feature automated daily calibrations calibration checks, minimally at mid-range, and preferably at both applicable Federal minimum BTU requirements (low end) and 95% of full scale (high end) ranges at low and high ranges
- i. The monitoring system analyzer must include an output compatible with a Data Acquisition System (DAS) or similar system that can process data generated by the analyzer and record the results. A data recorder compatible with analyzer output and capable of recording analyzer output must be supplied with the instrument.
- j. Each monitoring system must have a written quality assurance/quality control (QA/QC) plan approved by the Executive Officer and available for District inspection.
- k. Maintain a maintenance log for each monitoring system.
- l. Perform routine maintenance and repair as recommended by the manufacturer or according to a standard operating procedure submitted and approved by the Executive Officer.
- m. The placement and installation of monitoring systems is critical for collecting representative information on HHV gas content. Factors that should be considered in placement of a sampling interface include but are not limited to safety, ensuring the sample is representative of the source, ease of placement and access. Sampling interfaces, conditioning systems and enclosures may be shared with other instrumentation, if appropriate.
- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using ASTM D1945-03 and ASTM D3588-91, ASTM D

4891-89, or other ASTM standard as approved by the Executive Officer, California Air Resources Board and U.S. Environmental Protection Agency, as applicable. See rule 218.1 (a)(23) for calculations.

- o. Periodically perform a calibration curve or linearity verification error test according to permitting conditions and or on a schedule approved by the Executive Officer. Typically, this calibration curve will be prepared from standards representing a:
  - i. 10-30 percent of the measurement range
  - ii. 40-60 percent of the measurement range
  - iii. 80-100 percent of the measurement range
- p. Analyzers with auto calibration check capability should be checked daily unless a different calibration frequency is approved by the Executive Officer. For analyzers without auto calibration check capability, submit a calibration check frequency request including supporting documentation to the Executive Officer for comment and approval.
- q. Periodically perform a zero drift test. Allowed zero drift should be consistent with a properly operating system. See rule 218.1 (a)(32) for calculations.
- r. Retain records on the valid data return percentage.
- s. Retain records on the availability or up-time of the monitoring system.
- t. Retain records on the breakdown frequency and duration of the breakdown.
- u. Retain records on excursions beyond quality control limits stated in the QA plan.

**5. Continuous and Semi-continuous Gaseous Stream Total Sulfur Monitoring Systems**

The following is intended to ensure that verifiable, meaningful, and representative data are collected from continuous and semi-continuous gaseous stream sulfur monitoring systems. All procedures are subject to Executive Officer review and approval.

**General Requirements**

- a. The monitoring system must be capable of measuring total sulfur concentration within the requirements of the rule.
- b. The monitoring system must be capable of adjusting to rapid changes in sulfur concentration within a reasonable time as defined in the applicable rule and as approved by the Executive Officer.
- c. Monitoring system in contact with sample gas must be inert to sulfur gases and resistant to corrosion.
- d. The sampling inlet system interface system must be heated as necessary so as to prevent condensation.
- e. Sample gas must be conditioned such that the sample is free of particulate or liquid matter.
- f. The sample must flow without impediment through the instrument sampling system sampling interface and analyzer.
- g. Use an enclosure with an area classification rating of Class 1, Division 2, Groups A, B, C, D, and is FM or CSA approved. The enclosure must be able to maintain a stable analyzer temperature as required for analyzer performance.
- h. The monitoring system must feature automated daily calibrations at low and high ranges, and shall signal alarms if the calibration error or drift is exceeded.
- i. The monitoring system must include a Data Acquisition System (DAS) or similar system that can process data generated by the analyzer and record the results.
- j. Each monitoring system must have a written quality assurance/quality control (QA/QC) plan approved by the Executive Officer and available for District inspection.

- k. Maintain a maintenance log for each monitoring system.
- l. Perform routine maintenance as recommended by the manufacturer or according to a standard operating procedure submitted and approved by the Executive Officer.
- m. The placement and installation of monitoring systems is critical for collecting representative information on total sulfur gas concentration. Factors that should be considered in placement of a sampling interface include but are not limited to safety, ensuring the sample is representative of the source, ease of placement and access. Sampling interfaces, conditioning systems and enclosures may be shared with other instrumentation, if appropriate.
- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using SCAQMD Laboratory Method 307-91, ASTM D5504-01 or other ASTM standard as approved by the Executive Officer, California Air Resources Board and U.S. Environmental Protection Agency, as applicable. See rule 218.1(a)(23) for calculations.

Note: Facilities are reminded that there are many critical issues for the collection of representative and monitoring system comparable gas samples destined for Method 307-91 or ASTM D5504-01 analysis.

- o. Facilities are strongly encouraged to use calibration gases prepared using a NIST hydrogen sulfide SRM, Nederlands Meetinstituut NMI or a NTRM standard as the primary reference.
- p. Periodically perform a calibration curve or linearity verification performed according to permitting conditions and/or on a schedule approved by the Executive Officer. Typically, this calibration curve will be prepared from standards representing:
  - i. 10 to 30 percent of the measurement range
  - ii. 40 to 60 percent of the measurement range
  - iii. 80 to 100 percent of the measurement range
- q. Analyzers with auto calibration capability shall be calibrated daily unless a different calibration frequency is approved by the Executive Officer. For analyzers without auto calibration capability, submit a calibration frequency

request, including supporting documentation to the Executive Officer for comment and approval.

- r. Seven Day Calibration Error Test shall be performed by evaluating the analyzer performance over seven consecutive days as necessary. The calibration drift should not exceed five percent of the full-scale range.
- s. Analyze daily a control or drift test sample or standard. Adequate system analyzer performance is demonstrated by recoveries of 90 to 110 percent of the theoretical amounts for total reduced sulfur species in the test gas.
- t. Periodically perform an analyzer blank test to evaluate the presence of analyzer leaks or wear on sample valves and related components. Replace components as necessary to restore the analyzer to nominal function. A blank should yield results below the monitoring plan approved lower measurement range.
- u. Periodically perform a zero drift test. Allowed zero drift should be consistent with a properly operating system analyzer. See rule 218.1(a)(32) for calculations.
- v. Retain records on the valid data return percentage.
- w. Retain records on the availability or up-time of the monitoring system.
- x. Retain records on the breakdown frequency and duration of the breakdown.
- y. Retain records on excursions beyond quality control limits stated in the QA plan.

#### Gas Chromatograph (GC) Based System Analyzer Specific Requirements

- a. The following performance tests specific to GC based sulfur analyzers are part of an overall QA program. This list is not all inclusive. The specific performance tests that are required under rule compliance will be based upon analyzer configuration, data requirements, practical concerns such as safety and are subject to approval by the Executive Officer.
  - i. Whenever a calibration is performed and whenever a calibration drift test is performed, examine retention times for each calibration component. Compare the retention times against historically observed retention times. Retention time drift should be better than within five percent. Compare the retention times to analyzer and DAS parameters such as time gates to ensure compatibility. These

parameters including the analysis time may need to be updated on occasion.

- ii. Verify daily that the analyzer response drift for individual sulfur species does not exceed ten percent of the control information.

**Total Sulfur Analyzer System Requirements**

- a. The following performance tests specific to total sulfur based analyzers are part of an overall QA program. This list is not all inclusive. The specific performance tests that are required under rule compliance will be based upon instrument analyzer configuration, data requirements, practical concerns such as safety and are subject to approval by the Executive Officer.
  - i. Verify daily that the analyzer response drift for the concentration of total sulfur, expressed as sulfur dioxide does not exceed ten percent of the control information.

ATTACHMENT B

**GUIDELINES FOR CALCULATING FLARE EMISSIONS**

The following methods shall be used to calculate flare emissions. An alternative method may be used, utilizing facility-specific data such as monitoring and/or gas composition data, provided it has been approved as equivalent in writing by the Executive Officer.

**1. Emission Calculation Procedures**

Petroleum refinery, sulfur recovery plant or hydrogen production facility operators shall use the following equations and emission factors to calculate emissions from vent gas, natural gas, propane and butane:

**Effective No Later Than January 30, 2019, or As Soon As Monitors Are  
Installed and Certified That Can Measure Net Heating Value**

**Vent Gas**

<b>Air Pollutant</b>	<b>Equation</b>	<b>Emission Factor</b>
ROG	$E = V \times \text{NHV} \times \text{EF}$	0.66 lb/mmBTU
NO <sub>x</sub> <sup>1</sup>	$E = V \times \text{HHV} \times \text{EF}$	0.068 lb/mmBTU
CO	$E = V \times \text{NHV} \times \text{EF}$	0.31 lb/mmBTU
PM <sub>10</sub>	$E = V \times \text{EF}$	21 lb/mmSCF
SO <sub>x</sub>	$E = V \times C_s \times 0.1662$	Note (2)

**Effective Until January 30, 2019, or Until Monitors Are Installed and  
Certified That Can Measure Net Heating Value**

<b>Air Pollutant</b>	<b>Equation</b>	<b>Emission Factor</b>
ROG	$E = V \times \text{HHV} \times \text{EF}$	0.063 lb/mmBTU
NO <sub>x</sub> <sup>1</sup>	$E = V \times \text{HHV} \times \text{EF}$	0.068 lb/mmBTU
CO	$E = V \times \text{HHV} \times \text{EF}$	0.37 lb/mmBTU
PM <sub>10</sub>	$E = V \times \text{EF}$	21 lb/mmSCF
SO <sub>x</sub>	$E = V \times C_s \times 0.1662$	Note (2)

Where:

E = Calculated vent gas emissions (lbs)

V = Volume flow of vent gas, as measured in million standard cubic feet at 14.7 psia and  
68° Fahrenheit

HHV = Higher Heating Value, as measured in British Thermal Unit per standard cubic foot

NHV = Net Heating Value, as measured in British Thermal Units per standard cubic foot

EF = Emission Factor

Cs = The concentration of total sulfur in the vent gas, expressed as sulfur dioxide, as measured in part per million by volume using the methods specified in this rule.

Note (1)      For vent gas streams of pure hydrogen, only the emission factor for NO<sub>x</sub> should be used.

Note (2)      If an approved total sulfur analyzer is used in accordance with this rule, Cs is the concentration of total sulfur in the vent gas, averaged over 15 minutes or less, if the event duration is shorter than 15 minutes.

#### **Natural Gas**

<b>Air Pollutant</b>	<b>Equation</b>	<b>Emission Factor (lb/mmSCF)</b>
ROG	$E = V \times EF$	7
NO <sub>x</sub>	$E = V \times EF$	130
CO	$E = V \times EF$	35
PM10	$E = V \times EF$	7.5
SO <sub>x</sub>	$E = V \times EF$	0.83

#### **Propane and Butane**

<b>Air Pollutant</b>	<b>Equation</b>	<b>Emission Factor (lb/mmBTU)</b>
ROG	$E = V \times 3500 \times EF$	0.009
NO <sub>x</sub>	$E = V \times 3500 \times EF$	0.145
CO	$E = V \times 3500 \times EF$	0.082
PM10	$E = V \times 3500 \times EF$	0.002
SO <sub>x</sub> <sup>(1)</sup>	$E = V \times 3500 \times EF$	0.047

Note (1)      If the concentration of total sulfur in the vent gas or in the process streams vented to the flare is measured, the operator shall use  $E = V \times Cs \times 0.1662$  to estimate the SO<sub>x</sub> emissions.

#### **Single On/Off Flow Indicator Switch**

The flow rate setting of the on/off flow indicator switch if the switch is not actuated or the maximum design capacity of the flare for the flow rate for each flare event.

#### **Multiple On/Off Flow Indicator Switch**



- a) The flow rate setting of the first stage on/off flow indicator switch if the switch is not actuated.
- b) When an on/off switch is actuated assume the flow rate is the flow rate that would actuate the on/off switch set at the next highest flow rate.
- c) Use the maximum design capacity of the flare for the flow rate when the on/off switch set for the highest flow rate is actuated.

**Flow Meters Only**

- a) Use the recorded flow meter data until the maximum range is exceeded.
- b) When the maximum range of the flow meter is exceeded, assume the flow rate is the maximum design capacity of the flare(s), unless the owner or operator demonstrates and the Executive Officer approves a calculated flow based upon operational parameters and process data that represent the flow during the period of time that the flow exceeded the maximum range of the flow meter.
- c) When the flow rate is below the valid lower range of the flow meter, assume the flow rate is at the lower range.

**Combination of Flow Meters and On/Off Flow Indicator Switches**

- a) Use the recorded flow meter data until the maximum range is exceeded.
- b) When the maximum range of the flow meter is exceeded, assume the flow rate is the flow rate that would actuate the on/off switch set at the next highest flow rate.
- c) Use the maximum design capacity of the flare for the flow rate when the on/off switch set for the highest flow rate is actuated.
- d) When the flow rate is below the valid lower range of the flow meter, assume the flow rate is at the lower range.
- e) When the flow rate is below the valid lower range of the flow meter and the set flow rate of an on/off switch, assume the flow rate is the flow rate that would actuate the on/off switch.

**2. Data Substitution Procedures**

For any time period for which the vent gas flow, the higher heating value or the total sulfur concentration, expressed as sulfur dioxide, are not measured, analyzed and recorded pursuant to the requirements of this rule, unless the owner or operator of a petroleum refinery, sulfur recovery plant or hydrogen production plant demonstrates using verifiable records of flare water seal level and/or other parameters as approved by the Executive Officer in the Flare Monitoring and Recording Plan or the Revised

Flare Monitoring and Recording Plan that no flare event occurred during the period these parameters were not measured, analyzed or recorded, the operator shall substitute and report the following values:

- a) If the flow rate is not measured or recorded for any flare event, the totaled flow shall be calculated from the methodology in section 2(a)(i) below, unless the Executive Officer approves the method specified in Section 2(a)(ii).
  - i) The totaled flow shall be calculated from the product of the flare event duration and the estimated flow rate. The flow rate shall be calculated using the following equation for the period of time the flow meter was out of service:

$$FR = \text{Max. FR} - 0.5(\text{Max. FR} - \text{Avg. FR})$$

Where:

FR = Estimated Flow Rate (standard cubic feet per minute)

Max FR = Maximum flow rate that was measured and recorded for that flare during the previous 20 quarters preceding the flare event. This maximum value is based on the average flow rate during an individual flare event, not an instantaneous maximum value.

Avg FR = Average flow rate for all measured and recorded flow rates for all sampled flare events for that flare, during the previous 20 quarters preceding the subject flare event.

The duration of a flare event during periods when the flow meter is out of service shall be determined using an alternate method approved by the Executive Officer in the Flare Monitoring and Recording Plan or Revised Flare Monitoring and Recording Plan.

In the absence of an approved alternate method to determine the duration of the flare event during periods when the flow meter is out of service, the operator shall report the flare to be venting for the entire time the flow meter is out of service.

- ii) Alternate methods using recorded and verifiable operational parameters and/or process data, including reference to similar events that have previously occurred, approved by the Executive Officer to be representative of the volume of vent gas, may be used to determine the flow rate in lieu of the method specified above.

- b) If the higher heating value is not measured or recorded for any flare event pursuant to the requirements of this rule, the higher heating value shall be calculated from the methodology in section 2(b)(i) below, unless the Executive Officer approves the method specified in Section 2(b)(ii).

- i) The higher heating value shall be calculated using the following equation for the period of time this parameter was not measured or recorded:

$$\text{HHV} = \text{Max HHV} - 0.5(\text{Max HHV} - \text{Avg HHV})$$

Where:

HHV = Estimated higher heating value (Btu/scf)

Max HHV = Maximum HHV measured and recorded for that flare during the previous 20 quarters preceding the flare event.

Avg HHV = Average value of all HHV measured and recorded for that flare for all sampled flare events during the previous 20 quarters preceding the flare event.

- ii) Alternate methods using recorded and verifiable operational parameters, sampled data, and/ or process data, including reference to similar events that have previously occurred, approved by the Executive Officer to be representative of the HHV of the vent gas, may be used to determine the HHV in lieu of the method specified above.

- c) If the total sulfur concentration, expressed as sulfur dioxide, is not measured or recorded for any flare event pursuant to the requirements of this rule, it shall be calculated from the methodology in section 2(c)(i) below, unless the Executive Officer approves the method specified in Section 2(c)(ii).

- i) The total sulfur concentration expressed as sulfur dioxide shall be calculated using the following equation for the period of time this parameter was not measured or recorded:

$$\text{SFE} = \text{Max SFE} - 0.5(\text{Max SFE} - \text{Avg SFE})$$

Where:

SFE = Estimated total sulfur concentration, expressed as sulfur dioxide (ppmv)

Max SFE = Maximum total sulfur concentration expressed as sulfur dioxide measured and recorded for that flare during the previous 20 quarters preceding the flare event.

Avg SFE = Average value of all total sulfur concentrations measured and recorded for that flare for all sampled flare events during the previous 20 quarters preceding the flare event.

- ii) Alternate methods using recorded and verifiable operational parameters, sampled data, and/ or process data, including reference to similar events that have previously occurred, approved by the Executive Officer to be representative of the total sulfur concentration of the vent gas expressed as sulfur dioxide, may be used to determine the total sulfur concentration in lieu of the method specified above.

## ATTACHMENT G

# SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### Final Staff Report

### Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares

January 2023

#### Deputy Executive Officer

Planning, Rule Development, and Implementation  
Sarah L. Rees, Ph.D.

#### Assistant Deputy Executive Officer

Planning, Rule Development, and Implementation  
Michael Krause

#### Planning and Rules Manager

Planning, Rule Development, and Implementation  
Heather Farr

---

Author:	Sarady Ka	–	Program Supervisor
	Zoya Banan, Ph.D.	–	Air Quality Specialist
Contributors:	Barbara Radlein	–	Program Supervisor
	Farzaneh Khalaj, Ph.D.	–	Assistant Air Quality Specialist
	Brian Vlasich	–	Air Quality Specialist
Reviewed By:	Daphne Hsu	–	Principal Deputy District Counsel

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD**

Chair: BEN J. BENOIT  
Cities of Riverside County Representative

Vice Chair: VANESSA DELGADO  
Senator (Ret.)  
Senate Rules Committee Appointee

**MEMBERS:**

MICHAEL A. CACCIOTTI  
Council Member, South Pasadena  
Cities of Los Angeles County/Eastern Region

ANDREW DO  
Supervisor, First District  
County of Orange

GIDEON KRACOV  
Governor's Appointee

LARRY MCCALLON  
Mayor, Highland  
Cities of San Bernardino County

HOLLY J. MITCHELL  
Supervisor, Second District  
County of Los Angeles

VERONICA PADILLA-CAMPOS  
Speaker of the Assembly Appointee

V. MANUEL PEREZ  
Supervisor, Fourth District  
County of Riverside

NITHYA RAMAN  
Council Member, Fourth District  
City of Los Angeles Representative

REX RICHARDSON  
Mayor, City of Long Beach  
Cities of Los Angeles County/Western Region

CARLOS RODRIGUEZ  
Council Member, Yorba Linda  
Cities of Orange County

JANICE RUTHERFORD  
Supervisor, Second District  
County of San Bernardino

**EXECUTIVE OFFICER:**

WAYNE NASTRI

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## EXECUTIVE SUMMARY

Air districts, such as the South Coast Air Quality Management District (South Coast AQMD), which exceed the National Ambient Air Quality Standards (NAAQS) established by the United States Environmental Protection Agency (U.S. EPA) are required to develop and submit a State Implementation Plan (SIP) for U.S. EPA approval. SIPs consist of rules and documents that a state or local air district implements, maintains, and enforces to fulfill the requirements of the Clean Air Act (CAA) and are used to demonstrate how the region will meet the NAAQS. If U.S. EPA issues a SIP disapproval or partial disapproval of a rule, South Coast AQMD will face the possibility of sanctions by the federal government and other consequences under CAA unless the identified rule deficiencies are ~~not~~ corrected and approved by U.S. EPA. Offset sanctions would be triggered 18 months after the effective date of a final disapproval and highway funding sanctions would be triggered six months after the offset sanctions are imposed. CAA would also require U.S. EPA to promulgate a Federal Implementation Plan within 24 months of the disapproval effective date. Sanctions will not be imposed if U.S. EPA determines that a subsequent SIP submission corrects the deficiencies before the applicable deadline.

On September 21, 2022, U.S. EPA issued a final limited SIP disapproval of Rule 1118 – Control of Emissions from Refinery Flares (Rule 1118) effective on October 24, 2022. According to CAA Section 110, documents submitted for inclusion into the SIP should not include unbounded director’s discretion that allows the State to approve alternatives to the applicable SIP without following the SIP revision process as described in this section. Rule 1118 paragraph (j)(1) and Attachment A paragraphs (4)(n) and (5)(n) give the South Coast AQMD’s Executive Officer sole authority to approve ASTM [International \(ASTM\) standards](#) ~~test methods~~ not included in the rule; therefore, the requirements of the CAA Section 110 are not satisfied. Proposed Amended Rule 1118 (PAR 1118) will address the U.S. EPA’s limited disapproval of Rule 1118 by requiring California Air Resources Board (CARB) and U.S. EPA approval, [along with Executive Officer approval](#), for ASTM ~~test methods~~ [standards](#) not included in the rule.

## BACKGROUND

Rule 1118 was adopted on February 13, 1998, with the purpose of monitoring, recording, and reporting data on refinery and related flaring operations. The rule has been amended twice, most recently on July 7, 2017, which was the first phase of a 2-phase amendment to minimize flaring and flare-related emissions. The amendments harmonized Rule 1118 with the key updates from the U.S. EPA Refinery Sector Rule, required each of the facilities subject to Rule 1118 to prepare a Scoping Document to evaluate the feasibility of minimizing or avoiding planned and unplanned flaring events, removed the \$4 million annual cap on mitigation fees that facilities may pay for flaring, updated emission factors based on the U.S. EPA’s updated AP-42 guidance, and updated and clarified reporting requirements for facilities.

The second phase of the rule development to further reduce refinery flaring began in July 2022 and is expected to rely in part on the findings reported in the Scoping Documents submitted to the South Coast AQMD by the facilities as well as staff’s research. In the second phase amendments, staff will consider the applicability of optical remote sensing technologies that could assist in flare



emission reductions or better characterization of flare emissions. The proposed rule amendment to seek further emission reductions is ongoing, and staff is proposing this minor rule amendment to address the U.S. EPA's limited SIP disapproval.

## PUBLIC PROCESS

PAR 1118 was developed through a public process. Staff had a discussion with U.S. EPA and presented PAR 1118 during a Working Group Meeting held on October 26, 2022. Proposed rule language, which was released on October 21, 2022, was included in the presentation for the Working Group Meeting, and the Initial Draft PAR 1118 was released on November 8, 2022.

## AFFECTED FACILITIES

The types of refinery operations subject to this rule are petroleum refineries, sulfur recovery plants that recover sulfur compounds from sour water generated by petroleum refineries and hydrogen production plants that produce hydrogen from refinery gas and supply hydrogen for petroleum refinery operations. The gas flares are used for the combustion and disposal of combustible gases due to emergency relief, overpressure, process upsets, startups, shutdowns, and other operational and safety reasons. Presently, there are eight operating petroleum refineries, one sulfur recovery plant and three hydrogen production plants with a total of 31 existing flares affected by this proposed amended rule.

**Table 1: Facilities Subject to Rule 1118**

Facility Name	Facility Location	Number of Flares
Air Liquide	El Segundo, CA	1
Air Products Carson	Carson, CA	1
Air Products Wilmington	Wilmington, CA	1
AltAir Paramount Petroleum	Paramount, CA	1
Chevron Products Company	El Segundo, CA	6
Phillips 66 Carson	Carson, CA	2
Phillips 66 Wilmington	Wilmington, CA	4
Marathon Petroleum (Tesoro) Carson	Carson, CA	5
Marathon Petroleum (Tesoro) Sulfur Recovery Plant	Carson, CA	1
Marathon Petroleum (Tesoro) Wilmington	Wilmington, CA	2
Torrance Refining Company	Torrance, CA	3
Ultramar/Valero	Wilmington, CA	4
<b>Total 12 Facilities</b>		<b>Total 31 Flares</b>

## CONTROL TECHNOLOGY

The proposed amendments do not include any requirements for control technologies.

## EXPECTED EMISSIONS REDUCTIONS

The proposed amendments are not expected to reduce emissions.

## SUMMARY OF PROPOSAL

PAR 1118 will include a requirement that CARB and U.S. EPA must approve ASTM ~~test methods~~ standards not included in the rule. This proposed amendment is meant to address the U.S. EPA's limited disapproval of the SIP due to a current provision that grants the South Coast AQMD's Executive Officer sole authority to approve ASTM ~~test methods~~ standards not explicitly included in the rule.

## PROPOSED AMENDMENT TO RULE 1118

### *Subdivision (j) – Testing and Monitoring Methods*

Staff is proposing to amend paragraph (j)(1) to include CARB and U.S. EPA approval, in addition to the South Coast AQMD Executive Officer's approval, for any ASTM ~~test method~~ standard other than the ones listed in the rule to determine the higher (gross) heating value of vent gases per clause (j)(1)(A)(i) and the total sulfur concentration per clause (j)(1)(B)(i). Staff removed the phrase "as applicable" which was included in the draft amended rule to clarify that CARB and U.S. EPA must always approve an ASTM standard not explicitly listed in clauses (j)(1)(A)(i) and (j)(1)(B)(i).

**Figure 1: PAR 1118 – Paragraph (j)(1)**

- |      |                                                                                                                                                                                                                                                                                                                                                                               |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (j)  | Testing and Monitoring Methods                                                                                                                                                                                                                                                                                                                                                |
| (1)  | For the purpose of this rule, the test methods listed below shall be used:                                                                                                                                                                                                                                                                                                    |
| (A)  | The higher (gross) heating value of vent gases shall be determined by:                                                                                                                                                                                                                                                                                                        |
| (i)  | ASTM Method D4809-13, ASTM Method D 3588-98(2011), ASTM Method D4891-13, or other ASTM standard as approved by the Executive Officer, <u>California Air Resources Board and U.S. Environmental Protection Agency, as applicable</u> ; and                                                                                                                                     |
| (ii) | With a higher heating value analyzer that meets or exceeds the specifications in Attachment A.                                                                                                                                                                                                                                                                                |
| (B)  | The total sulfur concentration, expressed as sulfur dioxide, shall be determined by:                                                                                                                                                                                                                                                                                          |
| (i)  | District Method 307-91 or ASTM Method D 5504-12, or other ASTM standard as approved by the Executive Officer, <u>California Air Resources Board and U.S. Environmental Protection Agency, as applicable</u> ; and                                                                                                                                                             |
| (ii) | With a total sulfur analyzer that meets or exceeds the specifications in Attachment A.                                                                                                                                                                                                                                                                                        |
| (C)  | The vent gas flow shall be determined by a flow measuring device that meets or exceeds the specifications described in Attachment A, as applicable. The accuracy of all flow meters shall be verified every twelve months according to the manufacturers' procedures and the results shall be submitted to the Executive Officer within 30 days after the reports are issued. |

- (j) Testing and Monitoring Methods
  - (1) For the purpose of this rule, the test methods listed below shall be used:
    - (A) The higher (gross) heating value of vent gases shall be determined by:
      - (i) ASTM Method D4809-13, ASTM Method D 3588-98(2011), ASTM Method D4891-13, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#); and
      - (ii) With a higher heating value analyzer that meets or exceeds the specifications in Attachment A.
    - (B) The total sulfur concentration, expressed as sulfur dioxide, shall be determined by:
      - (i) District Method 307-91 or ASTM Method D 5504-12, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#); and
      - (ii) With a total sulfur analyzer that meets or exceeds the specifications in Attachment A.
    - (C) The vent gas flow shall be determined by a flow measuring device that meets or exceeds the specifications described in Attachment A, as applicable. The accuracy of all flow meters shall be verified every twelve months according to the manufacturers' procedures and the results shall be submitted to the Executive Officer within 30 days after the reports are issued.

### ***Attachment A – Flare Monitoring System Requirements***

Staff is proposing to amend Attachment A paragraph (4)(n) to include CARB and U.S. EPA approval, in addition to the South Coast AQMD Executive Officer's approval, for any ASTM ~~test method~~ [standard](#) other than the ones listed in the rule to be used in data collection from continuous and semi-continuous gaseous stream higher heating value flare monitoring systems. [Staff removed the phrase "as applicable" which was included in the draft amended rule to clarify that CARB and U.S. EPA must always approve an ASTM standard not explicitly listed in Attachment A paragraph \(4\)\(n\).](#)

### **Figure 2: PAR 1118 – Attachment A Paragraph (4)(n)**

- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using ASTM D1945-03 and ASTM D3588-91, ASTM D 4891-89, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency, as applicable](#). See rule 218.1 (a)(23) for calculations.

- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using ASTM D1945-03 and ASTM D3588-91, ASTM D 4891-89, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#). See rule 218.1 (a)(23) for calculations.

Staff is also proposing to amend Attachment A paragraph (5)(n) to include CARB and U.S. EPA approval, in addition to the South Coast AQMD Executive Officer's approval, for any ASTM ~~test method~~ [standard](#) other than the ones listed in the rule to be used in data collection from continuous and semi-continuous gaseous stream total sulfur monitoring systems. [Staff removed the phrase "as applicable" which was included in the draft amended rule to clarify that CARB and U.S. EPA must always approve an ASTM standard not explicitly listed in Attachment A paragraph \(5\)\(n\).](#)

### Figure 3: PAR 1118 – Attachment A Paragraph (5)(n)

- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using SCAQMD Laboratory Method 307-91, ASTM D5504-01 or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency, as applicable](#). See rule 218.1(a)(23) for calculations.

Note: Facilities are reminded that there are many critical issues for the collection of representative and monitoring system comparable gas samples destined for Method 307-91 or ASTM D5504-01 analysis.

- n. Perform at monitoring system start-up and on an annual basis a relative accuracy test audit (RATA) which is the ratio of the sum of the absolute mean difference between the monitoring system generated data and the value determined using SCAQMD Laboratory Method 307-91, ASTM D5504-01 or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#). See rule 218.1(a)(23) for calculations.

Note: Facilities are reminded that there are many critical issues for the collection of representative and monitoring system comparable gas samples destined for Method 307-91 or ASTM D5504-01 analysis.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 1118) 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 and if PAR 1118 is approved, the Notice of Exemption will be filed with the county

clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

## **SOCIOECONOMIC IMPACT ASSESSMENT**

The proposed amendments to Rule 1118 are administrative in nature and have no adverse socioeconomic impacts.

### **DRAFT FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 40727**

Before adopting, amending, or repealing a rule, the Health and Safety Code requires South Coast AQMD to adopt written findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined in Health and Safety Code Section 40727. The draft findings are as follows:

***Necessity*** – PAR 1118 is necessary to: 1) satisfy the requirements of CAA, and 2) address the U.S. EPA SIP disapproval in a timely manner to avoid possible sanctions by the federal government and other consequences under CAA.

***Authority*** – The South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40441, 40702, [and 40725 through 40728](#), ~~41508, and 41700~~.

***Clarity*** – The South Coast AQMD Governing Board has determined that PAR 1118 is written and displayed so that the meaning can be easily understood by persons directly affected by them.

***Consistency*** – The South Coast AQMD Governing Board has determined that PAR 1118- is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

***Non-Duplication*** – The South Coast AQMD Governing Board has determined that PAR 1118 does not impose the same requirement as any existing state or federal regulation, and the proposed amendments are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

***Reference*** – In adopting this regulation, the South Coast AQMD Governing Board references the following statutes, which the South Coast AQMD hereby implements, interprets, enforces, or makes specific: Health and Safety Code Sections ~~40440 and 40441, and CAA Section 110~~ [39002, 40001, 40702, 40440\(a\), 40725 through 40728.5, and federal Clean Air Act Sections 110, 172, and 182\(e\)](#).

## **COMPARATIVE ANALYSIS**

Health and Safety Code Section 40727.2(g) is not applicable because the proposed amended rule does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore, a comparative analysis is not required.

**COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6 requires a cost-effectiveness analysis when establishing BARCT requirements. PAR 1118 is not establishing or imposing any BARCT requirements; therefore, a cost effectiveness analysis was not conducted. The amendment to Rule 1118 is administrative in nature and it is not expected to have any associated costs.

**INCREMENTAL COST-EFFECTIVENESS ANALYSIS**

Health and Safety Code Section 40920.6(a)(3) states that an incremental cost-effectiveness assessment should be performed on identified potential control options that meet air quality objectives. PAR 1118 is not establishing or imposing any BARCT requirements that require control options; therefore, an incremental cost effectiveness analysis was not conducted.

**APPENDIX A – PUBLIC COMMENTS**

South Coast AQMD discussed the amendments to Rule 1118 during the Working Group Meeting held on October 26, 2022. During the Working Group Meeting, a stakeholder asked staff to confirm that the rule development to reduce flaring will continue and not be impacted by the minor amendment to address the SIP disapproval, which staff confirmed. No further comments or comment letters have been submitted.

ATTACHMENT H



**South Coast  
Air Quality Management District**

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

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 1118 – CONTROL OF EMISSIONS  
FROM REFINERY FLARES**

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 filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research for posting 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-2023>.



**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

<b>To:</b> County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research – State Clearinghouse	<b>From:</b> South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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**Project Title:** Proposed Amended Rule 1118 – Control of Emissions from Refinery Flares

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**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.

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**Description of Nature, Purpose, and Beneficiaries of Project:** Proposed Amended Rule 1118 (PAR 1118) addresses a United States Environmental Protection Agency (U.S. EPA) State Implementation Plan (SIP) limited disapproval of the July 2017 version of Rule 1118 because it grants the South Coast AQMD's Executive Officer sole authority to approve ASTM International (ASTM) standards not explicitly included in the rule. To remedy this issue, PAR 1118 expands the existing provisions, which currently allow South Coast AQMD to approve ASTM standards that are not otherwise specified elsewhere in Rule 1118, to also require the California Air Resources Board (CARB) and the U.S. EPA approve these ASTM standards. The beneficiaries of implementing PAR 1118 will be CARB and U.S. EPA through improving their oversight of reviewing and approving ASTM standards. Implementation of PAR 1118 will not result in emission reductions.

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<b>Public Agency Approving Project:</b> South Coast Air Quality Management District	<b>Agency Carrying Out Project:</b> South Coast Air Quality Management District
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**Exempt Status:**  
CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

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**Reasons why project is exempt:** South Coast AQMD, as Lead Agency, has reviewed the proposed project (PAR 1118) 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 proposed project is exempt from CEQA. Because the proposed expansion of the authority to approve other ASTM standards to include CARB and U.S. EPA is administrative in nature and would not require physical modifications to occur, it can be seen with certainty that implementing PAR 1118 would not cause 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.

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**Date When Project Will Be Considered for Approval (subject to change):**  
South Coast AQMD Governing Board Public Hearing: January 6, 2023

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<b>CEQA Contact Person:</b> Farzaneh Khalaj, Ph.D.	<b>Phone Number:</b> (909) 396-3022	<b>Email:</b> <a href="mailto:fkhalaj@aqmd.gov">fkhalaj@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982
<b>PAR 1118 Contact Person:</b> Zoya Banan, Ph.D.	<b>Phone Number:</b> (909) 396-2332	<b>Email:</b> <a href="mailto:zbanan@aqmd.gov">zbanan@aqmd.gov</a>	<b>Fax:</b> (909) 396-3982

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**Date Received for Filing:**

**Signature:** *(Signed and Dated Upon Board Approval)*

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Barbara Radlein  
Program Supervisor, CEQA  
Planning, Rule Development, and Implementation



# Proposed Amended Rule 1118: Control of Emissions from Refinery Flares

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Board Meeting  
January 6, 2023

Attachment I

# Background



Rule 1118 was adopted February 1998

- Establishes requirements for flares located at petroleum refining facilities, hydrogen plants, and sulfur recovery plants
- Last amended in 2017



Proposed Amended Rule 1118 is designed to address comments received from U.S. EPA regarding their limited disapproval of Rule 1118



Public Process

- Working Group Meeting on October 26, 2022



# U.S. Environmental Protection Agency Final Action on Rule 1118

- On September 21, 2022, U.S. EPA published a limited rule disapproval effective on October 24, 2022
- Sanctions will be imposed if deficiency is not corrected by April 24, 2024
- Proposed Amended Rule 1118 is needed to address deficiency and avoid sanctions

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[FR Doc. 2022-20421 Filed 9-21-22; 8:45 am]
BILLING CODE 6560-50-P
<b>ENVIRONMENTAL PROTECTION AGENCY</b>
<b>40 CFR Part 52</b>
[EPA-R09-OAR-2021-0943; FRL-9372-02- R9]
<b>Air Plan Limited Approval and Limited Disapproval; California; South Coast Air Quality Management District; Refinery Flares</b>
<b>AGENCY:</b> Environmental Protection Agency (EPA).
<b>ACTION:</b> Final rule.
<b>SUMMARY:</b> The Environmental Protection Agency (EPA) is finalizing a limited approval and limited disapproval of revisions to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) and oxides of
Local agency
SCAQMD .....

# Proposed Amended Rule 1118

## U.S. EPA's Concern

- Rule 1118 Paragraph (j) provides “unbounded director’s discretion”

## Proposed Amended Rule 1118

- Proposing to amend the provision to include CARB and U.S. EPA approval for ASTM standards not included in the rule

### (j) Testing and Monitoring Methods

- (1) For the purpose of this rule, the test methods listed below shall be used:
  - (A) The higher (gross) heating value of vent gases shall be determined by:
    - (i) ASTM Method D4809-13, ASTM Method D 3588-98(2011), ASTM Method D4891-13, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#); and
    - (ii) With a higher heating value analyzer that meets or exceeds the specifications in Attachment A.
  - (B) The total sulfur concentration, expressed as sulfur dioxide, shall be determined by:
    - (i) District Method 307-91 or ASTM Method D 5504-12, or other ASTM standard as approved by the Executive Officer, [California Air Resources Board and U.S. Environmental Protection Agency](#); and
    - (ii) With a total sulfur analyzer that meets or exceeds the specifications in Attachment A.

# Staff Recommendations

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## Adopt Resolution:

- Determining that PAR 1118 is exempt from the requirements of the California Environmental Quality Act
- Amending Rule 1118