



# South Coast Air Quality Management District



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

## A G E N D A

### NOTICE OF SPECIAL MEETING IN VALLEY GLEN OCTOBER 6, 2023

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, October 6, 2023 through a hybrid format of in-person attendance in Monarch Hall at Los Angeles Valley College, 5800 Fulton Avenue, Valley Glen, California, and/or virtual attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

Please refer to South Coast AQMD’s website for information regarding the format of the meeting, updates, and details on how to participate at: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

<p><b>Electronic Participation Information</b> (Instructions provided at the bottom of the agenda)</p>	<p><b>Join Zoom Meeting - from PC, Laptop or Phone</b> <a href="https://scagmd.zoom.us/j/93128605044">https://scagmd.zoom.us/j/93128605044</a> Meeting ID: <b>931 2860 5044</b> (applies to all) Teleconference Dial In +1 669 900 6833 or +1 253 215 8782 One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#</p> <p><b>Spanish Language Only Audience (telephone)</b> Número Telefónico para la Audiencia que Habla Español Teleconference Dial In/Numero para llamar: +1 669 900 6833 Meeting ID/Identificación de la reunión: <b>932 0955 9643</b> One tap mobile: +16699006833,,93209559643#</p>
<p><b>Public Comment Will Still Be Taken</b></p>	<p><b>Audience will be allowed to provide public comment in person and through Zoom connection or telephone.</b> 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</p>
<p><b>Questions About an Agenda Item</b></p>	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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.</li> </ul>
<p><b>Meeting Procedures</b></p>	<ul style="list-style-type: none"> <li>▪ 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, <u>any item</u> may be considered in <u>any order</u>.</li> <li>▪ 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.</li> </ul>

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: Vanessa Delgado, Chair  
Other Board Members  
Wayne Nastri, Executive Officer

Staff/Phone (909) 396-

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

**CONSENT AND BOARD CALENDAR (Items 1 through 23)**

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 24

**Items 1 and 2 – Action Items/No Fiscal Impact**

1. Approve Minutes of September 1, 2023 **Thomas/3268**
  
2. Set Public Hearings November 3, 2023 to Consider **Nastri/3131**  
Adoption of and/or Amendments to South Coast  
AQMD Rules and Regulations:
  - 2A. Set Public Hearing November 3, 2023 to Determine That **Krause/2706**  
Proposed Rule 1110.3 – Emissions from Linear Generators  
and Proposed Amended Rule 1110.2 – Emissions from  
Gaseous- and Liquid-Fueled Engines, Are Exempt from  
CEQA; and Adopt Rule 1110.3 and Amend Rule 1110.2

Proposed Rule 1110.3 will establish NOx, CO, and VOC emission limits for linear generators, as well as provisions for source testing, monitoring, reporting and recordkeeping. Proposed Amended Rule 1110.2 will be amended to exclude linear generators from the applicability and requirements. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1110.3 – Emissions from Linear Generators and Proposed Amended Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines, are exempt from the requirements of the California Environmental Quality Act; 2) Adopting Rule 1110.3 – Emissions from Linear Generators; and 3) Amending Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. (Reviewed: Stationary Source Committee, February 17 and September 15, 2023; and To Be Reviewed: October 20, 2023)

- 2B. Determine That Proposed Amended Rule 2011 - Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions and Proposed Amended Rule 2012 - Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions, Are Exempt from CEQA; and Amend Rules 2011 and 2012

**Krause/2706**

Proposed Amended Rules 2011 and 2012 will allow continuous emission monitoring systems to be shutdown, when the combustion equipment it monitors is scheduled to be not operating or generating emissions for an extended period of time, provided specific conditions are met, consistent with Rule 218.2 - Continuous Emission Monitoring System: General Provisions. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 2011 - Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions and Proposed Amended Rule 2012 - Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rules 2011 and 2012. (Reviewed: Stationary Source Committee, September 15, 2023)

**Items 3 through 9 – Budget/Fiscal Impact**

3. Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for U.S. EPA Grants

**Low/2269**

Recently, U.S. EPA awarded competitive grants to enhance air quality monitoring in communities. South Coast AQMD was awarded two of these grants - one to expand its existing pilot sensor library program and one to conduct enhanced measurements of PM2.5. These actions are to recognize up to \$999,900 in revenue from U.S. EPA into the General Fund, appropriate up to \$999,900 in the Monitoring and Analysis' FY 2023-24, and/or FY 2024-25, and/or FY 2025-26 Budgets, execute and/or amend contracts, and issue solicitations and purchase orders to support these two projects. (Reviewed: Administrative Committee, September 8, 2023; Recommended for Approval)

4. Issue RFP for Technical Assistance to Support South Coast AQMD's Technology Advancement Office Activities and Implementation Efforts

**Katzenstein/2219**

South Coast AQMD administers and implements incentive programs as well as pre-commercial research, development, demonstration, and deployment of low- and zero-emission technologies. These actions are to: 1) issue an RFP to solicit proposals from qualified consultants and consulting firms with relevant technical expertise and experience to assist with the

implementation of incentive programs and development of technology demonstration project proposals; and 2) authorize the Executive Officer to execute or amend contract(s) with the selected consultant(s) or firm(s) in an amount not to exceed \$600,000 using up to \$300,000 in administrative funds from Carl Moyer Program Fund (32), Community Air Protection Program Fund (77) and Proposition 1B Goods Movement Fund (81); and up to \$300,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, September 15, 2023; Recommended for Approval)

5. Amend Contract with Coachella Valley Association of Governments

**Katzenstein/2219**

In January 2013, the Board approved contracts for emission reduction projects in the Coachella Valley from the AB 1318 Mitigation Fees Fund (58) for numerous projects. The Coachella Valley Association of Governments (CVAG) received \$17,400,000 for constructing a 46-mile corridor for neighborhood electric vehicles, bicycles and pedestrians, known as "CV Link" that will extend from Palm Springs to Coachella. In January 2021, the Board approved amending the CVAG contract with \$1,469,680 in accrued interest. As portions of the CV Link have been completed and in anticipation of the next construction phase, CVAG is requesting accrued interest funds from their award balance, as included in their contract. This action is to amend the contract with CVAG to augment the existing funding by \$255,923 from the AB 1318 Mitigation Fees Fund (58). (Reviewed; Technology Committee, September 15, 2023; Recommended for Approval)

6. Execute Contract for Development and Demonstration of Electric-Powered Trailer for Heavy-Duty Vehicles

**Katzenstein/2219**

Range Energy is proposing to develop and demonstrate battery electric-powered trailers that can integrate with existing diesel and zero-emission trucks to provide propulsion assistance and regenerative braking. This project will demonstrate emission benefits of electric-powered trailers. The University of California, Riverside College of Engineering - Center for Environmental Research & Technology (UCR/CE-CERT) will assist Range Energy with data collection and quantifying emission benefits. This action is to execute contracts with 1) Range Energy in an amount not to exceed \$500,000 and 2) UCR/CE-CERT in an amount not to exceed \$50,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, September 15, 2023; Recommended for Approval)

7. Execute Contract to Develop and Demonstrate a Portable Liquid Hydrogen Fueling System for Medium- and Heavy-Duty Equipment Applications

**Katzenstein/2219**

Large equipment with high power demands used in long range applications requires high-capacity hydrogen power systems when converted to zero-emission. Gaseous hydrogen fuel storage is not technically viable to meet power demands. Liquid hydrogen storage has a higher energy density and is needed to meet higher power demands. Zero Emission Industries, Inc. (ZEI) will design, build, and demonstrate a portable and rapidly deployable liquid hydrogen fueling system for marine or locomotive applications. This action is to execute a contract with ZEI to develop a portable liquid hydrogen fueling system in an amount not to exceed \$1,175,000 from the Clean Fuels Program Fund (31). (Reviewed: Technology Committee, September 15, 2023; Recommended for Approval)

8. Adopt Resolution, Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for Continued AB 617 Implementation

**Jain/2804**

South Coast AQMD was approved to receive a \$21,880,000 grant from the CARB Community Air Protection Program. In May 2023, the Board recognized \$18,553,333 for the most recent allocation of the AB 617 implementation program funding. This action is to adopt a resolution to accept the terms and conditions of the grant, recognize up to an additional \$3,326,667 from CARB into the General Fund, appropriate up to \$3,400,000 into the FY 2023-24 and/or 2024-25 Budgets, execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation. (Reviewed: Administrative Committee, September 8, 2023; Recommended for Approval)

9. Approve Amendments to MOU with Teamsters Local 911 and Administrative Code Provisions for Non-Represented Employees Regarding Employer Contributions for Health Insurance Premiums

**Olvera/2309**

South Coast AQMD management and Teamsters Local 911, representing the Office Clerical & Maintenance and Technical & Enforcement bargaining units, have reached an agreement to address health insurance premium increases effective January 1, 2024. The proposed MOU amendment provides for an additional \$75 per month to be paid directly to health insurance providers on behalf of each employee. This action is to request Board approval of the MOU amendment. This action is also to approve an amendment to the South Coast AQMD Administrative Code for an additional payment of \$75 per month to the health insurance providers on behalf of each non-represented employee. Sufficient funds are available in the FY 2023-24 Budget and will be requested in the FY 2024-25 Budget. (No Committee Review)

**Items 10 through 16 – Information Only/Receive and File**

10 Legislative, Public Affairs and Media Report

**Alatorre/3122**

This report highlights the August 2023 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State and Local Government. (No Committee Review)

11. Hearing Board Report

**Verdugo-Peralta**

This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2023. (No Committee Review)

12. Civil Filings and Civil Penalties Report

**Gilchrist/3459**

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from August 1, 2023 through August 31, 2023. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, September 15, 2023)

13. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

**Krause /2706**

This report provides a listing of CEQA documents received by South Coast AQMD between August 1, 2023 and August 31, 2023, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, September 15, 2023)

14. Rule and Control Measure Forecast

**Rees/2856**

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2023. (No Committee Review)

15. Report of RFQs/RFPs Scheduled for Release in October

**Jain/2804**

This report summarizes the RFQs/RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of October. (Reviewed: Administrative Committee, September 8, 2023)

- 16. Status Report on Major Ongoing and Upcoming Projects for Information Management **Moskowitz/3329**

Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, September 8, 2023)

**Items 17 through 23 -- Reports for Committees and CARB**

*Note: The September 21, 2023 Mobile Source Air Pollution Reduction Review Committee (MSRC) was cancelled. The next regular meeting of the MSRC is October 19, 2023.*

- 17. Administrative Committee (Receive & File) Chair: Delgado **Nastri/3131**
- 18. Investment Oversight Committee (Receive & File) Chair: Cacciotti **Jain/2804**
- 19. Legislative Committee Chair: Cacciotti **Alatorre/3122**

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

Agenda Item	Recommendation
Air District/Public Agency Board Member Compensation Limit Increase Bill Proposal	Approve
Moyer Policy Adjustments Bill Proposal	Approve
ACA 13 (Ward) Voting thresholds	Support

- 20. Mobile Source Committee (Receive & File) Chair: Kracov **Rees/2856**
- 21. Stationary Source Committee (Receive & File) Chair: McCallon **Aspell/2491**
- 22. Technology Committee (Receive & File) Chair: Rodriguez **Katzenstein/2219**
- 23. California Air Resources Board Monthly Report (Receive & File) Board Rep: Kracov **Thomas/3268**
- 24. Items Deferred from Consent and Board Calendar

**STAFF PRESENTATION/BOARD DISCUSSION/RECEIVE AND FILE**

25. Overview of Proposed MATES VI (Presentation in Lieu of Board Letter)

**MacMillan/3244**

MATES is a nationally recognized monitoring and air quality modeling study conducted in the South Coast Air Basin and Coachella Valley that evaluates the cancer risk and chronic non-cancer risk from exposure to air toxics. The previous MATES V campaign was conducted in 2018 and 2019, with a final report published in 2021. The upcoming MATES VI will provide an update to the data collected in MATES V and also has enhancements planned for adding near road monitoring locations, greater characterization of air toxics trends through time, supplementary monitoring of additional air toxics and updated modeling methods. Staff will provide an overview of the planned MATES VI. (No Committee Review)

26. Update on Rail Yard Facility Based Mobile Source Measures

**MacMillan/3244**

Staff will present an informational update on the development of Facility Based Mobile Source Measure for new and existing rail yards. (No Committee Review)

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

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

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

**Gilchrist/3459**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

- In the Matter of South Coast Air Quality Management District v. Southern California Gas Company, Aliso Canyon Storage Facility, South Coast AQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel South Coast Air Quality Management District v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No.4861;
- South Coast Air Quality Management District, 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);
- South Coast Air Quality Management District, 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 District; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, U.S. District Court for the Central District of California, Case No. 2:21-cv-06341;
- In the Matter of South Coast Air Quality Management District v. Baker Commodities, South Coast AQMD 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;
- South Coast Air Quality Management District v. EPA, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646; and
- East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, the Governing Board of the South Coast Air Quality Management District, the California Air Resources Board, and Does 1 through 25, Inclusive, U.S. District Court for the Central District of California, Case No. 2:23-cv-06682.

#### **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 (three cases).

- Center for Biological Diversity and Center for Environmental Health v. Michael S. Regan, in his official capacity as Administrator, United States Environmental Protection Agency, U.S. District Court for the Northern District of California, Case No. 4:23-cv-00148 (PM 2.5)
- Western States Trucking Association, Inc. v. EPA, et al., Unites States Court of Appeals, D.C. Circuit, Case No. 23-1143

#### **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 South Coast AQMD (two cases).

#### **CONFERENCE WITH LABOR NEGOTIATORS**

It is also necessary to recess to closed session pursuant to Government Code section 54957.6 to confer with labor negotiators:

Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;

- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

#### **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	OEHHA = 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: October 6, 2023

AGENDA NO. 1

MINUTES: Governing Board Monthly Meeting

SYNOPSIS: Attached are the Minutes of the September 1, 2023  
Board Meeting.

RECOMMENDED ACTION:

Approve the September 1, 2023 Board Meeting Minutes.

Faye Thomas  
Clerk of the Boards

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**FRIDAY, SEPTEMBER 1, 2023**

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:

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

Councilmember Michael A. Cacciotti, Vice Chair  
Cities of Los Angeles County – Eastern Region

Supervisor Curt Hagman (Left the meeting at 12:15 p.m.)  
County of San Bernardino

Gideon Kracov  
Governor's Appointee

Mayor Larry McCallon (Left the meeting at 11:22 a.m.)  
Cities of San Bernardino County

Veronica Padilla-Campos (Left the meeting at 11:17 a.m.)  
Speaker of the Assembly Appointee

Supervisor V. Manuel Perez (Left the meeting at 11:22 a.m.)  
County of Riverside

Councilmember Nithya Raman  
City of Los Angeles

Councilmember Carlos Rodriguez (Left the meeting at 12:59 p.m.)  
Cities of Orange County

Councilmember José Luis Solache  
Cities of Los Angeles County – Western Region

Absent: Mayor Lock Dawson  
Cities of Riverside County

Supervisor Andrew Do  
County of Orange

Supervisor Holly J. Mitchell  
County of Los Angeles

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

**CALL TO ORDER:** Chair Delgado called the meeting to order at 9:07 a.m.

- Pledge of Allegiance: Led by Councilmember Rodriguez
- Roll Call\*  
Councilmember Solache arrived at 9:15 a.m.
- Opening Comments

Executive Officer Wayne Nastri announced that the 9<sup>th</sup> Annual Environmental Justice Conference would be held in-person on Wednesday, September 13, 2023 at the Riverside Convention Center and that the October Board Meeting would be held at Los Angeles Valley College.\*

Vice Chair Cacciotti shared photos of Koko Panossian, Deputy Director of the City of Glendale Community Services & Parks, and David Ono, Sr. AQ Engineering Manager at South Coast AQMD, at an AYSO Area 1C soccer coaches meeting. Vice Chair Cacciotti commented that, according to Mr. Panossian, the City of Glendale is participating in the South Coast AQMD Commercial Lawn and Garden Equipment Incentive Program and that the City will save approximately \$195,000 by transitioning to all electric equipment for maintenance of their city parks and properties.\*

Chair Delgado thanked Mark Henninger, a Manager in Information Management who was retiring, and presented him with a crystal award in recognition of his dedicated service to the South Coast AQMD for 35 years.\*

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

The Public Comment Period on Non-Agenda Items was opened. The following individuals addressed the Board.

Brenda Soto, People’s Collective for Environmental Justice, was speaking off topic on Agenda Item No. 33 and was redirected to comment during the public comment period for that item.

Sarah Jepson, SCAG, expressed gratitude to South Coast AQMD staff for their contributions to the interagency coordination efforts to resolve the transportation conformity lockdown, and thanked the Board for approving the request to reclassify the

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\* Due to technical issues, this portion of the meeting is not available on the webcast.

Coachella Valley for the 2008 8-hour ozone standard and update the Motor Vehicle Emissions Budgets last November. For additional details, please refer to the [Webcast](#) beginning at 4:42.

Monty Rowan, Marina Del Rey resident, expressed concern with the handling of the asbestos remediation process at the Dolphin Marina Apartments construction project. For additional details, please refer to the Webcast beginning at 7:01.

Mr. Nastri confirmed that staff is aware of this issue and has been working closely with Supervisor Mitchell's office. Terrence Mann, Deputy Executive Officer/Compliance & Enforcement, added that staff has inspected the apartment complex numerous times, but no asbestos violations have been identified. Inspectors responded to all complaints from residents of the complex and reviewed the asbestos surveys that were prepared by a third party Certified Asbestos Consultant (CAC). No issues were identified with those surveys or with the subsequent abatement work, but staff will continue to closely monitor the project and respond to all complaints.

Dawny'all Heyardi, Pacific Environment, commented on the record cargo shipping traffic at the Ports and its impact on frontline communities to highlight the importance of the Ports ISR, which is scheduled for consideration by the Board later this year. He emphasized the need for the Ports ISR to set mandatory stringent emission caps and urged support of infrastructure for shore power for all categories of vessels, as well as retrofits and offshore charging stations for ships. For additional details, please refer to the [Webcast](#) beginning at 11:41.

Darby Osnaya, Colton resident, emphasized the need to acknowledge and honor the Native American communities, people of color that have built up Southern California, as well as the public commenters who take time out of their schedules to participate in these meetings. For additional details, please refer to the [Webcast](#) beginning at 14:54.

Harvey Eder, Public Solar Power Coalition, expressed disappointment that the Sunshot Initiative and Solar New Deal were not evaluated by U.S. EPA, CARB, and South Coast AQMD and commented on the 2022 AQMP. For additional details, please refer to the [Webcast](#) beginning at 16:57.

Ranji George, a member of the public, expressed concern that funding for hydrogen technologies continues to be limited, causing hydrogen technologies to fall behind battery electric and other technologies. He urged the Board to encourage CARB, CEC, CPUC and the Governor to increase funding for hydrogen technologies; and form a task force to address hydrogen supply issues as well as the availability and reliability of hydrogen dispensing stations. For additional details, please refer to the [Webcast](#) beginning at 20:43.

Reuben Franco, Orange County Hispanic Chamber of Commerce, was speaking off topic on Agenda Item No. 2 and was redirected to comment during the public comment period for that item.

Maria Serafin, Wilmington resident, via a Spanish interpreter commented on the adverse health impacts to the community from air pollution from the refineries and the large storage tanks near the refineries. For additional details, please refer to the [Webcast](#) beginning at 25:22.

There being no further requests to speak, the Public Comment Period on non-agenda items was closed.



## **CONSENT AND BOARD CALENDAR**

Chair Delgado moved Agenda Item No. 36 to the Consent Calendar.

### **Items 1 through 4 – Action Items/No Fiscal Impact**

1. Approve Minutes of August 4, 2023 Board Meeting
2. Set Public Hearing October 6, 2023 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:  
Determine That Proposed Amended Rule 1405 – Control of Ethylene Oxide Emissions from Sterilization and Related Operations, Is Exempt from CEQA; and Amend Rule 1405
3. Request Approval of Proposed Membership Roster for the AQMP Advisory Group
4. Request Approval of Proposed Membership Roster for Scientific, Technical and Modeling Peer Review Advisory Group

### **Items 5 through 16 – Budget/Fiscal Impact**

5. Issue RFP and Execute Contracts for Clean Technology Truck Loaner Program Within Four AB 617 Communities
6. Approve Additional Funding for Residential Electric Vehicle Charging Incentive Program
7. Recognize Revenue, Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring Equipment
8. Transfer and Appropriate Funds for Air Monitoring Programs and Issue Purchase Order(s) for Two Vehicles
9. Appropriate Funds, Issue Solicitations and Purchase Orders for Air Monitoring and Laboratory Equipment
10. Transfer and Appropriate Funds for Independent Audit of Rule 1180 Fenceline Air Monitoring Network
11. Appropriate Funds and Issue Solicitations and Purchase Orders to Implement Air Quality Community Training in Eastern Coachella Valley

12. Appropriate Funds from the Undesignated (Unassigned) Fund Balance for Permitting Enhancement Program
13. Execute Contract(s) for Legislative Representation in Sacramento, California
14. Approve Revisions to Class Specifications; Amend Salary Resolution to Revise Salaries as Part of Revision Process; Amend FY 2023-24 Budget By Adding and Deleting Positions to Address Operational Needs
15. Appropriate Funds and Amend Contract with Strumwasser & Woocher, LLP to Provide Representation and Advice to South Coast AQMD Hearing Board
16. Approve Contract Awards as Approved by MSRC
36. Execute Contract for Independent Audit Services for FYs Ending June 30, 2023, 2024, and 2025 (*This item was moved from Other Business to the Consent Calendar*)

**Items 17 through 25 – Information Only/Receive and File**

17. Legislative, Public Affairs and Media Report
18. Hearing Board Report
19. Civil Filings and Civil Penalties Report
20. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects
21. Rule and Control Measure Forecast
22. Report of RFQs/RFPs Scheduled for Release in September
23. FY 2022-23 Contract Activity
24. Status Report on Major Ongoing and Upcoming Projects for Information Management
25. Status Report on Regulation XIII – New Source Review

**Items 26 through 31 – Reports for Committees and CARB**

*The July and August meetings of the CARB Board were cancelled.*

26. Administrative Committee
27. Legislative Committee
28. Mobile Source Committee
29. Stationary Source Committee
30. Technology Committee
31. Mobile Source Air Pollution Reduction Review Committee
32. Items Deferred from Consent and Board Calendar  
Agenda Item No. 2 was pulled for comment or discussion.



The public comment period was opened for Agenda Item Nos. 1, 3-31, and No. 36.

Magali Sanchez Hall, Communities for a Better Environment/Emerge/Wilmington resident, was speaking off topic on Agenda Item No. 34 and redirected to comment during the public comment period for that item. For additional details, please refer to the [Webcast](#) beginning at 30:27.

Agenda Item No. 5 – Issue RFP and Execute Contracts for Clean Technology Truck Loaner Program Within Four AB 617 Communities

Ranji George expressed support for the program but requested that more funds be set aside expressly for hydrogen trucks. He expressed disappointment with the limited funding that has been allocated to hydrogen fuel cell technology over the last 30 years and pointed out the drawbacks of EV batteries such as the weight of the battery pack required to power the vehicle and inevitable need to recycle the batteries. He urged the Board to provide more support for the use of hydrogen technologies. For additional details, please refer to the [Webcast](#) beginning at 32:21.

Theral Golden, West Long Beach Association, expressed support for the truck rental program but emphasized the need to present a plan. For additional details, please refer to the [Webcast](#) beginning at 40:47.

Marven Norman, Center for Community Action and Environmental Justice and San Bernardino resident, expressed support for the program but emphasized the need to ensure that a generous number of eligible dealers are in the Inland Empire for truck drivers in the San Bernardino, Muscoy area that want to participate in the program. He noted that the state of California has already increased the weight limit for ZEV trucks to account for the weight of batteries. For additional details, please refer to the [Webcast](#) beginning at 57:02.

Agenda Item No. 21 – Rule and Control Measure Forecast

Topher Mathers, Active San Gabriel Valley, urged the Board to direct staff to implement the 2022 AQMP without further delay by prioritizing zero-emission standards for furnace and water heaters and scheduling the associated rulemaking efforts for adoption in 2024. For additional details, please refer to the [Webcast](#) beginning at 36:10. (Written Comments Submitted)

Harvey Eder expressed support for Ranji George's comments on the supply of hydrogen. He emphasized the need to evaluate the Solar New Deal, expressed concerns with difficulties viewing presentations on his phone via Zoom and with the public process. For additional details, please refer to the [Webcast](#) beginning at 38:16.

There being no further requests to speak, the public comment period was closed for Agenda Item Nos. 1, 3-31, and No. 36.



**Written Comments Submitted Regarding Agenda Item No. 21:**

One letter signed by the following organizations: Active San Gabriel Valley, Ban SUP (Single Use Plastic), Day One, Earthjustice, Los Angeles Climate Reality Project, RMI, San Fernando Climate Reality Project, Sierra Club, Sustainable Claremont

**Board Action (Items 1, 3-31, and Item 36)**

MOVED BY CACCIOTTI, SECONDED BY PEREZ TO APPROVE AGENDA ITEMS 1, 3 THROUGH 31 AND ITEM 36 AS RECOMMENDED AND RECEIVE AND FILE THE COMMITTEE AND MSRC REPORTS.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Hagman, Kracov, McCallon, Padilla-Campos, Perez, Raman, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, and Mitchell



**32. Item Pulled for Comments or Discussion**

Agenda Item No. 2 – Set Hearing for Proposed Amended Rule 1405

The public comment period was opened for Agenda Item No. 2.

For additional details regarding the following comments, please refer to the [Webcast](#) beginning at 34:20.

Jose Hernandez, a member of the public  
Yasi Milani, Dana Point resident

These commenters described the importance of having properly sterilized devices for the surgery/medical treatments they received as patients. They expressed concern that PAR 1405 could cause disruption to the availability of sterile medical equipment and urged the Board to consider the safety of patients in this rulemaking.

Sam Chung, California Life Sciences  
Claire Conlon, Biocom California  
Darbi Gottlieb, AdvaMed  
Maya Lopez Grasse, Alston & Bird  
Richard DeMont, Ramboll on behalf of Sterigenics  
Victor Reyes, Valley Industry & Commerce Association  
Kevin Wagner, Sterigenics

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These speakers commented/requested the following:

- Cautioned that the proposed amendments could cause disruption to the supply chain and impact the availability of sterile products.
- Questioned the reliability of fenceline monitoring data
- Other sources may contribute to fenceline monitoring testing and trigger curtailment provisions even when the facility is operated within permitted conditions.
- Ability to meet implementation provisions and timelines makes compliance difficult to achieve.
- Medical technology and care sector have already invested significant funds to install enhanced emissions controls.
- De facto throughput limits disproportionately affect large facilities.
- Delay the Public Hearing for 120 days and direct staff to work with industry to address concerns.
- Suspend PAR 1405 rulemaking pending the completion of U.S. EPA's court-mandated regulation and OEHHA's risk levels update that may impose conflicting requirements.
- Already going through the HRA process and will have implemented permanent total enclosures well ahead of the deadlines contemplated by Rule 1402 and PAR 1405.

Jesse Marquez, Coalition for a Safer Environment, expressed support for the proposed amendments but was concerned that staff did not provide a more comprehensive description of the public health impacts of Ethylene Oxide and did not conduct a review of past accidents and corrective actions taken. He disagreed with the staff proposal to create a two-tiered provision for warehouses. For additional details, please refer to the [Webcast](#) beginning at 1:00:43.

Kora Booker, a member of the public, commented on the need to ensure PAR 1405 is aligned to the best interest of both public health and patient well being. For additional details, please refer to the [Webcast](#) at 1:03:27.

Esther Hernandez, Wilmington resident, spoke off topic on Agenda Item No. 34. For additional details, please refer to the [Webcast](#) beginning at 1:04:37.

Jane Williams, California Communities Against Toxics, commented on concerns about the toxicity of the Ethylene Oxide compound and emphasized the need for fenceline monitoring. She pointed out that alternatives to Ethylene Oxide are available and she would like to see the Federal Drug Administration approve these alternatives. Ms. Williams suggested that OEHHA provide a presentation to the South Coast AQMD Board on the

toxicity of Ethylene Oxide after they have updated the risk values for the compound. For additional details, please refer to the [Webcast](#) 1:05:44

Rueben Franco, Orange County Hispanic Chamber of Commerce, expressed concerns about the impact to the local economy and supply chains, noting that businesses in the medical technology and care providers sector are critical to the economy of our communities. For additional details, please refer to the [Webcast](#) beginning at 1:07:55.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 2.



Mayor McCallon commented on compliance actions that staff took in 2022 under Rule 1402 and the AB 2588 Air Toxics Hotspots Program to reduce health risks from Sterigenics US, LLC. An Early Action Reduction Plan under Rule 1402 required that Sterigenics set enforceable timelines for completion of the permanent total enclosures and other measures that are far ahead of deadlines contemplated in Rule 1402 and Rule 1405. He expressed concern that PAR 1405 would impose a throughput limit on larger facilities, curtailment provisions could be easily triggered by events outside of a facility's control, unproven source testing that has not been established for this equipment, and that the requirements put the vast majority of needed local health care capacity at risk. Mayor McCallon recommended that the set hearing be moved to December to allow additional time to resolve these key issues, with monthly progress reports to the Stationary Source Committee. For additional details, please refer to the [Webcast](#) beginning at 1:09:14.

Supervisor Hagman, inquired about recent developments on U.S. EPA's rulemaking for Ethylene Oxide. He asked whether PAR 1405 could potentially conflict with U.S. EPA's regulation and the impacts of curtailment. Given there are still many questions to address, he concurred with Mayor McCallon that more time is needed. For additional details, please refer to the [Webcast](#) beginning at 1:11:19.

Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, commented that a consent decree was recently approved mandating that U.S. EPA finalize its rulemaking on commercial sterilization standards by March 1, 2024. For Additional information, please refer to the [Webcast](#) 1:11:41

Mr. Nastri explained that most California regulations are adopted in advance of the federal government and that local and California rules are generally more stringent than federal regulations for air toxics. He noted that staff has been working with Sterigenics for the past year and a half and during that time staff has not been advised of a shortage of sterilized medical products. He commented on the AB 2588 process and the effectiveness of mobile monitoring in identifying hotspots in communities surrounding Ethylene Oxide facilities. However, the AB 2588 process is intensive and laborious but PAR 1405 would ensure getting results sooner in a greater area. Mr. Nastri added the possibility of a shorter sampling period to minimize the curtailment time. For additional details, please refer to the [Webcast](#) beginning at 1:12:14.

Board Member Padilla-Campos questioned whether PAR 1405 would impact patient care. She expressed concerns that people who live near facilities that use Ethylene Oxide would become patients because of their exposure to this chemical; therefore, she supported moving forward with the Set Hearing as proposed by staff. For additional details, please refer to the [Webcast](#) beginning at 1:18:33.

Board Member Kracov commended staff for actions taken to control Ethylene Oxide emissions and pointed out that based on scientific data, Ethylene Oxide is the second most toxic material. He emphasized the need to recognize the important role air monitoring played in assessing levels of Ethylene Oxide, however South Coast AQMD should not be paying for the monitoring. He pointed out that Parter has been good at controlling emissions, however Sterigenics has fluctuated. For additional details, please refer to the [Webcast](#) beginning at 1:19:17.

Mr. Nastri suggested that the Board move forward with today's 30-day Set Hearing. He gave assurance that staff would continue to work with all parties to address key concerns and would provide a report and recommendation at the next Stationary Source Committee meeting. He noted that in meeting with the parties over the last week it was made clear that they did not understand the provisions of the rule and how they applied, but they came to a general understanding after staff explained it. For additional details, please refer to the [Webcast](#) beginning at 1:22:15.

Councilmember Rodriguez recognized the importance to accomplish both priorities, which is controlling Ethylene Oxide emissions to ensure the safety of communities and addressing concerns about unintended consequences such as the shortage of medical supplies. He expressed support for Mayor McCallon's recommendation to set the hearing for December 2023 to allow additional time to address concerns. For additional details, please refer to the [Webcast](#) beginning at 1:23:48.

Councilmember Solache noted that protecting communities from harm and the availability of critical medical devices for patient care are equally important. He expressed concern with the unintended consequences and that industry may not be able to comply with the timelines. He agreed to move the Set Hearing to allow staff additional time to work on key issues; however, he did not want to delay it too far and recommended a Set Hearing for November instead of December. For additional details, please refer to the [Webcast](#) beginning at 1:26:10.

In response to Councilmember Raman's request for clarification on the potential for medical supply shortages, Mr. Nastri explained that the supply of sterilized medical devices has been a concern from the very beginning, and that there has not been a shortage of sterilized medical devices during any of the multiple curtailments that have been implemented. He explained that the pollution controls that staff is recommending are not new; it is the requirement to use these pollution controls that is new. Mr. Nastri commented that there are two equally important priorities, to ensure the public has sterilized medical devices and to protect the community from Ethylene Oxide emissions. For additional details, please refer to the [Webcast](#) beginning at 1:28:45.

Chair Delgado noted that PAR 1405 is a very technical rule, and some companies are just beginning to understand the rule, which may signal that more time is needed. Chair Delgado suggested a two-month delay to set the hearing in November with a Public Hearing in December. For additional details, please refer to the [Webcast](#) beginning at 1:32:51.

Mayor McCallon made a motion to set the PAR 1405 hearing in November 2023 and Councilmember Solache seconded the motion. Mayor McCallon requested that staff look into the permitting process, noting that the Sterigenics Vernon facility has been waiting for their permit for over one year. For additional details, please refer to the [Webcast](#) beginning at 1:34:52.

Supervisor Perez requested that staff also address the comments of Jesse Marquez by November. For additional details, please refer to the [Webcast](#) beginning at 1:35:53.

Mr. Nastri asked to clarify whether the Set Hearing is for November, with the Public Hearing in December.

Councilmember Raman expressed feeling uncomfortable about delaying the Set Hearing considering the toxicity of Ethylene Oxide. She requested assurance that the Board would not be voting to approve the Set Hearing at the November meeting. For additional details, please refer to the [Webcast](#) beginning at 1:37:43.

Mayor McCallon amended his motion for the action today to be a 90-day set hearing for the Public Hearing to be held December 2023. Councilmember Solache seconded the amended motion. For additional details, please refer to the [Webcast](#) beginning at 1:40:48.

**Written Comments Submitted:**

Evan Sanford, Redlands Chamber of Commerce

**Board Action (Item 2)**

MOVED BY MCCALLON, SECONDED BY SOLACHE  
TO SET THE HEARING TO AMEND RULE 1405 FOR  
THE DECEMBER 1, 2023 BOARD MEETING.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Hagman, Kracov, McCallon,  
Perez, Raman, Rodriguez, and Solache

NOES: Padilla-Campos

ABSTAIN: None

ABSENT: Lock Dawson, Do, and Mitchell

**PUBLIC HEARINGS (These items were taken out of order)**

34. Certify Final Environmental Assessment for Proposed Amended Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities; and Amend Rule 1178

The Board agreed to staff's request to waive the presentation.

The public comment period was opened for Agenda Item No. 34.

For additional details regarding the following comments, please refer to the [Webcast](#) beginning at 1:46:00.

Aleja, Earthjustice  
Jan Victor Andasan, East Yard Communities for Environmental Justice\*  
Byron Chan, Los Angeles resident  
Chris Chavez, Coalition for Clean Air\*  
Oscar Espino-Padron, Earthjustice\*  
Theral Golden, West Long Beach Association  
Maria Gonzalez, Wilmington Resident (via a Spanish interpreter)  
Ashley Hernandez, Communities for a Better Environment (CBE)  
Esther Hernandez, Wilmington resident (via a Spanish interpreter)  
Jesse Marquez, Coalition for a Safe Environment\*  
Julia May, CBE\*  
Maria Montes, Wilmington resident (via a Spanish interpreter)  
Paul Pereira, Coalition for a Safe Environment\*  
Alicia Rivera, CBE\*  
Magali Hall Sanchez, CBE, Emerge, and Wilmington resident

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\*(Written Comments Submitted)

These commenters addressed the following issues:

- Support adoption of Proposed Amended Rule 1178.
- Control of petroleum storage tanks is needed and is an environmental justice issue.
- Recommend shortening the doming schedule.
- Recommend conducting a Flux Sense study periodically.
- There are other facilities with storage tanks that should also be domed.
- Concerns that there are more tanks being built near their communities.
- Recommend a report back to the Board in a year to evaluate the efficacy of the rule.
- Frustration that public testimony was limited on such an important topic.

Jeff Wilson, Chevron, expressed support for the adoption of PAR 1178 and appreciated staff's willingness to work with Chevron as well as the transparency and collaboration throughout the process. For additional details, please refer to the [Webcast](#) beginning at 1:49:19.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 34.

Councilmember Solache apologized to the public for the need to reduce the time limit for public testimony, but the Board was at risk of losing a quorum and it was important that the Public Hearing items not be delayed to the following month.

**Written Comments Submitted:**

One letter signed by the following organizations: Communities for a Better Environment, Earthjustice, Coalition for Clean Air, East Yard Communities for Environmental Justice, Center for Biological Diversity, California Communities Against Toxics, and Coalition for a Safe Environment

**Board Action (Item 34)**

MOVED BY SOLACHE, SECONDED BY CACCIOTTI TO APPROVE AGENDA ITEM NO. 34 AS RECOMMENDED TO ADOPT RESOLUTION NO. 23-18 CERTIFYING THE FINAL ENVIRONMENTAL ASSESSMENT FOR PROPOSED AMENDED RULE 1178 – FURTHER REDUCTIONS OF VOC EMISSIONS FROM STORAGE TANKS AT PETROLEUM FACILITIES; AND AMENDING RULE 1178 – FURTHER REDUCTIONS OF VOC EMISSIONS FROM STORAGE TANKS AT PETROLEUM FACILITIES.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Hagman, Kracov, McCallon, Padilla-Campos, Perez, Raman, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, and Mitchell

35. Determine That Proposed Amended Rule 1111 – Reduction of NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces, Is Exempt From CEQA; and Amend Rule 1111

The Board agreed to staff's request to waive the presentation.

The public comment period was opened for Agenda Item No. 35; there being no requests to speak, the public comment period was closed.

MOVED BY CACCIOTTI, SECONDED BY PEREZ TO APPROVE AGENDA ITEM NO. 35 AS RECOMMENDED TO ADOPT RESOLUTION NO. 23-19 DETERMINING THAT PROPOSED AMENDED RULE 1111 – REDUCTION OF NOX EMISSIONS FROM NATURAL-GAS-FIRED, FAN-TYPE CENTRAL FURNACES, IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND AMENDING RULE 1111 – REDUCTION OF NOX EMISSIONS FROM NATURAL-GAS-FIRED, FAN-TYPE CENTRAL FURNACES.

THE MOTION PASSED BY THE FOLLOWING VOTE:

AYES: Cacciotti, Delgado, Hagman, Kracov, McCallon, Padilla-Campos, Perez, Raman, Rodriguez, and Solache

NOES: None

ABSTAIN: None

ABSENT: Lock Dawson, Do, and Mitchell

### **STAFF PRESENTATION/BOARD DISCUSSION/RECEIVE AND FILE**

(Board Member Padilla-Campos left at 11:17 a.m., Mayor McCallon, left at 11:22 a.m., and Supervisor Perez left at 11:22 a.m.)

33. Update on Development of Rail Yard Facility Based Mobile Source Measures (Presentation in Lieu of Board Letter)

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation, gave the staff presentation.

The public comment period was opened for Agenda Item No. 33.

Mark Lutz, Union Pacific Railroad, commented on Union Pacific's vision for clean air, but noted technological challenges. He sees the potential MOU between South Coast AQMD and the two railroads as an opportunity to bring in new technologies and reduce emissions at a faster pace. For additional details, please refer to the [Webcast](#) beginning at 2:22:55.

John Lovenberg, BNSF Railway, expressed his understanding of community concerns over the impacts of rail operations on air quality. BNSF supports an MOU approach to reduce rail emissions through a unique partnership of the South Coast AQMD with railroads, utilities, and technology developers. For additional details, please refer to the [Webcast](#) beginning at 2:28:40.

For additional details regarding the following comments, please refer to the [Webcast](#) beginning at 2:24:36.

Jan Victor Andasan, East Yard Communities for Environmental Justice  
Enrique Arroyo, Warehouse Workers Resource Center,  
Angie Balderas, Sierra Club My Generation  
Chris Chavez, Coalition for Clean Air  
Harvey Eder, Public Solar Power Coalition  
Julieta Fuentes, Warehouse Workers Resource Center (via a Spanish interpreter)  
Fernando Gaytan, Earthjustice  
Theral Golden, West Long Beach Association  
Maricarmen Gonzalez, a member of the public (via a Spanish interpreter)  
Tania Gonzales, People's Collective for Environmental Justice  
Delia Guzman, Warehouse Workers Resource Center (via a Spanish interpreter)  
Brenda Huerta, People's Collective for Environmental Justice  
Heather Kryczka, Natural Resources Defense Council  
Alberto Leon, People's Collective for Environmental Justice  
Mark, member of the public  
Jesse Marquez, Coalition for a Safe Environment  
Alondra Mateo, People's Collective for Environmental Justice  
Marven Norman, Center for Community Action and Environmental Justice  
Darby Osnaya, People's Collective for Environmental Justice and Colton resident  
Marlene Sanchez, member of the public  
Tiffany Sanchez, member of the public  
Kevin Torres, Warehouse Workers Resource Center  
Yvette Torres, People's Collective for Environmental Justice  
Raphael Yanez, member of the public

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These commenters addressed the following issues:

- Do not support an MOU.
- Do not trust the intentions of the railroad industry.
- Railroads are not trying to meet staff in the middle.
- Industry does not care about the health of the community.
- Concerns over the process and/or effectiveness of CARB MOU.
- An MOU must be consistent with commitments to AB 617 communities.
- Support development of a strong railyard ISR.
- South Coast AQMD has the authority to develop an ISR rule.
- Development of an ISR is taking a long time.
- South Coast AQMD should advocate for the community.
- People's health is being impacted by emissions from railroads.
- Difficult to live near the railroads with the noise and pollution.
- Support electrifying the railroads. There are electric trains in Europe.

There being no further requests to speak, the public comment period was closed for Agenda Item No. 35.

(Supervisor Hagman left at 12: 15 p.m. and Councilmember Rodriguez left at 12:59 p.m.)

On behalf of Supervisor Mitchell who was absent from the meeting, Board Member Kracov asked whether staff can work on the MOU and ISR simultaneously and if the potential MOU will be enforceable.

Mr. Nastri explained that it would require significant effort for staff to simultaneously work on an MOU and ISR. A lesson learned from past MOUs is on how years can be lost before realizing that it was not working so if staff cannot return to the Board with an MOU proposal quickly, staff will shift efforts to an ISR. Staff is looking at a December 2023 timeframe, and there may need to be some additional time beyond that. He will continue to look at whether there can be a parallel process; however, it would be challenging for staff. Mr. Nastri emphasized that the MOU is not developed yet, and it is critical to have a public process and receive community input. Mr. Nastri also added that staff is pursuing the MOU approach because it can achieve greater reductions at a faster pace. For additional details, please refer to the [Webcast](#) beginning at 3:21:24.

Board Member Kracov asked whether details of the potential MOU will be developed over the next few months, building upon the initial proposal by the railroads and with community input.

Mr. Nastri responded in the affirmative and reiterated the importance of community input in informing MOU development. He added that certain community concerns over rail operations that cannot be addressed in an air quality rule may be possibly considered in the potential MOU. Examples included workforce development and other community benefits. He then emphasized the short timeframe proposed by staff for this MOU development to keep pressure on all parties to deliver results expeditiously.

General Counsel Bayron Gilchrist confirmed that the potential MOU would be a contract that can be legally enforced in court. Dr. Sarah Rees explained that staff intends to propose submission of the potential MOU for inclusion in the SIP. If U.S. EPA approves the MOU into the SIP, it becomes federally enforceable and could also allow third-party standing to enforce the agreement. For additional details, please refer to the [Webcast](#) beginning at 3:24:25.

Board Member Kracov shared being proud as a CARB Board member to have voted to pass the In-Use Locomotive Regulation, which will require locomotives operating in zero-emission configuration in the state for all locomotives built in or after 2035 (unless using an alternative compliance option). The railroads have sued CARB on the regulation, so it is a difficult position to be sued as a CARB Board member on a regulation that was just approved and then take an accommodating tone as a South Coast AQMD Board member. It is very important that the MOU does not undermine CARB's regulation. He noted that the proposed MOU will address locomotives operating in-Basin only, while CARB's regulation is addressing all locomotive operations in the state.

Chair Delgado asked how it will be possible to know what CARB's regulation will achieve since CARB is being sued. Mr. Gilchrist responded that an assessment would be based on the language in CARB rule. Once the court makes its final ruling, staff will assess that decision.

Mr. MacMillan commented that the proposed MOU would seek to require that all in-Basin locomotives are Tier 4 or cleaner by 2033, with a commitment to demonstrate and continue to develop zero emission locomotive technology. An MOU could work in tandem with the CARB rule to help advance technologies and the work CARB is trying to do. Mr. MacMillan added that the South Coast Air Basin needs emission reductions in communities that are around these railyards.

Councilmember Raman mentioned that the Mobile Source Committee had requested information detailing the differences between the enforceability of the MOU and ISR, interim and final milestones, the difference in estimated emission reductions between the MOU and ISR, and that there be regular communication between South Coast AQMD staff and CARB staff.

Councilmember Rodriguez commented on being careful not to undermine CARB, particularly as two of the South Coast AQMD Board Members are on CARB's Board. He emphasized the distinctions between this MOU process and other previous MOUs, noting that lessons have been learned. There will be accountability, transparency, and all stakeholders will be at the table in this MOU process. This is an opportunity to be open-minded and to look at all the options to understand the most effective, impactful, and quickest way to reduce emissions and for the railroads to come to the table in good faith. He added that enforceability of the MOU must be as strong or stronger than it would be in an ISR so that the public does not feel there are loopholes or an easy way out.

Vice Chair Cacciotti concurred with the comments of his fellow Board Members and expressed optimism about the process. He noted that Mr. Nastri recommended giving the MOU process several months and recommended that staff provide monthly briefings to the Mobile Source Committee. If there is not much progress by December, staff should pivot to an ISR.

Mr. Nastri agreed to monthly briefings at the Mobile Source Committee. He commented on the Mobile Source Committee's request for goals and objectives and the importance of achieving those milestones as things move forward. The Committee also highlighted the need to ensure that enforceable provisions are identified early, look at emission reductions, and for updates to be provided on a regular basis so that there is confidence that the MOU approach is worthwhile and continuing.

Councilmember Solache expressed appreciation for the comments made by his fellow Board Members, the community and industry representatives. He underscored the importance of communication between the community and industry to determine the best approach.

Chair Delgado expressed appreciation for everyone's input. She requested that the Mobile Source Committee consider having concrete details and information presented to them at an evening meeting in a virtual setting to facilitate greater access for the community to provide feedback. Mr. Nastri responded that staff will work with the Committee Chair to address her comments and suggestions.



The Board recessed to closed session at 1:02 p.m., pursuant to Government Code sections:

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

- 54956.9(a) and 54956.9(d)(1) to consider initiation of litigation:

South Coast Air Quality Management District v. EPA, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646; and

East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, the Governing Board of the South Coast Air Quality Management District, the California Air Resources Board, and Does 1 through 25, Inclusive, U.S. District Court for the Central District of California, Case No. 2:23-cv-06682.

**CONFERENCE WITH LABOR NEGOTIATORS**

- 54957.6 to confer with labor negotiators:

Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;

- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

Following closed session, Bayron Gilchrist, General Counsel, announced that there were no reportable actions.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Mr. Gilchrist at 1:15 p.m.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on September 1, 2023.

Respectfully Submitted,

Faye Thomas  
Clerk of the Boards

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

\_\_\_\_\_  
Vanessa Delgado, Chair

**ACRONYMS**

AQMP = Air Quality Management Plan  
CARB = California Air Resources Board  
CEC = California Energy Commission  
CEQA = California Environmental Quality Act  
CPUC = California Public Utilities Commission  
FY = Fiscal Year  
ISR = Indirect Source Rule  
OEHHA = Office of Environmental Health Hazard Assessment  
PAR = Proposed Amended Rule

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 2

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

- A. Determine That Proposed Rule 1110.3 – Emissions from Linear Generators and Proposed Amended Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines, Are Exempt from CEQA; and Adopt Rule 1110.3 and Amend Rule 1110.2

Proposed Rule 1110.3 will establish NO<sub>x</sub>, CO, and VOC emission limits for linear generators, as well as provisions for source testing, monitoring, reporting and recordkeeping. Proposed Amended Rule 1110.2 will be amended to exclude linear generators from the applicability and requirements. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1110.3 – Emissions from Linear Generators and Proposed Amended Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines, are exempt from the requirements of the California Environmental Quality Act; 2) Adopting Rule 1110.3 – Emissions from Linear Generators; and 3) Amending Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. (Reviewed: Stationary Source Committee, February 17 and September 15, 2023 ; and To Be Reviewed: October 20, 2023)

- B. Determine That Proposed Amended Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions and Proposed Amended Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions, Are Exempt from CEQA; and Amend Rule 2011 and Rule 2012

Proposed Amended Rules 2011 and 2012 will allow continuous emission monitoring systems to be shutdown, when the combustion equipment it monitors is scheduled to be not operating or generating emissions for an extended period of time, provided specific conditions are met, consistent with Rule 218.2 – Continuous Emission Monitoring System: General Provisions.

This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SOx) Emissions and Proposed Amended Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions, are exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 2011 and Rule 2012. (Reviewed: Stationary Source Committee, September 15, 2023)

The complete text of the proposed rules, 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 October 4, 2023.

**RECOMMENDED ACTION S:**

Set public hearings November 3, 2023 to: determine that Proposed Rule 1110.3 and Proposed Amended Rule 1110.2 are exempt from CEQA, and adopt Rule 1110.3 and amend Rule 1110.2; and determine that Proposed Amended Rule 2011 and Proposed Amended Rule 2012 are exempt from CEQA, and Amend Rule 2011 and Rule 2012.

Wayne Natri  
Executive Officer

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[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 3

**PROPOSAL:** Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for U.S. EPA Grants

**SYNOPSIS:** Recently, U.S. EPA awarded competitive grants to enhance air quality monitoring in communities. South Coast AQMD was awarded two of these grants - one to expand its existing pilot sensor library program and one to conduct enhanced measurements of PM2.5. These actions are to recognize up to \$999,900 in revenue from U.S. EPA into the General Fund, appropriate up to \$999,900 in the Monitoring and Analysis' FY 2023-24, and/or FY 2024-25, and/or FY 2025-26 Budgets, execute and/or amend contracts, and issue solicitations and purchase orders to support these two projects.

**COMMITTEE:** Administrative, September 8, 2023; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Recognize up to \$999,900 in revenue upon receipt from U.S. EPA into the General Fund to expand South Coast AQMD's existing pilot sensor library program, and conduct enhanced measurements of PM2.5;
2. Appropriate up to \$999,900 from the General Fund Undesignated (Unassigned) Fund Balance for the Monitoring and Analysis' (MAD) FY 2023-24 and/or, FY 2024-25, and/or FY 2025-26 Budgets, Services & Supplies Major Object, as indicated in Tables 1 and 2; and
3. Authorize the Executive Officer, in accordance with South Coast AQMD's Procurement Policy and Procedure, to execute and/or amend contracts, and issue solicitations and purchase orders to support efforts for the two U.S. EPA funded projects, as listed in Tables 1 and 2.

Wayne Nastri  
Executive Officer

## **Background**

On December 13, 2021, U.S. EPA released Request for Applications (RFA) # EPA-OAR-OAQPS-22-01 to announce the availability of funds for “Enhanced Air Quality Monitoring for Communities” projects. The RFA solicited applications from eligible entities to conduct ambient air monitoring of pollutants of greatest concern in communities with environmental and health outcome disparities stemming from pollution and the COVID-19 pandemic. South Coast AQMD submitted two grant proposals to U.S. EPA requesting funding in the total amount of \$999,900 for two separate projects: (1) “Empowering Community-based Air Quality Monitoring through South Coast AQMD’s Sensor Library Program” (funding requested: \$499,900), and (2) “Enhanced measurements of PM2.5 chemical composition and size distribution in Wilmington, California” (funding requested: \$500,000). South Coast AQMD was notified that both proposals have been selected for funding by U.S. EPA - one under the Inflation Reduction Act (Sensor Library Program) and one under the American Rescue Plan (Enhanced Measurements of PM2.5).

## **Proposal**

### Empowering Community-based Air Quality Monitoring Through South Coast AQMD’s Sensor Library Program

The objective of this three-year project is to offer a larger variety of air quality sensors for community members to borrow for appropriate applications and expand the number of communities. The program provides education about air quality and provides technical support through a dedicated sensor educational toolkit. The sensors used in this program will be calibrated and quality-checked prior to deployment to ensure they provide accurate data. The collected data will be accessible through an online portal where the public can visualize and analyze air quality information. This program, currently undergoing a pilot phase, will be initially focused on AB 617 environmental justice communities. Through this grant, the program will be expanded to include other communities in the Basin allowing additional participation.

South Coast AQMD will partner with non-profit community organizations, local governments, and academic institutions to deploy air quality sensors through AQ-SPEC. This project will enable high-quality data collection and sustained air monitoring, engage communities to improve local air quality, and empower students with Science, Technology, Engineering, and Math learning opportunities around air quality monitoring in support of communities.

### Enhanced Measurements of PM2.5 Chemical Composition and Size Distribution in Wilmington, California

The main goal of this three-year project is to conduct enhanced monitoring of PM2.5 and its chemical components, and physical properties in Wilmington, California, a community that has been disproportionately impacted by air pollution and is part of the AB 617 community of Wilmington, Carson, West Long Beach. South Coast AQMD will build on existing partnerships with community representatives and the existing monitoring resources in the Wilmington community by adding additional measurement

capabilities. For this grant, a portable trailer will be equipped with advanced, commercially available, and fast-response instruments for stationary monitoring of PM<sub>2.5</sub> and its main components, including several hazardous air pollutants. The results of this study will provide new information on major sources of air pollution such as ship emissions, ports activities, and goods movement and their relative contribution to air quality in Wilmington and the surrounding areas.

### **Proposed Purchase Through Solicitation Process**

#### Data Management, Visualization, and Cloud Storage

Data management, visualization and storage capabilities are required to validate, analyze, and display sensor data that will be measured under the expanded Sensor Library Program funded by U.S. EPA . Once collected, all sensor data will be merged with other relevant air quality information into a data visualization platform that is currently being developed by South Coast AQMD staff. This action is to execute and/or amend contracts or issue purchase orders with vendor(s) selected from South Coast AQMD's list of prequalified vendors to support data management, visualization, and cloud storage capabilities for the Sensor Library Program in an amount not to exceed \$80,000, as listed in Table 1.

### **Proposed Purchases Through Sole Source Purchase Order**

#### Sensor Calibration Upgrade

Aeroqual Ltd. has developed a remote Moment Matching (MOMA) technique to calibrate sensor networks based on regulatory data from existing air monitoring stations. Currently, MOMA can be applied to data from only Aeroqual sensors and further development is needed so that this calibration technique can be applied to data provided by sensors from all different vendors that will be used for the Sensor Library Program. This action is to execute a sole source contract with Aeroqual Ltd. for up to \$30,000 (as shown in Table 1) to enhance the capabilities of the MOMA technique. Aeroqual Ltd. is the only contractor that has the knowledge and experience necessary to complete this work.

#### Aerodyne Time-of-Flight Aerosol Chemical Speciation Monitor

Aerodyne's Time-of-Flight Aerosol Chemical Speciation Monitor ( ToF-ACSM) is the only field monitoring system on the market that measures the mass loading and chemical composition of non-refractory aerosol particles in real-time. This system is designed for long-term unattended deployment and routine monitoring of the PM mass concentration and chemical composition including organics, sulfate, nitrate, ammonia, and chloride. This information is critical to satisfy the goals and objectives of the enhanced PM<sub>2.5</sub> monitoring project funded by U.S. EPA . This action is to execute a sole source purchase with Aerodyne, Inc. for up to \$248,000 (as shown in Table 2) for the purchase of one of their ToF -ACSM system to conduct monitoring of PM mass concentration and chemical composition.

### Xact® 625i Multi-Metal Monitor

The Xact® 625i is the only field x-ray fluorescence instrument that offers an Automated Data Analysis Plotting Toolset (ADAPT) package to analyze the measurements of over 40 different metals in ambient particles in real-time. The ADAPT package includes the hardware for on-site meteorological measurement and intuitive software which is accessed in the field or remotely through the onboard computer. The software platform generates multiple graphical reports in near real-time over user selected time periods to deliver insights on the temporal and directional variability trends of the measured metals. In addition, the Xact® 625i is the only multi-metal monitor with demonstrated ability to provide near-real time measurements of air toxic metals on a mobile platform. The metal data provided by the Xact® 625i is critical to satisfy the goals and objectives of the enhanced PM2.5 monitoring project funded by U.S. EPA . This action is to execute a sole source purchase with SailBri Cooper, Inc. for up to \$130,000 (as shown in Table 2) for the purchase one Xact® 625i monitor to conduct particulate metal measurements.

### TSI Water-based Wide-range Ambient Monitoring Scanning Mobility Particle Sizer

TSI's Water-based Wide-range Ambient Monitoring Scanning Mobility Particle Sizer (SMPS™) is used to measure the size distribution of sub-micrometer particles and to better understand PM sources. This system, which is comprised of a classifier, wide range differential mobility analyzer, a water-based condensation particle counter, and an aerosol neutralizer is only available through TSI, Inc. and offers a unique combination of specifications and features that suits the specific goals and objectives of the enhanced PM2.5 monitoring project funded by U.S. EPA. This action is to issue a sole source purchase with TSI, Inc. for up to \$117,000 (as shown in Table 2) for the purchase of one TSI Water-based Wide-range Ambient Monitoring S MPS™ system to conduct size distribution measurements of PM.

### **Sole Source Justification**

Section VIII.B.3 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award funded, in whole or in part with federal funds, may be justified. The request for sole source awards and purchases from Aeroqual Ltd., Aerodyne, Inc., SailBri Cooper, Inc. and TSI, Inc. is made under the provision B.3.a.: These items are only available from a single source. The request for sole source subawards identified in Table 1 is made under the provision B.3.c.: The awarding Federal agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the non-Federal entity.

### **Benefits to South Coast AQMD**

The implementation of these two projects will provide better education to AB 617 communities on the appropriate use and application of air quality sensors and advance the characterization of PM2.5 sources in the Wilmington area. The result of these studies will also help governmental organizations and other policymakers to better understand air quality issues at the community level and provide more input to policy decisions that protect the public from the impacts of air pollution.

**Resource Impacts**

Upon Board approval, sufficient funding from the two U.S. EPA grants will be available to support the Sensor Library and Enhanced PM2.5 Monitoring projects.

**Attachments**

Table 1: Proposed Expenditures for Sensor Library Program for FY 2023-24 through FY 2025-26

Table 2: Proposed Expenditures for Enhanced PM2.5 Monitoring Project for FY 2023-24 through FY 2025-26

**Table 1**

**Proposed Expenditures for Sensor Library Program  
for FY 2023-24 through FY 2025-26**

<b>Description</b>	<b>Account Number</b>	<b>Program Code</b>	<b>Estimated Total Cost</b>
Air Quality Sensors for Different Applications (Up to 250 units, costing \$200 to \$4,999 each)	68300/77000*	43239	\$125,000
Sensor Supplies (e.g., Android phones, protective cases for short term loans, etc.)	68100	43239	\$6,000
Lab Supplies (consumables)	68050	43239	\$5,000
Data Management and Visualization	67450	43239	\$80,000 (Solicitation to Prequalified Vendor)
Sensor Calibration Upgrade	67450	43239	\$30,000 (Sole Source)
Subaward for Community Health Worker (Day One)	67450	43239	\$53,000
Subaward for Pomona (Clean & Green Pomona)	67450	43239	\$10,000
Subaward for Riverside (University of California, Riverside)	67450	43239	\$45,000
Subaward for Vista Hermosa (Vista Hermosa Community Group)	67450	43239	\$45,000
Subaward for fourth community partner	67450	43239	\$45,000
Subaward for City of Los Angeles, Mayor's Office	67450	43239	\$20,000
Outreach Activities (e.g., workshops, public meetings)	67450	43239	\$25,000
Participant Support Costs (for hosting sensors, @ \$100 per host)	67450	43239	\$10,000
Software for translating Sensor Guidebook (Adobe InDesign, 3-year access)	67450	43239	\$900
<b>Total Appropriations Services &amp; Supplies and/or Capital Outlays Major Object*</b>			<b>\$499,900</b>

\*During the procurement process, these items may be categorized as Capital Outlays or Services and Supplies, depending on whether the item is purchased or contracted as a service.

**Table 2**

**Proposed Expenditures for Enhanced PM2.5 Monitoring Project  
for FY 2023-24 through FY 2025-26**

<b>Description</b>	<b>Account Number</b>	<b>Program Code</b>	<b>Estimated Total Cost</b>
Consumables, Tools, Hardware, and other Supplies	68050/68300	43238	\$5,000
Aerodyne Time-of-Flight Aerosol Chemical Speciation Monitor (Qty 1)	77000	43238	\$248,000 (Sole Source)
<u>Xact® 625i Multi-Metal Monitor</u> (Qty 1)	77000	43238	\$130,000 (Sole Source)
<u>TSI Water-based Wide-range Ambient Monitoring SMPS™</u> (Qty 1)	77000	43238	\$117,000 (Sole Source)
<b>Total Appropriations Services &amp; Supplies and/or Capital Outlays Major Object*</b>			<b>\$500,000</b>

\*During the procurement process, these items may be categorized as Capital Outlays or Services and Supplies, depending on whether the item is purchased or contracted as a service.

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 4

**PROPOSAL:** Issue RFP for Technical Assistance to Support South Coast AQMD's Technology Advancement Office Activities and Implementation Efforts

**SYNOPSIS:** South Coast AQMD administers and implements incentive programs as well as pre-commercial research, development, demonstration, and deployment of low- and zero-emission technologies. These actions are to: 1) issue an RFP to solicit proposals from qualified consultants and consulting firms with relevant technical expertise and experience to assist with the implementation of incentive programs and development of technology demonstration project proposals; and 2) authorize the Executive Officer to execute or amend contract(s) with the selected consultant(s) or firm(s) in an amount not to exceed \$ 600,000 using up to \$300,000 in administrative funds from Carl Moyer Program Fund (32), Community Air Protection Program Fund (77) and Proposition 1B Goods Movement Fund (81); and up to \$300,000 from the Clean Fuels Program Fund (31).

**COMMITTEE:** Technology, September 15, 2023; Recommended for Approval

**RECOMMENDED ACTION S:**

1. Issue RFP #P2024-05 for Technical Assistance to Support South Coast AQMD's Technology Advancement Office Activities and Implementation Efforts; and
2. Authorize the Executive Officer to execute or amend contract(s) with selected consultants and/or consulting firms to provide technical assistance with implementation of mobile source incentive and technology demonstration programs in an amount not to exceed \$ 600,000 using up to \$300,000 in administrative funds from Carl Moyer Program Fund (32), Community Air Protection Program Fund (77), and Proposition 1B Goods Movement Fund (81), and up to \$300,000 from Clean Fuels Program Fund (31).

Wayne Nastri  
Executive Officer

## **Background**

South Coast AQMD administers and manages both incentive programs and the pre-commercial research, development, demonstration, and deployment (RDD&D) of low- and zero-emission technologies. The Technology Advancement Office's (TAO) Clean Fuels Program incorporates a mix of short-, medium-, and long-term goals, representing a continuum of technology improvements to help achieve clean air in the Basin. The Clean Fuels Program receives more than \$12 million annually that is leveraged with state, federal, and private funding towards projects. In addition, TAO oversees multiple voluntary incentive-based programs including but not limited to the Carl Moyer, Proposition 1B-Goods Movement Emission Reduction, On-Road Heavy-Duty Vehicle Voucher Incentive, Lower Emission School Bus, Replace Your Ride, and the AB 617 Community Air Protection Programs. Collectively, these incentive programs have resulted in over 1,500 active contracts and yearly funding of over \$200 million annually.

South Coast AQMD periodically releases solicitations to obtain consultants to assist staff with technical review of new technologies, coordination of projects, audit preparation, and implementation of incentive programs. Additional assistance is also needed in the preparation of Federal and State grant proposals such as the Climate Pollution Reduction Grants under the Federal Inflation Reduction Act. Expert consultant support is needed due to the complexity of the Federal grant proposal process and limited staff resources.

## **Proposal**

This action is to issue an RFP to solicit qualifications from individuals and organizations capable of providing technical assistance to support the multiple incentive programs as well as the TAO RDD&D program. It is anticipated that multiple awards will be made. The areas of expertise for technical assistance will include the following:

### **Incentive Programs**

- Technical evaluation of mobile source projects based on the guideline requirements
- CARB mobile source rules and regulations
- Surplus emission reductions and cost-effectiveness calculations
- Emissions inventory for on-road and off-road equipment
- Program audit preparation (such as for Carl Moyer Program)
- Grant writing and preparation for State and Federal grant proposals

### **RDD&D Program**

- Zero emission vehicles and equipment infrastructure development support
- Grant writing and preparation for State and Federal grant proposals

South Coast AQMD will choose the most qualified consultants and consulting firms that have extensive experience with relevant incentive programs and RDD&D projects along with meeting the RFP requirements. Proposals will be due November 15, 2023, at 1:00 p.m.

To expedite technical assistance for the 2023 Carl Moyer Program and upcoming state & federal grant proposals, staff is requesting that the Board authorize the Executive Officer to enter into contract(s) with selected consultants or consulting firms following the evaluation of proposals submitted in response to RFP #P2024-05 based on the recommendations of the review panel.

### **Bid Evaluation**

Consultants will be selected based on the criteria in the RFP, and successful bidders will be retained through level-of-effort contracts based on their area(s) of expertise and the needs of TAO. It is anticipated that multiple awards will be made from this RFP. For implementation of the 2023 Carl Moyer Program, the panel will make a recommendation to the Executive Officer for final selection of consultants and/or consulting firms. RFP responses will be evaluated by a panel of three members familiar with the work activities and resource needs of TAO. The proposals will be evaluated and scored by the panel in accordance with established South Coast AQMD guidelines listed in the RFP. The panel will consist of at least one Deputy Executive Officer or Assistant Deputy Executive Officer, one Technology Demonstration Manager or Technology Implementation Manager, and one technical expert from academia or a government agency.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

### **Benefits to South Coast AQMD**

Outside expertise will provide the support needed to implement TAO's incentive programs and competitively bid for state and federal RDD&D grants. The added support will provide an effective means of accessing new grant opportunities, evaluating

applications, assessing emission reductions, preparing for program audits, and reviewing a higher number of incentive applications to successfully carry out TAO activities.

**Resource Impacts**

Multiple awards are anticipated from this RFP. Due to the indefinite nature of the work, the actual contract amounts cannot be determined at this time. The Clean Fuels Program Fund (31), in an amount not to exceed \$300,000, will be used for awards made under this RFP for RDD&D support contract(s). For technical assistance with incentive programs, \$300,000 will be sourced from the administrative funds of Carl Moyer Program Fund (32), the Community Air Protection Program Fund (77), and the Proposition 1B Goods Movement Fund (81). The total amount of awards to support both the incentives and RDD&D programs will not exceed \$ 600,000.

**Attachment**

RFP #P2024-05 Technical Assistance to Support South Coast AQMD’s Technology Advancement Activities and Implementation Efforts



## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

### REQUEST FOR PROPOSALS

#### **Technical Assistance to Support South Coast AQMD 's Technology Advancement Activities and Mobile Source Incentive Program Implementation Efforts**

P2024-05

South Coast Air Quality Management District (South Coast AQMD) requests proposals for the following purpose according to terms and conditions attached. In the preparation of this Request for Proposals (RFP) the words "Proposer," "Contractor," "Consultant," "Bidder" and "Firm" are used interchangeably.

#### **PURPOSE**

The purpose of this RFP is to solicit statements of qualifications and labor rate pricing from individuals and organizations capable of providing technical assistance in a variety of specialized areas to support South Coast AQMD's technology advancement activities and implementation efforts in regards to the Technology Advancement Office's (TAO) mobile source incentive programs as well as the research, development, demonstration and deployment (RDD&D) program.

**Bidder must specify if Proposal Package is for Mobile Source Incentive Programs, RDD&D, or both in the Cover Letter.**

#### **INDEX** - The following are contained in this RFP:

Section I	Background/Information
Section II	Contact Person
Section III	Schedule of Events
Section IV	Participation in the Procurement Process
Section V	Statement of Work/Schedule of Deliverables
Section VI	Qualifications
Section VII	Proposal Submittal Requirements
Section VIII	Proposal Submission
Section IX	Proposal Evaluation/Contractor Selection Criteria
Section X	Funding
Section XI	Sample Contract

Attachment A - Participation in the Procurement Process

Attachment B - Certifications and Representations

#### **SECTION I: BACKGROUND/INFORMATION**

South Coast AQMD is a regional governmental agency responsible for meeting air quality health standards in Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties.

Mobile sources emit the majority of air pollution in the South Coast Air Basin (Basin). In particular, heavy-duty diesel engines and/or vehicles emit high levels of nitrogen oxides (NOx),

a precursor to photochemical smog, as well as diesel particulate exhaust, which has been categorized by the California Air Resources Board (CARB) as a toxic air contaminant.

The Air Quality Management Plan (AQMP) for the Basin identifies the application of clean- burning alternative fuels (e.g., natural gas, ethanol, and hydrogen), advanced engine and/or vehicle technologies (e.g., fuel cells, hybrid electric and plug-in hybrid electric vehicles, battery electric) and advanced stationary source pollution control technologies to meet the national ambient air quality standards. It also specifies incentives as a key strategy to reduce emissions from mobile sources. These air quality gains, however, may only be realized if programs are in place to develop, commercialize and implement these technologies. As a result, the South Coast AQMD seeks to implement aggressive programs to develop and demonstrate pre-commercial technologies as well as incentivize commercially available technologies.

**SECTION II: CONTACT PERSON:**

Questions regarding the content or intent of this RFP or on procedural matters should be addressed to:

**Incentive Programs**

Tom Lee  
 Program Supervisor  
 (909) 396-2270  
 E-mail: [tlee@aqmd.gov](mailto:tlee@aqmd.gov)

**RDD&D Program**

Vasileios Papapostolou  
 Technology Demonstration Manager  
 (909) 396-2254  
 E-mail: [vpapapostolou@aqmd.gov](mailto:vpapapostolou@aqmd.gov)

South Coast AQMD 21865 Copley Drive  
 Diamond Bar, CA 91765

**SECTION III: SCHEDULE OF EVENTS**

Date	Event
October 6, 2023	RFP Released
November 15, 2023	Proposals Due to South Coast AQMD - <b>No Later Than 1:00 pm</b>

**SECTION IV: PARTICIPATION IN THE PROCUREMENT PROCESS**

It is the policy of South Coast AQMD to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in South Coast AQMD contracts. Attachment A to this RFP contains definitions and further information.

## **SECTION V: STATEMENT OF WORK/SCHEDULE OF DELIVERABLES**

### A. Objective

The objective of this RFP is to solicit proposals from individuals and organizations with strong technical expertise in one or more of the areas of work performed by TAO at the South Coast AQMD, including but not limited to, the following:

#### **Incentive Programs**

- Technical evaluation of mobile source projects and applicable control technologies including but not limited to: on-road heavy duty trucks, off-road equipment, locomotives, marine vessels and heavy-duty vehicle/equipment infrastructure
- CARB incentive programs and guideline requirements (i.e. Proposition 1B – Goods Movement Emission Reduction Program (Prop 1B), Carl Moyer Program (CMP), Community Air Protection Program Incentives (CAPP), the Enhanced Fleet Modernization Program (Replace Your Ride) and the Volkswagen Environmental Mitigation Trust Program (VW), etc
- Surplus emission reductions and cost effectiveness calculations
- Emissions inventory for on-road and off-road mobile sources
- Grant writing and preparation for State and Federal grant proposals

#### **RDD&D Program**

- Thorough understanding of low and zero emission technologies for on-road, off-road, marine, infrastructure, and stationary source applications
- Preparation of proposals for State and Federal grants
- Zero emission vehicle and equipment supporting infrastructure design, development and commissioning

This RFP is being used to leverage staff resources with specialized outside expertise and technical support with program implementation. The selected consultant(s) shall perform various tasks and functions designed to facilitate cooperation and ensure adequate information exchange to South Coast AQMD staff, key government agencies, existing and potential end users of advanced vehicle and stationary technologies, and industry organizations.

### B. Statement of Work

The selected Consultant(s) shall perform tasks on an as-needed basis upon receiving written notification from the South Coast AQMD's Deputy Executive Officer for TAO. All work will be assigned and pre-approved by the Project Manager and the Deputy Executive Officer. Each assignment will have specific tasks to be conducted and resources to be utilized. No work can be implemented without authorized parties prior approval and acceptance of specific, detailed task assignments. Potential tasks include but are not limited to the following:

**Incentive Programs**

- Assist South Coast AQMD staff in technical evaluation of applications submitted for funding consideration pertaining to mobile source incentive programs.
- Assist South Coast AQMD staff in evaluating the surplus emission reductions calculations and cost effectiveness of projects for on- and off-road heavy-duty vehicles and equipment, including but not limited to marine vessels, locomotives, on-road heavy duty trucks, cargo- handling equipment, off-road construction equipment, and locomotives.
- Update annual incentive program reporting information to determine compliance with program requirements.
- Assist in the review of incentive program updates. Subsequently updating outreach material, application forms, policies and procedures and other documentation necessary to ensure that South Coast AQMD's program is consistent with any new policy or program changes approved by CARB.
- Assist in preparing for incentive program audits.
- Assist South Coast AQMD staff in preparing briefings, presentations and technical papers, and participate in incentive program workshops.
- Perform other tasks relating to the implementation of South Coast AQMD incentive programs as directed by South Coast AQMD's Deputy Executive Officer.

**RDD&D Program**

- Assist in the writing and preparation of grant proposals for Federal and State grant opportunities.
- Assist in evaluating the current status of renewable energies for mobile and stationary sources.
- Assist in evaluating the current status of hydrogen storage, hydrocarbon reforming technologies and innovative components for hydrogen infrastructure.
- Assist in evaluating zero emission goods movement technologies and supporting infrastructures.
- Assist in technical evaluation of proposals submitted to the TAO for funding consideration pertaining to alternative fuels, battery, hydrogen, fuel cells and other advanced vehicle and stationary technologies.
- Perform other tasks relating to low and zero emission vehicle and/or stationary source technologies.

### Schedule of Deliverables

Specific deliverables and time schedules for task completion will be established by the Deputy Executive Officer, or his designee, in writing when each task is authorized. Deliverables may include but not be limited to one or more of the following: written and/or oral technical reports, spreadsheets containing calculations and technical evaluation of projects, data analysis of emissions inventory, newsletters, articles, draft position papers, language for control measures, attendance at meetings with follow-up reports, etc.

## **SECTION VI: QUALIFICATIONS**

- A. South Coast AQMD requests submittal of detailed expertise and capabilities from consultants who meet a combination of the technical qualifications listed below. Individuals can team to submit a joint bid if they have complementary expertise and qualifications that collectively meet the requirements. Statements of qualifications should include evidence documenting experience, expertise, and capabilities wherever possible.
- B. Bidder(s) shall be selected for contract award based on the best combinations of qualifications.

### **Incentive Programs – Preferred Qualifications**

1. Experience in implementation of incentive programs designed to reduce emissions from diesel equipment and vehicles and other sources of air pollution.
2. At least 3-5 years professional experience in the area(s) of expertise.
3. The ability to quickly respond, on short notice, to requests for technical assistance.
4. Working knowledge of CARB mobile source regulations and South Coast AQMD incentive program criteria and guideline requirements (CMP, Prop 1B, CAPP, etc.).
5. Emissions inventory development preferably with mobile sources.
6. Working knowledge of other incentive programs, that may include state and/or federal incentive programs.
7. Proven expertise in any of the technical areas or any combination of areas as listed in Section V: Statement of Work / Schedule of Deliverables under Incentive Programs.
8. Established relationships with equipment manufacturers and/or industry or professional associations.
9. Experience in conducting outreach for air quality programs, identifying any outreach to communities, small businesses and/or developing outreach plans for disadvantaged and/or low-income communities.

**RDD&D Program – Required Qualifications**

1. Advanced college degree in an engineering, chemistry or related discipline.
2. At least 5 years professional experience in the area(s) of expertise.
3. The ability to quickly respond, on short notice, to requests for technical assistance.
4. Working knowledge of EPA, U.S. Department of Energy (DOE), Department of Transportation, CARB, California Energy Commission (CEC) and South Coast AQMD programs, policies, regulations, etc. regarding toxic air contaminants, stationary source control technologies, mobile sources technologies for on-road, off-road and/or marine vessels, alternative fuels and supporting infrastructure.
5. Knowledge of state and local permitting requirements for the establishment of electric vehicle charging, and alternative fuel refueling facilities, including type of technology being used and type of vehicles using these facilities.

**SECTION VII: SUBMITTAL REQUIREMENTS FOR PROPOSAL**

Submitted proposals must follow the format outlined below and all requested information must be supplied. Failure to submit proposals in the required format will result in elimination from the evaluation process. South Coast AQMD may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates (<http://www.aqmd.gov/grants-bids>). The cost for developing the proposal is the responsibility of the Consultant and shall not be chargeable to South Coast AQMD.

The proposal must be submitted in three separate volumes:

- Volume I - Statement of Qualifications
- Volume II - Cost Information
- Volume III - Certifications and Representations included in Attachment B to this RFP, must be completed and executed by an authorized official of the Contractor.

A separate cover letter including the name, address, and telephone number of the Consultant, and signed by the person or persons authorized to represent the Firm should accompany the proposal upon submission. The following shall be included in the cover letter:

1. Address and telephone number of an office in, or nearest to, Diamond Bar, California.
2. Name and title of Firm's representative designated as contact.

3. Bidder must specify if the proposal is for Incentive Programs, RDD&D, or Both in the Cover Letter.

A separate Table of Contents should be provided for Volumes I and II.

## **VOLUME I – STATEMENT OF QUALIFICATIONS**

### **DO NOT INCLUDE ANY COST INFORMATION IN VOLUME I.**

Volume I must include the following subsections:

Summary - State overall approach to meeting the objectives and satisfying the scope of work to be performed, the sequence of activities, and a description of methodology or techniques to be used.

Management Structure - Describe the proposed management structure, program monitoring procedures, and organization of the proposed team. Provide a statement addressing the Firm's ability and willingness to commit and maintain staffing to successfully complete the work within the mutually agreed schedule.

Qualifications - Describe the technical capabilities of the Firm. Provide references of other similar studies or projects performed during the last five years demonstrating ability to successfully complete the work. Include contact name, title, and telephone number for any references listed. Provide a statement of your Firm's background and related experience in performing similar services for other governmental organizations.

Assigned Personnel - Provide the following information about the staff to be assigned to the South Coast AQMD TAO work activities:

1. List all key personnel assigned to the South Coast AQMD TAO work activities by level, name and location. Provide a resume or similar statement describing the background, qualifications and experience of the lead person and all persons assigned to the project. Substitution of project manager or lead personnel will not be permitted without prior written approval of South Coast AQMD.
2. Provide a spreadsheet of the labor hours proposed for each labor category at the task level.
3. Provide a statement indicating whether or not 90% of the work will be performed within the geographical boundaries of South Coast AQMD.
4. Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project, particularly with reference to management consulting, governmental practices and procedures, and technical matters.
5. Provide a summary of your Firm's general qualifications to meet required qualifications and fulfill statement of work, including additional Firm personnel and resources beyond those who may be assigned to the project.

Subcontractors - The work activities of TAO at the South Coast AQMD may require expertise in multiple technical areas. List any subcontractors that will be used, identifying functions to be performed by them, their related qualifications and

experience and the total number of hours or percentage of time they will spend on the project. P2024-05

Conflict of Interest - Address possible conflicts of interest with other clients affected by actions performed by the Firm on behalf of South Coast AQMD. South Coast AQMD recognizes that prospective Contractors may be performing similar projects for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. Although the Proposer will not be automatically disqualified by reason of work performed for such clients, South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the proposal.

Additional Data - Provide other essential data that may assist in the evaluation of the proposal.

## **VOLUME II - COST INFORMATION**

Name and Address – This section must list the name and complete address of the Firm in the upper left-hand corner.

Cost Proposal – South Coast AQMD anticipates awarding a Time and Materials (T&M) contract. Cost information must be provided as listed below:

1. Detail must be provided by the following categories:
  - A. Labor – This section must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff, including subcontractor staff, to be used to perform the tasks required by this RFP. A breakdown of the proposed billing rates must identify the direct labor rate, overhead rate and amount, fringe benefit rate and amount, General and Administrative rate and amount, and proposed profit or fee. Also, include the proposed annual escalation formula for the proposed billing rates, if applicable. Provide a basis of estimate justifying the proposed labor hours and/or proposed labor mix.
  - B. Travel Costs - Indicate amount of travel cost, if any expected, with the basis of estimate to include trip destination, purpose of trip, length of trip, airline fare or mileage expense, per diem costs, lodging and car rental.
  - C. Other Direct Costs -This category may include such items as postage and mailing expense, printing and reproduction costs, etc. Provide a basis of estimate for these costs.
2. It is the policy of the South Coast AQMD to receive at least as favorable pricing, warranties, conditions, benefits and terms as other customers or clients making similar purchases or receiving similar services. South Coast AQMD will give preference, where appropriate, to vendors who certify that they will provide “most favored customer” status to the South Coast AQMD. To receive preference points, Firm shall certify that South Coast AQMD is receiving “most favored customer” pricing in the Business Status Certifications page of Volume III, Attachment B – Certifications and Representations.



## **SECTION VIII: SUBMISSION OF PROPOSALS**

All proposals must be submitted according to specifications set forth in the section above, and this section. Failure to adhere to these specifications may be cause for rejection of the proposal by the South Coast AQMD.

Signature - All proposals must be signed by an authorized representative of the Firm.

Due Date - **All proposals are due no later than 1:00 p.m., November 15, 2023, and should be directed to:**

Procurement Unit  
South Coast Air Quality Management  
District 21865 Copley Drive  
Diamond Bar, CA 91765-4178  
(909) 396-3520

Submittal - Submit four (4) complete copies and one flash drive electronic copy of the proposal in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the Firm and the words "Request for Proposals P2024-05."

**Late bids/proposals will not be accepted under any circumstances.**

Grounds for Rejection - A proposal may be immediately rejected if:

- It is not prepared in the format described, or
- It is signed by an individual not authorized to represent the Firm.

Modification or Withdrawal - Once submitted, proposals cannot be altered without the prior written consent of South Coast AQMD. All proposals shall constitute firm offers and may not be withdrawn for a period of ninety (90) days following the November 15, 2023 due date.

## **SECTION IX: EVALUATION/CONTRACTOR SELECTION CRITERIA**

- A. Proposals will be evaluated by a panel of three to five South Coast AQMD staff members familiar with the with the work activities and resource needs of TAO at the South Coast AQMD. The panel shall be appointed by the Executive Officer or his designee. In addition, the evaluation panel may include such outside public sector or academic community expertise as deemed desirable by the Executive Officer. The panel will make a recommendation to the Executive Officer and/or the Governing Board of South Coast AQMD for final selection of a contractor(s) and negotiation of a contract(s).

B. Each member of the evaluation panel shall be accorded equal weight in his or her rating of the proposals. The evaluation panel members shall evaluate the proposals according to the specified criteria and numerical weightings set forth below.

1. Evaluation Criteria

(a)	<u>Technical Criteria</u>	<u>Points</u>
	Technical expertise, training and education	30

Previous experience, including relevant positions held, number of years and actual work done in the selected area of expertise, evaluations conducted, papers published (if applicable), etc. 40

(b)	Labor rates*	<u>30</u>
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*\*The labor rates will be evaluated based on the fully burdened labor rates for each proposed technical expert and the clerical/technical support. The labor rates will be compared to other Firms with qualifications in the same technical areas or with knowledge of similar work being done by other agencies, companies and/or consultants. The most competitive labor rates will be given the highest points*

	TOTAL:	100
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(c) Additional Points

Small Business or Small Business Joint Venture	10
DVBE or DVBE Joint Venture	10
Use of DVBE or Small Business Subcontractors	7
Local Business (Non-Federally Funded Projects Only)	5
Most Favored Customer	2

**The cumulative points awarded for Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture, Use of DVBE or Small Business Subcontractors, and Local Business, shall not exceed 15 points. Most Favored Customer status incentive points shall be added, as applicable for a total of 17 points.**

**Self-Certification for Additional Points**

**The award of these additional points shall be contingent upon Proposer completing the Self-Certification section of Attachment B – Certifications and Representations and/or inclusion of a statement in the proposal self-certifying that Proposer qualifies for additional points as detailed above.**

2. To receive additional points in the evaluation process for the categories of Small Business or Small Business Joint Venture, DVBE or DVBE Joint Venture or Local Business (for non-federally funded projects), the proposer must submit a self- certification at the time of proposal submission certifying that the proposer meets the requirements set forth in Attachments A and B. To receive points for the use of DVBE and/or Small Business subcontractors, at least 25 percent of the total contract value must be subcontracted to DVBEs and/or Small Businesses. To receive points as a Local Business, the proposer must affirm that it has an ongoing business within the South Coast AQMD at the time of bid/proposal submittal and that 90% of the work related to the contract will be performed within the South Coast AQMD. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points. Federally funded projects are not eligible for local business incentive points. To receive points for Most Favored Customer status, the proposer must submit, at proposal submission, certification of its commitment to provide most favored customer status to the South Coast AQMD. The cumulative points awarded for Small Business, DVBE, use of Small Business or DVBE Subcontractors, Local Business and Most Favored Customer shall not exceed 17 points.

- C. During the selection process the evaluation panel may wish to interview some Firms for clarification purposes only. No new material will be permitted at this time. Additional information provided during the bid review process is limited to clarification by the Firm of information presented in his/her proposal, upon request by South Coast AQMD.
- D. The Executive Officer or Governing Board may award the contract to a Firm other than the Firm receiving the highest rating in the event the Governing Board determines that another Firm from among those technically qualified would provide the best value to South Coast AQMD considering cost and technical factors. The determination shall be based solely on the Evaluation Criteria contained in the Request for Proposals (RFP), on evidence provided in the proposals and on any other evidence provided during the bid review process.
- E. Selection will be made based on the above-described criteria and rating factors. The selection will be made by and is subject to Executive Officer or Governing Board approval. Firms may be notified of the results by letter.
- F. The Governing Board has approved a Bid Protest Procedure which provides a process for a Bidder or prospective Bidder to submit a written protest to South Coast AQMD Procurement Manager in recognition of two types of protests: Protest Regarding Solicitation and Protest Regarding Award of a Contract. Copies of the Bid Protest Policy can be secured through a request to South Coast AQMD Procurement Department.

- G. The Executive Officer or Governing Board may award contracts to more than one Firm if in (his or their) sole judgment the purposes of the (contract or award) would best be served by selecting multiple Firms.
- H. If additional funds become available, the Executive Officer or Governing Board may increase the amount awarded. The Executive Officer or Governing Board may also select additional Firms for a grant or contract if additional funds become available.
- I. Disposition of Proposals – Pursuant to South Coast AQMD's Procurement Policy and Procedure, South Coast AQMD reserves the right to reject any or all proposals. All proposals become the property of South Coast AQMD and are subject to the California Public Records Act. One copy of the proposal shall be retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the Firm's expense.
- J. **If proposal submittal is for a Public Works project as defined by State of California Labor Code Section 1720, Firm is required to include Contractor Registration No. in Attachment B. Proposal submittal will be deemed as non-responsive and Bidder may be disqualified if Contractor Registration No. is not included in Attachment B. Firm is alerted to changes to California Prevailing Wage compliance requirements as defined in Senate Bill 854 (Stat. 2014, Chapter 28), and California Labor Code Sections 1770, 1771, 1725, 1777, 1813 and 1815.**

#### **SECTION X: FUNDING**

Multiple awards are anticipated from this RFP. Due to the indefinite nature of the work, the actual contract amounts cannot be determined at this time for the contracts involving RDD&D, and the total amount of funding to be recommended for the Board's consideration for each contract will be dependent upon the consultant's qualifications and TAO needs. Contract(s) for technical assistance for the incentive programs will not exceed \$600,000.

#### **SECTION XI: SAMPLE CONTRACT**

A sample contract to carry out the work described in this RFP is available on South Coast AQMD's website at <http://www.aqmd.gov/grants-bids> or upon request from the RFP Contact Person (Section II).

# ATTACHMENT A

## PARTICIPATION IN THE PROCUREMENT PROCESS

A. It is the policy of South Coast Air Quality Management District (South Coast AQMD) to ensure that all businesses including minority business enterprises, women business enterprises, disabled veteran business enterprises and small businesses have a fair and equitable opportunity to compete for and participate in South Coast AQMD contracts.

B. Definitions:

The definition of minority, women or disadvantaged business enterprises set forth below is included for purposes of determining compliance with the affirmative steps requirement described in Paragraph G below on procurements funded in whole or in part with federal grant funds which involve the use of subcontractors. The definition provided for disabled veteran business enterprise, local business, small business enterprise, Zero or Near-Zero emission vehicle business and off-peak hours delivery business are provided for purposes of determining eligibility for point or cost considerations in the evaluation process.

1. "Women business enterprise" (WBE) as used in this policy means a business enterprise that meets all of the following criteria:
  - a. a business that 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 or women.
  - b. a business whose management and daily business operations are controlled by one or more women.
  - c. a business which is a sole proprietorship, corporation, or partnership 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-based business.
2. "Disabled veteran" as used in this policy is a United States military, naval, or air service veteran with at least 10 percent service-connected disability who is a resident of California.
3. "Disabled veteran business enterprise" (DVBE) as used in this policy means a business enterprise that meets all of the following criteria:
  - a. is a sole proprietorship or partnership of which at least 51 percent is owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its 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.

- b. 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.
    - c. is a sole proprietorship, corporation, or partnership with its primary headquarters office located in the United States, which is not a branch or subsidiary of a foreign corporation, firm, or other foreign-based business.
4. "Local business" as used in this policy means a company that has an ongoing business within geographical boundaries of South Coast AQMD at the time of bid or proposal submittal and performs 90% of the work related to the contract within the geographical boundaries of South Coast AQMD and satisfies the requirements of subparagraph H below. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
5. "Small business" as used in this policy 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 and 339000, inclusive, of the North American Industrial Classification System (NAICS) Manual published by the United States Office of Management and Budget, 2007 edition.
6. "Joint ventures" as defined in this policy pertaining to certification means that one party to the joint venture is a DVBE or small business and owns at least 51 percent of the joint venture.
7. "Zero or Near-Zero Emission Vehicle Business" as used in this policy means a company or contractor that uses Zero or Near-Zero emission vehicles in conducting deliveries to South Coast AQMD. Zero or Near-Zero emission vehicles include vehicles powered by electric, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), ethanol, methanol and hydrogen and are certified to 90% or lower of the existing standard.
8. "Off-Peak Hours Delivery Business" as used in this policy means a company

or contractor that commits to conducting deliveries to South Coast AQMD during off-peak traffic hours defined as between 10:00 a.m. and 3:00 p.m.

9. "Benefits Incentive Business" as used in this policy means a company or contractor that provides janitorial, security guard or landscaping services to South Coast AQMD and commits to providing employee health benefits (as defined below in Section VIII.D.2.d) for full time workers with affordable deductible and co-payment terms.
  10. "Minority Business Enterprise" as used in this policy means a business that is at least 51 percent owned by one or more minority person(s), 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 or minority persons.
    - a. a business whose management and daily business operations are controlled by one or more minority persons.
    - b. a business which is a sole proprietorship, corporation, or partnership 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-based business.
    - c. "Minority person" for purposes of this policy, means a Black America, Hispanic American, Native-American (including American Indian, Eskimo, Aleut, and Native Hawaiian), Asian-Indian (including a person whose origins are from India, Pakistan, and 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, and Taiwan).
  11. "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.
  12. "Disadvantaged Business Enterprise" as used in this policy means a business that is an entity owned and/or controlled by a socially and economically disadvantaged individual(s) as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d)(8% statute), respectively;
    - a Small Business Enterprise (SBE);
    - a Small Business in a Rural Area (SBRA); a
    - Labor Surplus Area Firm (LSAF); or
    - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- C. Under Request for Proposals (RFP), DVBEs, DVBE business joint ventures, small businesses, and small business joint ventures shall be granted a preference in an amount equal to 5% of the lowest cost responsive bid. Zero or Near-Zero Emission Vehicle Businesses shall be granted a preference in an amount equal to 5 percent

of the lowest cost responsive bid. Off-Peak Hours Delivery Businesses shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid. Local businesses (if the procurement is not funded in whole or in part by federal grant funds) shall be granted a preference in an amount equal to 2% of the lowest cost responsive bid. Businesses offering Most Favored Customer status shall be granted a preference in an amount equal to 2 percent of the lowest cost responsive bid.

- D. Under Request for Proposals, DVBEs, DVBE joint ventures, small businesses, and small business joint ventures shall be awarded ten (10) points in the evaluation process. A non- DVBE or large business shall receive seven (7) points for subcontracting at least twenty- five (25%) of the total contract value to a DVBE and/or small business. Zero or Near-Zero Emission Vehicle Businesses shall be awarded five (5) points in the evaluation process. On procurements which are not funded in whole or in part by federal grant funds local businesses shall receive five (5) points. Off-Peak Hours Delivery Businesses shall be awarded two (2) points in the evaluation process. Businesses offering Most Favored Customer status shall be awarded two (2) points in the evaluation process.
- E. South Coast AQMD will ensure that discrimination in the award and performance of contracts does not occur on the basis of race, color, sex, national origin, marital status, sexual preference, creed, ancestry, medical condition, or retaliation for having filed a discrimination complaint in the performance of South Coast AQMD contractual obligations.
- F. South Coast AQMD requires Contractor to be in compliance with all state and federal laws and regulations with respect to its employees throughout the term of any awarded contract, including state minimum wage laws and OSHA requirements.
- G. When contracts are funded in whole or in part by federal funds, and if subcontracts are to be let, the Contractor must comply with the following, evidencing a good faith effort to solicit disadvantaged businesses. Contractor shall submit a certification signed by an authorized official affirming its status as a MBE or WBE, as applicable, at the time of contract execution. South Coast AQMD reserves the right to request documentation demonstrating compliance with the following good faith efforts prior to contract execution.
  - 1. Ensure Disadvantaged Business Enterprises (DBEs) are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
  - 2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and Local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
  4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
  5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
  6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.
- H. To the extent that any conflict exists between this policy and any requirements imposed by federal and state law relating to participation in a contract by a certified MBE/WBE/DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail.
- I. When contract are not funded in whole or in part by federal grant funds, a local business preference will be awarded. For such contracts that involve the purchase of commercial off-the-shelf products, local business preference will be given to suppliers or distributors of commercial off-the-shelf products who maintain an ongoing business within the geographical boundaries of South Coast AQMD. However, if the subject matter of the RFP or RFQ calls for the fabrication or manufacture of custom products, only companies performing 90% of the manufacturing or fabrication effort within the geographical boundaries of South Coast AQMD shall be entitled to the local business preference. Proposals for legislative representation, such as in Sacramento, California or Washington D.C. are not eligible for local business incentive points.
- J. In compliance with federal fair share requirements set forth in 40 CFR Part 33, South Coast AQMD shall establish a fair share goal annually for expenditures with federal funds covered by its procurement policy.

**ATTACHMENT B  
Certifications and Representations**



**South Coast  
Air Quality Management District**

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

**Business Information Request**

Dear South Coast AQMD Contractor/Supplier:

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

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

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

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

Sincerely,

Sujata Jain  
Chief Financial Officer

DH:nd

Enclosures: Business Information Request  
Disadvantaged Business Certification  
W-9  
Form 590 Withholding Exemption Certificate  
Federal Contract Debarment Certification  
Campaign Contributions Disclosure

REV 6/22



# South Coast Air Quality Management District

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

## BUSINESS INFORMATION REQUEST

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

## REMITTING ADDRESS INFORMATION

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

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

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

## BUSINESS STATUS CERTIFICATION S

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.

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   | <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.

NAME

TITLE

TELEPHONE NUMBER

DATE

## 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.



By signing the filled-out form, you:

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

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

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

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

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

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

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

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

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

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

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

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

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

## Backup Withholding

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

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

**Payments you receive will be subject to backup withholding if:**

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

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

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

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

## Updating Your Information

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

## Penalties

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

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

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

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

## Specific Instructions

### Line 1

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

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

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

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

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

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

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

**e. Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

#### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <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>3</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.

**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&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](http://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.

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 MSRRA.

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 MSRRA requirements, get FTB Pub. 1032.

## 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.

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.

## Additional Information

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

**MyFTB** 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 **MyFTB**.

**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.

## 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

## **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):**

-

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

**SECTION II.**

Has Contractor and/or any parent, subsidiary, or affiliated company, or agent thereof, made a campaign contribution(s) totaling \$250 or more in the aggregate to a current member of the

<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
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Name of Contributor

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
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Name of Contributor

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
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Name of Contributor

Governing Board Member or MSRC Member/Alternate	Amount of Contribution	Date of Contribution
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**I declare the foregoing disclosures to be true and correct.**

By:

Title:

Date:

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 5

PROPOSAL: Amend Contract with Coachella Valley Association of Governments

SYNOPSIS: In January 2013, the Board approved contracts for emission reduction projects in the Coachella Valley from the AB 1318 Mitigation Fees Fund (58) for numerous projects. The Coachella Valley Association of Governments (CVAG) received \$17,400,000 for constructing a 46-mile corridor for neighborhood electric vehicles, bicycles and pedestrians, known as “CV Link” that will extend from Palm Springs to Coachella. In January 2021, the Board approved amending the CVAG contract with \$1,469,680 in accrued interest. As portions of the CV Link have been completed and in anticipation of the next construction phase, CVAG is requesting accrued interest funds from their award balance, as included in their contract. This action is to amend the contract with CVAG to augment the existing funding by \$255,923 from the AB 1318 Mitigation Fees Fund (58).

COMMITTEE : Technology, September 15, 2023; Recommended for Approval

**RECOMMENDED ACTION :**

Authorize the Executive Officer to amend contract with the CVAG to incorporate accrued interest in the amount of \$255,923 from the AB 1318 Mitigation Fees Fund (58).

Wayne Nastri  
Executive Officer

AK:MW:WS

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**Background**

In June 2011, the Board approved the establishment of the AB 1318 Mitigation Fees Fund, with a goal to fund emission reduction projects, pursuant to the requirements of AB 1318 (V.M. Perez), which was codified into law in the Health and Safety Code

Section 40440.14, since repealed. The mitigation fees were used to offset emissions from South Coast AQMD's internal NSR offset accounts to CPV Sentinel, LLC, for the construction and operation of the CPV Sentinel Energy Project power plant located in Desert Hot Springs. The sum of \$53,318,358, all of which is from CPV Sentinel, LLC, was placed in the AB 1318 Mitigation Fees Fund(58) to be used to fund emissions mitigation projects. In February 2012, the Board approved the release of RFP #P2012-17 to announce the availability of funds and solicit proposals for emission reduction projects in the Coachella Valley to meet the funding requirements of AB 1318 , resulting in the approval of numerous projects, including an award to CVAG in the amount of \$17,400,000, for construction of an approximately 46-mile long, grade separated, corridor that would accommodate neighborhood electric vehicles, bicycles and pedestrians. This project, referred to as "CV Link", will connect all nine Coachella Valley cities with a neighborhood electric vehicle/bicycle/walking path. The Parkway will extend along the Whitewater River from Palm Springs to Coachella with a connection to Desert Hot Springs.

In anticipation of additional construction costs associated with the implementation of CV Link over multiple years, CVAG and South Coast AQMD staff included a provision in the contract that interest accrued on the balance of the contract be considered for addition to the contract. In February 2021, the Board added the interest of \$1,469,680 to CVAG for CV Link .

### **Proposal**

Staff is proposing to augment the award with CVAG by including the interest earned in the amount of \$255,923 on the balance of the existing contract from AB 1318 Mitigation Fees Fund (58).

### **Benefits to South Coast AQMD**

The AB 1318 Emissions Mitigation Fees Fund was established by the transfer of funds for certified emission offsets. The funds awarded to CVAG will be used to implement emission reductions in the Coachella Valley and will have a direct impact on the air quality and health of residents, while aiding in regional air quality goals. This action will support South Coast AQMD's key air quality attainment strategy for the Coachella Valley area of South Coast AQMD's jurisdiction. Supporting projects that have a long-term positive impact on air quality is a goal of South Coast AQMD and will result in emissions reductions.

### **Resource Impacts**

Total amendment to the contract with CVAG with accrued interest will not exceed \$255,923 from the AB 1318 Mitigation Fees Fund (58).

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 6

PROPOSAL: Execute Contract for Development and Demonstration of Electric-Powered Trailer for Heavy-Duty Vehicles

SYNOPSIS: Range Energy is proposing to develop and demonstrate battery electric-powered trailers that can integrate with existing diesel and zero-emission trucks to provide propulsion assistance and regenerative braking. This project will demonstrate emission benefits of electric-powered trailers. The University of California, Riverside College of Engineering - Center for Environmental Research & Technology (UCR/CE-CERT) will assist Range Energy with data collection and quantifying emission benefits. This action is to execute contracts with 1) Range Energy in an amount not to exceed \$500,000 and 2) UCR/CE-CERT in an amount not to exceed \$50,000 from the Clean Fuels Program Fund (31).

COMMITTEE: Technology, September 15, 2023; Recommended for Approval

RECOMMENDED ACTIONS:

1. Authorize the Executive Officer to execute a contract with Range Energy, for development and demonstration of electric-powered trailer for heavy-duty vehicles in an amount not to exceed \$500,000 from Clean Fuels Program Fund (31); and
2. Authorize the Executive Officer to execute a contract with the University of California, Riverside College of Engineering - Center for Environmental Research & Technology (UCR/CE-CERT ) for data collection and emission benefit analysis in an amount not to exceed \$50,000 from Clean Fuels Program Fund (31).

Wayne Nastri  
Executive Officer

## **Background**

Hybridization of heavy-duty class 8 trucks with electric-powered trailers is an innovative technology that provides an immediate opportunity to reduce emissions from goods movement activities throughout the South Coast Air Basin. Range Energy has developed battery electric-powered trailers that use standard interfaces to connect with diesel or electric tractors without retrofitting. The electric trailers provide propulsion assistance and regenerative braking that is expected to result in fuel savings and the reduction of criteria and GHG pollutants. The technology is also expected to extend the range of new zero-emission trucks through the trailer's propulsion assistance. Overall, this demonstration project will quantify emission benefits and effectiveness of an electric-powered trailer to reduce emissions from diesel trucks. Additionally, this technology is expected to be further developed to help replace the need for diesel engines powering transport refrigeration units upon trailers in the near future.

## **Proposal**

Range Energy will develop and provide an electric-powered hybrid trailer to a local fleet that will place the trailer into operation using a diesel truck. The demonstration will be conducted for the period of one month and will include the in-use emissions measurements to evaluate the impact of emissions reduction from the utilization of electric-powered hybrid trailer. The electric-powered trailers can be installed into any tractor (i.e., diesel, battery electric and hydrogen/fuel cell) without retrofitting. The trailer will use an embedded sensor to detect the tractor's motion and performance (accelerating, braking, etc.) and augment the behavior with propulsion assistance and/or regenerative braking.

UCR/CE-CERT will assist Range Energy with emission measurements and analyzing fuel-savings that will help quantify emission benefits along with understanding operational cost benefits or disbenefits to using an electric trailer in a routine truck delivery route.

## **Sole Source Justification**

Section VIII.B.2. of the Procurement Policy and Procedure identifies provisions under which a sole source award may be justified. This request for a sole source award to Range Energy is made under provision B.2.c. Specifically, B.2.c.(1): The unique experience and capabilities of the proposed contractor or contractor team; and B.2.c.(2): The project involves the use of proprietary technology. Range Energy was founded in 2021 and is composed of industry experts in transportation technology development and the deployment of scaled-up decarbonizing technologies. The request for sole source award to UCR/CE-CERT is made under provision B.2.d.(8): Research and development efforts with educational institutions or nonprofit organizations. UCR is an educational institution, and the CE-CERT program addresses the broad utilization of energy resources and the emerging nexus of electric power generation, infrastructure, transportation, and the environment.

**Benefits to South Coast AQMD**

Supporting the expanded application of electrification technology in the commercial sector is consistent with the Technology Advancement Office Clean Fuels Program 2023 Plan Update under the category of “Develop and Demonstrate MD and HD On-Road Battery Electric Vehicles and Equipment” and the 2022 AQMP.

Successful demonstration of this technology will help to support the commercial viability and wide-scale deployment of zero emissions technology in the heavy-duty truck sector by improving market competition in providing more options to meet a variety of fleet needs.

**Resource Impacts**

The total estimated cost for the proposed projects is up to \$4,292,000. South Coast AQMD’s total proposed cost-share will not exceed \$550,000 from the Clean Fuels Program Fund (31).

<b>Project Partners</b>	<b>South Coast AQMD (requested)</b>	<b>Cost-Share</b>	<b>Project Cost</b>
Range Energy	\$500,000	\$ 3,742,000	\$4,242,000
UCR/CE-CERT	\$50,000		\$50,000
<b>Total (not to exceed)</b>	<b>\$550,000</b>	<b>\$3,742,000</b>	<b>\$4,292,000</b>

Sufficient funds are available in the Clean Fuels Program Fund (31) for this proposed project. The Clean Fuels Program Fund (31) is established as a special revenue fund resulting from the state-mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 7

**PROPOSAL:** Execute Contract to Develop and Demonstrate a Portable Liquid Hydrogen Fueling System for Medium- and Heavy-Duty Equipment Applications

**SYNOPSIS** Large equipment with high power demands used in long range applications requires high-capacity hydrogen power systems when converted to zero-emission. Gaseous hydrogen fuel storage is not technically viable to meet power demands. Liquid hydrogen storage has a higher energy density and is needed to meet higher power demands. Zero Emission Industries, Inc. (ZEI) will design, build, and demonstrate a portable and rapidly deployable liquid hydrogen fueling system for marine or locomotive applications. This action is to execute a contract with ZEI to develop a portable liquid hydrogen fueling system in an amount not to exceed \$1,175,000 from the Clean Fuels Program Fund (31).

**COMMITTEE:** Technology, September 15, 2023; Recommended for Approval

**RECOMMENDED ACTION:**

Authorize the Chair, or on the Chair's behalf, the Executive Officer, to execute a contract with Zero Emission Industries Inc. (ZEI) to develop and demonstrate a portable and rapidly deployable liquid hydrogen fueling system in an amount not to exceed \$1,175,000 from the Clean Fuels Program Fund (31).

Wayne Natri  
Executive Officer

AK:MW:VP:MH

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**Background**

Large off-road equipment such as marine vessels and locomotives with high power demands, high utilization, and longer routes require the use of onboard liquid hydrogen (LH2) storage instead of gaseous hydrogen fuel storage. Thus, there is a need to develop

technology for rapid LH2 fuel dispensing for marine and locomotive applications. This project will develop, build, and demonstrate a first-of-its-kind LH2 bunkering and dispensing system.

This novel system will capture and re-use hydrogen boil-off gas, increasing system efficiency and financial viability while allowing for flexible deployment that follows relevant land-based and marine codes and standards. The system will help with the deployment of zero-emission marine vessels and locomotives and will be portable to avoid monopolizing valuable space while simultaneously enabling the bunkering and dispensing of liquid hydrogen. In addition, the system can be stored remotely and only moved when needed. Compared to a permanently installed hydrogen fueling station, this LH2 bunkering system is estimated to cost ten times less, can be used at multiple port terminal berths, and enables immediate deployment of LH2-powered vessels and locomotives by eliminating on-site construction timelines.

### **Proposal**

ZEI proposes to design, build, and demonstrate a portable zero boil-off liquid hydrogen bunkering system capable of supplying a week's worth of fuel to a vessel, locomotive, or equivalent equipment (~ 3500 kg) in under two hours. The system will be self-contained, capturing boil-off hydrogen gas then compressing and storing the hydrogen to provide power to an onboard PEM fuel cell to run the system. ZEI will also demonstrate the technology with the project partners at one or more California Ports to fuel locomotives, fuel cell shore power, or cold ironing systems.

South Coast AQMD funding will be used towards developing, building, testing, validating, and demonstrating the portable liquid hydrogen refueling system. This action is to execute a contract with ZEI that does not exceed \$1,175,000 from the Clean Fuels Program Fund (31).

### **Sole Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole source award may be justified. This request for sole source award is made under provision B.2.d.: Other circumstances exist which in the determination of the Executive Officer require such waiver in the best interest of South Coast AQMD. Specifically, these circumstances are B.2.d.(1): Project involving cost-sharing by multiple sponsors. The proposed projects will include in-kind contributions and cost-share by CEC, Southern California Gas Company (SoCalGas), ZEI, and Crowley Maritime.

**Benefits to South Coast AQMD**

Projects to support development and demonstration of zero-emission vehicle technologies and supporting infrastructure are included in the Technology Advancement Office Clean Fuels Program 2022 Plan Update under the category “Hydrogen and Fuel Cell Technologies and Infrastructure.” This project is to develop and demonstrate portable liquid hydrogen fueling system technology for goods movement and off-road operations. Implementation of this project is consistent with the 2022 AQMP which relies on zero-emission technologies to achieve National Ambient Air Quality Standards for ozone and PM2.5. Additionally, this project assists in reducing diesel PM, which is a carcinogen, by advancing hydrogen fuel cell technologies and infrastructure. The successful demonstration of the portable liquid hydrogen fueling system will serve as a model to build confidence among end-users, increase demand for fuel cell technologies in marine and locomotive operations, and reduce costs to enable the feasible transition of vessels and locomotives to zero-emission technologies.

**Resource Impacts**

The total cost for the proposed project is \$7,468,750, of which South Coast AQMD’s proposed contribution will not exceed \$1,175,000 from the Clean Fuels Program Fund (31), as summarized below.

**Proposed Zero Emission Port Demonstration Project Costs**

<b>Source</b>	<b>Funding Amount</b>	<b>% of Total Cost</b>
CEC	\$5,250,000	70
SoCal Gas	\$500,000	7
ZEI	\$300,000	4
Crowley Maritime	\$243,750	3
South Coast AQMD (proposed)	\$1,175,000	16
<b>Total</b>	<b>\$7,468,750</b>	<b>100</b>

Sufficient funds are available in the Clean Fuels Program Fund (31) for this proposed project. The Clean Fuels Program Fund (31) is established as a special revenue fund resulting from the state mandated Clean Fuels Program. The Clean Fuels Program, under Health and Safety Code Sections 40448.5 and 40512 and Vehicle Code Section 9250.11, establishes mechanisms to collect revenues from mobile sources to support projects to increase the utilization of clean fuels, including the development of the necessary advanced enabling technologies. Funds collected from motor vehicles are restricted, by statute, to be used for projects and program activities related to mobile sources that support the objectives of the Clean Fuels Program.

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 8

**PROPOSAL:** Adopt Resolution, Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for Continued AB 617 Implementation

**SYNOPSIS:** South Coast AQMD was approved to receive a \$21,880,000 grant from the CARB Community Air Protection Program. In May 2023, the Board recognized \$18,553,333 for the most recent allocation of the AB 617 implementation program funding. This action is to adopt a resolution to accept the terms and conditions of the grant, recognize up to an additional \$3,326,667 from CARB into the General Fund, appropriate up to \$3,400,000 into the FY 2023-24 and/or 2024-25 Budgets, execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation.

**COMMITTEE:** Administrative, September 8, 2023; Recommended for Approval

**RECOMMENDED ACTION S:**

1. Adopt resolution to accept the terms and conditions for the AB 617 Implementation Community Air Protection Program grant award;
2. Recognize revenue, upon receipt, up to \$3,326,667 from CARB into the General Fund for continued AB 617 implementation;
3. Appropriate up to \$3,400,000 from the General Fund Undesignated (Unassigned) Fund Balance (AB 617 funds) into the FY 2023-24 and/or FY 2024-25 Budget for AB 617 implementation; and
4. Authorize the Executive Officer to execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation in accordance with South Coast AQMD Procurement Policy and Procedure for items listed in Tables 1-3.

Wayne Natri  
Executive Officer

## **Background**

Assembly Bill 617 was signed into state law in July 2017 and focuses on improving air quality and reducing exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. Assembly Bill 617 recognizes the disproportionate impacts environmental justice (EJ) communities experience from sources of air pollution near residences and seeks to address these impacts through community-driven actions.

Since 2018, CARB has selected six communities for development of both a Community Emissions Reduction Plan (CERP) and Community Air Monitoring Plan (CAMP): East Los Angeles, Boyle Heights, West Commerce (ELABHWC); San Bernardino, Muscoy (SBM); Wilmington, Carson, West Long Beach (WCWLB); Eastern Coachella Valley (ECV); Southeast Los Angeles (SELA); and South Los Angeles (SLA). Each CERP and CAMP have been adopted by the South Coast AQMD Board and approved by CARB. The implementation of AB 617 initiatives includes approximately 300 CERP actions among the six CERPs. South Coast AQMD is required to implement the CERPs and CAMPs. Implementation of the CERPs will reduce localized air quality impacts and implementation of the CAMPs will provide additional information to communities regarding localized air quality through community monitoring efforts.

As part of the implementation process, South Coast AQMD utilizes robust community engagement efforts to ensure that community concerns are heard, identified, and addressed. Community outreach and engagement programs are integral to the success of AB 617 and CERP implementation. The proposed funds would enable staff to implement CERP actions and conduct meetings for each Community Steering Committee (CSC). Community Steering Committee meetings require venues, services for meeting facilitation, language interpretation, document translation, audio/visual equipment, meeting logistics, educational and informational events, and outreach and engagement opportunities.

To better address Diversity, Equity and Inclusion issues and concerns and to further our engagement with community members, Community Air Programs was transitioned under the Diversity Equity and Inclusion division in January 2023. Funds for this upcoming year allocated to Diversity, Equity, and Inclusion with Community Air Programs (DEI with CAP) will primarily address administrative and operational needs of the Community, Outreach, Relations, and Engagement (CORE) and Community Emissions Reductions Plan (CERP) Teams. These monies will directly support increased community engagement (e.g., events, data collection), facilitation of regular CSC working team/subcommittees and quarterly CSC meetings. Additionally, the monies will support implementation of approximately 200 CERP actions remaining (e.g., public health outreach, project plan development) and programmatic needs (e.g., development of dashboard, notification systems, training).

In addition, AB 617 also requires that BARCT be implemented by December 31, 2023 for sources in the state greenhouse gas program. Intensive rulemaking efforts have already been underway to implement these requirements and many rules have already been adopted. Other areas that require significant work from South Coast AQMD include coordinating with CARB to support their BARCT and (Best Available Control Technology) BACT clearinghouse, and implementing CARB's recent statewide emissions reporting regulation, which expands the requirements for annual emissions reporting.

During the annual budget process, in May 2023, the AB 617 implementation grant amount was unknown and the Board recognized revenue of \$18,553,333. This Board letter will authorize the recognition of an additional \$3,326,667 of AB 617 implementation funds for a total of \$21,880,000 as awarded by CARB and will authorize the appropriation of up to \$3,400,000 into the General Fund for continued AB 617 implementation as described below.

### **Proposal**

Staff is seeking Board approval to adopt a resolution to accept the terms and conditions of the grant award from CARB, recognize revenue, appropriate funds, purchase capital outlays and execute and/or amend contracts as listed in Table 1 and Table 2 and procure related services and supplies as listed in Table 3 to support work required under AB 617. These items are described below:

#### Pfeiffer SplitFlow Turbomolecular Pump

South Coast AQMD's Proton Transfer Reaction-Mass Spectrometry (PTR-MS) mobile laboratory has been used to conduct mobile monitoring of VOCs in AB 617 communities. A turbomolecular pump is used to create the final vacuum on the PTR-MS instrument and is an integral part of its operation. An unanticipated shutdown of the pump could result in damage to the PTR-MS instrument. The Pfeiffer SplitFlow pump is customized for use with the PTR-MS mobile platform. The estimated cost of one Pfeiffer SplitFlow Turbomolecular Pump is \$20,000. The purchase will be made by sole-source purchase order with Aerodyne Research, Inc.

#### Liquid Calibration Unit

Gas standards are needed to calibrate the PTR-MS instrument used by South Coast AQMD to conduct mobile monitoring surveys in AB 617 communities. Availability of these gas standards is limited and often requires substantial lead times. The purchase of a liquid calibration unit will significantly decrease the calibration time of the PTR-MS and increase the number of compounds that can be calibrated with this instrument. The purchase of a liquid calibration unit was approved in the FY 2023-24 adopted budget for Monitoring and Analysis at an amount not to exceed \$30,000. However, due to unanticipated cost increases, an additional \$15,000 is needed to complete this order. The

total estimated cost for the purchase of one liquid calibration unit is \$45,000. The purchase will be made by sole-source purchase order with Aerodyne Research, Inc.

#### Ebara EV-PA500 Fore Pump

A fore pump is needed to create an initial vacuum on the PTR-MS instrument used by South Coast AQMD to conduct mobile monitoring surveys in AB 617 communities. The current fore pump requires frequent maintenance, which results in significant downtime of the mobile platform. A second fore pump is needed as backup to ensure instrument functionality during required maintenance windows and in case of pump failure. The estimated cost of an Ebara Fore Pump is \$20,000. This purchase will be made through a solicitation process, followed by issuance of a purchase order.

#### Replacement Parts for Existing Optical Remote Sensing Mobile Laboratory

South Coast AQMD's Optical Remote Sensing Mobile Laboratory (ORS-ML) has been used to conduct mobile monitoring surveys near refineries, oil wells and other sources of VOCs in AB 617 communities. The manufacturer of the core instrumentation used in the ORS-ML has developed a series of improvements to the original thermal stabilization design of the optical analyzers installed aboard this mobile platform. These funds will be used to implement several enhancements, including installation of updated thermal stabilization, and other hardware and software upgrades. This will substantially improve detection capabilities of benzene, toluene, ethylbenzene, xylene (BTEX) and other VOCs that are critical for leak detection measurements. The estimated cost for these upgrades is \$200,000. The purchase will be made by sole-source purchase order with FluxSense, Inc.

#### Condensation Particle Counter

South Coast AQMD currently operates three mobile monitoring platforms for measurements of particle-bound pollutants including PM, particle number concentration, black carbon, and metals. These platforms are used to conduct mobile monitoring surveys on freeways and major roadways, around railyards, near industrial facilities and other sources of air pollution in AB 617 communities. The two Condensation Particle Counter (CPC) instruments used for measuring particle number concentrations have reached five years of service, and up to two new CPCs are needed to reduce downtime in case service is required, and to continue to identify areas potentially impacted by diesel exhaust emissions. The estimated cost for the purchase of up to two units is \$45,000. This purchase will be made through a solicitation process, followed by issuance of a purchase order.

#### Annual Emission Reporting and Requirements for the Criteria and Toxics Reporting Regulation

CARB's Criteria and Toxics Reporting Regulation (CTR) significantly expanded the number of facilities that report emissions through the South Coast AQMD Annual Emission Reporting (AER) program. Software upgrades not to exceed \$250,000 are

needed to accommodate the increased number of facilities utilizing the AER reporting tool, as well as to include the ability to report information required by the CTR, such as additional toxics compounds and release location data.

#### Vocus PTR-MS Warranty Extension

The PTR-MS instrument used onboard South Coast AQMD 's PTR-MS mobile laboratory is a highly technical, research-grade instrument manufactured by Tofwerk AG. Extending the warranty on this instrument is necessary to receive critical software updates and ensure technical support when needed. The estimated cost for a one-year warranty extension is \$30,000. The purchase will be made by sole-source purchase order with Aerodyne Research, Inc., the U.S. distributor for Tofwerk AG.

#### Cloud Data Platform Development and Monthly Subscription

South Coast AQMD has been developing a data platform to validate, analyze, display, and store the large volume of data generated under AB 617 and other community programs. Phase 1 of this project (development of the data platform architecture) has been fully supported using AB 617 funds and is nearing completion. Phase 2 (data ingestion and display) will begin later in 2023. A monthly subscription to Microsoft Azure Cloud Services is also needed for data storage and processing. The estimated cost to complete the development and implementation of Phase 2 of this project and for Microsoft Azure Cloud Services monthly subscription fees is \$250,000.

#### Calibration of Meteorological Devices

Meteorological devices are used in AB 617 communities to characterize local wind patterns and better understand transport of air pollutants. These devices need periodic maintenance and calibration to provide robust and reliable meteorological data. These funds are to identify a contractor to conduct the required calibration and maintenance of meteorological devices in AB 617 communities. The estimated annual cost for calibration services of meteorological devices in AB 617 communities is \$50,000. A contractor will be selected through a solicitation process.

#### Analysis of AB 617 Data

South Coast AQMD has been conducting air monitoring in AB 617 communities to measure baseline air quality conditions, identify potential sources of air pollution and assess their impact in nearby communities and, overall, satisfy all CERP and CAMP requirements. Through this process, South Coast AQMD has established strong collaborations and partnerships with public and private research institutions with specific knowledge and expertise on local air quality issues. There is a need to partner with one or more public, private, academic institution(s) and/or other stakeholders to conduct an in-depth analysis of the data collected in AB 617 communities, support ongoing air measurement studies, and better address the air quality concerns identified in the CAMPs and CERPs. The estimated cost for this work is \$50,000. One or more contractors will be selected through a solicitation process.

### Community Co-Lead Contracts for CERP Implementation Tasks – SLA

The development of the CERP for SLA, was developed in partnership with three co-lead organizations: Physicians for Social Responsibility-Los Angeles (PSR-LA), Strategic Concepts in Organizing and Policy Education Los Angeles (SCOPE-LA), and Watts Clean Air and Energy Committee (Watts Clean Air). The three co-leads have continued the partnership with South Coast AQMD and have been providing co-leadership services to the South Coast AQMD for the implementation of the SLA CERP and CAMP. Staff has worked with PSR-LA, SCOPE-LA, and Watts Clean Air to develop specific tasks that include collaborating on agendas for CSC meetings, conducting CSC meetings, weekly check-ins, community engagement, public outreach, and implementation of CERP actions. The co-leads incorporate their lived experiences and provide input to South Coast AQMD to enhance and re-shape communication approaches with the community. The estimated cost for these three sole-source contracts is \$113,400 for the FY 2023-24 and may be extended to FY 2024-25. Payment is based on completion and participation in the various tasks in the contract.

### Facilitator Contract – ECV

Facilitator (VMA Communications) has been providing facilitation services since 2020 for ECV and will continue to provide meeting facilitation services for ECV AB 617-related meetings including, but not limited to, CSC, Sub-Committee, and working team meetings. VMA Communications is familiar with the community participants, South Coast AQMD, and overall meeting format. The meeting facilitation services include, preparation activities leading to each of the scheduled meetings, and meeting participation and facilitation. The estimated cost for this sole-source contract is \$32,000.

### Facilitator Contract – SLA

Facilitator (Castillo Consulting) has been providing facilitation services since 2020 and will continue to provide meeting facilitation services for SLA AB 617-related meetings including, but not limited to, CSC, Sub-Committee, and Community Co-Lead meetings. Since Castillo Consulting has been facilitating development of the CERP, Staff conducts CSC meetings quarterly and community co-lead meetings occur on a weekly basis throughout the fiscal year. The meeting facilitation services include preparation activities leading to each of the scheduled meetings, and meeting participation and facilitation. The estimated cost for this sole-source contract is \$40,000.

### CERP Implementation Contracts – All CSCs

CERP Implementation Contracts (To Be Determined) will include releasing public solicitations to work with contractors knowledgeable about AB 617 to support implementation of South Coast AQMD's six CERPs. There are approximately 200 CERP actions remaining to be implemented that staff will be seeking contract assistance for certain actions such as developing outreach materials, conducting outreach and education events which includes advertisement, food, rental fees for venue, and asthma

van. Consultant services may be needed to help interface with cities and counties and implement actions related to truck idling and truck routes. The estimated cost for contract services and/or outreach events is \$600,000 for six CSC communities for FY 2023-24 and/or FY 2024-25. Funds will generally be distributed amongst the six CSC communities, but will vary based on the type of CERP actions with a great emphasis on communities that are nearing their fifth year of implementation.

#### Services & Supplies – Monitoring & Analysis

Up to \$750,000 for utilities, maintenance of equipment, lab supplies, communications, small tools, and equipment is required to operate and maintain multiple air monitoring stations at existing AB 617 communities to satisfy the requirements of the C ERPs and CAMPs which include: baseline measurements to characterize local air quality conditions; mobile survey monitoring to identify potential air pollution hotspots; additional fixed monitoring near specific air quality priorities identified by the community; sensor deployment and maintenance to complement existing air monitoring activities in specific areas and to educate community members on the use and application of this technology.

#### Document Translation, Interpretation Services, And Outreach Materials

Document translation and interpretation services are made available at each CSC meeting to bridge any language gaps and provide equitable access to information. Each year, South Coast AQMD facilitates four quarterly meeting within each of the six CSCs. Each meeting requires two translators for up to three hours of interpretation. The documents for each meeting require a minimum of translation into Spanish; this includes meeting agendas, PowerPoint presentations, and informational handouts. As communities diversify, funding for translation services may be needed for multiple languages. As CERP implementation continues, additional community engagement opportunities including working teams and subcommittees, listening sessions, outreach and educational events require translation and interpretation services. Services are intended to provide meaningful input, feedback, and community perspectives in CSC meeting attendee's preferred language. Interpretation services provide effective communication, enhanced understanding, and inclusion of diverse, multi-lingual participants who can actively participate and contribute to CSC discussions. Outreach campaigns may include public awareness initiatives that are delivered in the languages spoken in the CSC communities for an increased level of participation. The estimated cost for these Services & Supplies is \$385,150 for FY 2023-24 and/or FY 2024-25.

#### Meeting Coordination and Services

Logistical components at quarterly CSC meetings and additional workshops (e.g., working team/subcommittee meetings) are integral to creating meaningful AB 617 community engagement and successful CERP implementation. In addition to translation and interpretation services, logistical components of hosting community meetings, workshops, and events include audio visual services and venue rentals. As meetings are

held during post-work and dinner hours, refreshments are served. Refreshments at meetings, workshops, and events recognizes the importance of fostering a sense of community and encouraging participation. To ensure that presentations, visual aids, and multimedia materials are accessible to all attendees and to maximize the visual and auditory experience for community members to contribute to meaningful discussions, professional, high-quality services and equipment are used. Selecting suitable venues within the communities served that are ADA-compliant and easily accessible by public transportation are considered. Additional workshops include, but are not limited to Listening Sessions, CARB Annual Progress Report Meetings, CSC Meetings, Education and Information Events, Incentives Workshops, Training Sessions, and CSC On-Boarding Sessions. The estimated cost for these Services & Supplies is \$236,900 for FY 2023-24 and/or FY 2024-25.

Services and Supplies – Diversity, Equity & Inclusion with Community Air Programs  
Services and Supplies are intended to fund the operational tasks routinely needed for the administration of the AB 617 program. Professional development includes trainings and conferences for staff to increase their cultural competency skills and knowledge relevant to individual communities, and proficiency of new technologies. Through these opportunities, staff will be able to apply this new knowledge to better implement AB 617. Additionally, staff can utilize trainings and conferences to collaborate with colleagues across the state working on AB 617 and environmental justice, in particular CSC members, air district staff, and other technical and non-technical entities. The estimated cost for these Services & Supplies is \$113,500.

Community Outreach Mileage and Travel

Members of the CERP and CORE teams are expected to participate in individual community activities on an ongoing basis. This includes interactions with CSC members, local stakeholders, and local agencies outside of the CSC meetings and within the different neighborhoods represented in the CSC. Funds for community outreach mileage and travel are to reimburse employees for these costs. The estimated cost for these Services & Supplies is \$54,900.

CSC Member Stipends & CSC Member Meeting Facilitation Stipends

Allocation for CSC member stipends is essential for ongoing community engagement and retention. These stipends represent a recognition of CSC members' expertise and provides critical cultural capital for South Coast AQMD. The estimated cost for these Services & Supplies is \$84,150.

Public Noticing, Postage, Advertising

Public noticing and advertising are needed to publicize AB 617 related public hearings, CSC events, RFPs, RFQs, and Program Announcements in local newspapers and general circulation. Some newspapers may include the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and the Riverside County's Press Enterprise

to leverage the most cost-effective method of outreach to the South Coast Basin. The estimated cost for these Services & Supplies is \$60,000.

### **Sole-Source Justification**

Section VIII.B.2 of the Procurement Policy and Procedure identifies four major provisions under which a sole-source award may be justified: The request for sole-source purchases from Aerodyne Research Inc. and FluxSense, Inc. are made under Sections VIII.B.2.c (1): The unique experience and capabilities of the proposed contractor; VIII.B.2.c (2): The project involves the use of proprietary technology; and VIII.B.2.d (6): Projects requiring compatibility with existing specialized equipment. There are no other vendors who can provide this equipment, supplies and software meeting all required specifications and that are compatible with existing specialized equipment already in operation.

Section VIII.B.2 of the Procurement Policy and Procedure identifies a major provision under which a sole-source award may be justified: The request for sole-source contacts for the three South Los Angeles Co-Leads listed in Table 2; Castillo Consulting Partners; and VMA Communications are made under Sections VIII.B.2.c (1): The unique experience and capabilities of the proposed contractor.

As part of our commitment to effectively implement AB 617 and ensure the successful development and implementation of CERPs, South Coast AQMD has selected the following community local partners: Physicians for Social Responsibility-Los Angeles, Watts Clean Air and Energy Committee (WCAEC), and Strategic Concepts in Organizing and Policy Education (SCOPE - LA). Their unique expertise, deep-rooted connections, and contextual understanding possessed by these contractors are ideal for AB 617 co-leadership collaboration. These selected community partners have an established history of active engagement and collaboration within the communities affected by air quality issues. Their direct interactions and relationships with community members provide insight into local concerns and air quality priorities, and they have been selected as the Community Co-Lead for the South LA CSC.

VMA Communications was selected as a third-party facilitator to lead the Eastern Coachella Valley (ECV) CSC Meeting. The facilitator has a unique skill set, experience with the ECV CSC, and established rapport with community members. The third-party facilitator brings a neutral, unbiased perspective that fosters a more collaborative environment in both English and Spanish languages.

The SLA Community Co-Lead selected Castillo Consulting Partners, which demonstrated the capacity to conduct and facilitate CSC meetings and Co-lead planning meetings. Their ability to navigate cultural and local nuances, languages and sensitivities ensure that CSC engagement efforts are respectful, inclusive, and effective.

**Benefits to South Coast AQMD**

The equipment, contracts, and related services and supplies will help support South Coast AQMD efforts to fulfill the legislative directives of AB 617 to implement the six CERPs and CAMPs, which will result in air quality and public health benefits specifically to the AB 617 environmental justice communities and to the entire region.

**Resource Impacts**

South Coast AQMD receives funding annually from CARB's Air Protection Program. This funding will provide resources for the continued implementation of South Coast AQMD's AB 617 program as proposed.

**Attachments**

1. Table 1: FY 2023-24 and/or FY 2024-25 Proposed Capital Outlay/Intangible Asset Expenditures for AB 617 (Capital Outlays Major Object)
2. Table 2: FY 2023-24 and/or FY 2024-25 Proposed Contracts/Contract Amendments for AB 617 (Services & Supplies Major Object)
3. Table 3: FY 2023-24 and/or FY 2024-25 Proposed Other Services and Supplies Expenditures for AB 617 (Services & Supplies Major Object)
4. Resolution

**Table 1**  
**FY 2023-24 and/or FY 2024-25 Proposed Capital Outlay/Intangible Asset**  
**Expenditures for AB 617**  
**(Capital Outlays Major Object)**

<b>Description</b>	<b>Org Unit</b>	<b>Estimated Amount</b>	<b>Contracting Method</b>
Pfeiffer SplitFlow Turbomolecular Pump (Qty 1)	MAD	\$20,000	Sole-Source
Liquid Calibration Unit (Qty 1)	MAD	\$15,000	Sole-Source
Ebara EV-PA500 Fore Pump (Qty 1)	MAD	\$20,000	RFQ
*Replacement Parts for Existing Optical Remote Sensing Mobile Laboratory	MAD	\$200,000	Sole-Source
Condensation Particle Counter (Up to two)	MAD	\$45,000	RFQ
AER Reporting	PRDI	\$250,000	IM Pre-approved Contractor
<b>TOTAL</b>		<b>\$550,000</b>	

\*Note: Expenditures may be appropriated in the Services & Supplies Major Object as warranted.

**Table 2**  
**FY 2023-24 and/or FY 2024-25 Proposed Contracts/Contract**  
**Amendments for AB 617**  
**(Services & Supplies Major Object)**

<b>Contractor</b>	<b>Description</b>	<b>Org Unit</b>	<b>Estimated Amount</b>	<b>Contracting Method</b>
Aerodyne Research, Inc.	Vocus PTR-MS Warranty Extension	MAD	\$30,000	Sole-Source
TBD	Cloud Data Platform Development and Monthly Subscription	MAD	\$250,000	Solicitation to Prequalified and/or Outside Vendors
TBD	Calibration of Meteorological Devices	MAD	\$50,000	RFP
TBD	Analysis of AB 617 Data	MAD	\$50,000	RFP
PSR-LA	Community Co-Lead Contract for CERP Implementation Tasks	DEI with CAP	\$37,800	Sole-Source
WCAEC	Community Co-Lead Contract for CERP Implementation Tasks	DEI with CAP	\$37,800	Sole-Source
SCOPE - LA	Community Co-Lead Contract for CERP Implementation Tasks	DEI with CAP	\$37,800	Sole-Source
VMA Communications	Facilitator for ECV CSC Meetings	DEI with CAP	\$32,000	Sole-Source
Castillo Consulting Partners	Facilitator for SLA Community Co-Lead and CSC Meetings	DEI with CAP	\$40,000	Sole-Source
TBD	Contracts CERP Implementation Projects (\$100,000 per CSC community)	DEI with CAP	\$600,000	RFP/RFQ/ Program Announcement
<b>TOTAL</b>			<b>\$1,165,400</b>	

Note: Expenditures may be appropriated in the Capital Outlays Major Object as warranted.

**Table 3**  
**FY 2023-24 and/or FY 2024-25 Proposed Other Services and Supplies**  
**Expenditures for AB 617**  
**(Services & Supplies Major Object)**

Description	Org Unit	Account	Estimated Amount
Includes: rents, utilities, maintenance of equipment, lab supplies, communications, small tools, etc.	MAD	Various	\$750,000
Includes: Document Translation, Interpretation Services, Outreach Materials	DEI with CAP	Various	\$385,150
Includes: Meeting Coordination and Services, such as Venues, Audio/Visual Services, and Refreshments	DEI with CAP	Various	\$236,900
Includes Services and Supplies: Phones, Office Expenses, Equipment, and Professional Development	DEI with CAP	Various	\$113,500
Includes: Community Outreach Mileage and Travel	DEI with CAP	Various	\$54,900
Includes: Stipends, CSC Member Facilitator	DEI with CAP	Various	\$84,150
Includes: Public Noticing, Postage, Advertising	DEI with CAP	Various	\$60,000
<b>Total</b>			<b>\$1,684,600</b>

**RESOLUTION NO. 23-**

**A Resolution of the South Coast Air Quality Management District Board  
Recognizing Funds and Accepting the Terms and Conditions of the  
FY 2022-23 Community Air Protection Program Grant Award G22-CAPP-31**

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

WHEREAS, the South Coast AQMD is authorized by Health & Safety Code § 40400 et seq. and Assembly Bill (AB) 617 (Chapter 136, Statutes of 2017), the South Coast AQMD is authorized to implement programs to support selecting locations for consideration by the California Air Resources Board (CARB) under AB 617, to deploy community air monitoring systems, deploy fence-line monitoring and develop Community Emissions Reduction Programs to reduce emissions of toxic air contaminants and criteria pollutants at selected locations, and to develop an expedited schedule for requiring best available retrofit control technology; and

WHEREAS, the Governing Board has adopted several programs to support selecting locations for CARB consideration under AB 617, deploy community air monitoring systems, deploy fence-line monitoring, develop Community Emissions Reduction Programs, and develop an expedited schedule for requiring best available retrofit control technology.

THEREFORE, BE IT RESOLVED that the Governing Board, in regular session assembled on October 6, 2023, does hereby authorize the Executive Officer to accept the terms and conditions of the FY 2022-23 Community Air Protection Program G22-CAPP-31 grant award and recognize up to \$21,880,000 from CARB to support location selection for CARB consideration under AB 617, deploy community air monitoring systems, deploy fence-line monitoring, develop Community Emissions Reduction Programs, and develop an expedited schedule for requiring best available retrofit control technology.

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

AYES:

NOES:

ABSENT:

DATE:

Faye Thomas, Clerk of the Boards

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 9

**PROPOSAL:** Approve Amendments to the MOU with Teamsters Local 911 and to Administrative Code Provisions for Non-Represented Employees Regarding Employer Contributions for Health Insurance Premiums

**SYNOPSIS:** South Coast AQMD management and Teamsters Local 911, representing the Office Clerical & Maintenance (OCM) and Technical & Enforcement (T&E) bargaining units, have reached an agreement to address health insurance premium increases effective January 1, 2024. The proposed MOU amendment provides for an additional \$75 per month to be paid directly to health insurance providers on behalf of each employee. This action is to request Board approval of the MOU amendment. This action is also to approve an amendment to the South Coast AQMD Administrative Code for an additional payment of \$75 per month to the health insurance providers on behalf of each non-represented employee. Sufficient funds are available in the FY 2023-24 Budget and will be requested in the FY 2024-25 Budget.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTION S:**

1. Approve an amendment to Article 17, Section 3 in the 2022-2023 Teamsters MOU to provide an additional \$75 per month to be paid directly to health insurance providers on behalf of each OCM and T&E employee, as shown in Attachment A ; and
2. Approve an amendment to Section 115.3 (Insurance Contribution Amount) of South Coast AQMD's *Administrative Code* to provide an additional \$75 per month to be paid directly to health insurance providers on behalf of each non-represented employee, as shown in Attachment B.

Wayne Natri  
Executive Officer

## **Background**

The 2022-2023 Teamsters MOU contains a reopener clause for management and the bargaining unit representatives to meet-and-confer regarding potential health insurance premium increases effective January 1, 2024. South Coast AQMD 's Administrative Code Section 115.3 sets forth provisions to provide employer contributions toward health insurance premium costs for non-represented employees.

Since 2018, South Coast AQMD has been a member of the Public Risk Innovation, Solutions, and Management (PRISM) public agency insurance pool. For 2024, health insurance premiums are set to increase by 12.7 percent across South Coast AQMD 's medical insurance plans. Subject to Board approval, South Coast AQMD management and the Teamsters have reached an agreement to increase the amount of the payments made directly to the health insurance providers to offset a portion of the increased costs for employees. Similar payment increases are proposed for non-represented employees for partial offset purposes.

## **Proposal**

The proposed amendment to the Teamsters MOU provides for a \$75 per month per employee increase in the contribution towards health insurance premiums that are effective January 1, 2024. This action is also to approve, for non-represented employees (Executive Officer, General Counsel, Designated Deputies, Manager, and Confidential), an additional \$75 per month payment to the health insurance providers on behalf of each such employee to address 2024 insurance premium increases. These increased payments will be made directly to the health insurance providers and will begin in pay period 26 of 2023. There is no change in the monthly Benefits Cap for either group.

## **Resource Impacts**

Sufficient funds are available in this year's budget and ongoing costs will be requested in the FY 2024-25 Budget.

## **Attachments**

- A. Proposed Teamsters MOU Amendment
- B. Proposed South Coast AQMD *Administrative Code* Amendment

**ATTACHMENT A**

**SOUTH COAST AIR QUALITY**

**MANAGEMENT DISTRICT**

**MEMORANDUM**

**OF**

**UNDERSTANDING**

**TECHNICAL AND ENFORCEMENT**

**AND**

**OFFICE CLERICAL AND MAINTENANCE**

**UNITS**

**January 1, 2022 – December 31, 2023**

**ARTICLE 17**

**GROUP INSURANCE**  
(Health, Dental, Life and  
Vision Insurance)

Section 3. South Coast AQMD shall pay an additional amount of ~~\$435.00~~510.00 per month on behalf of each bargaining unit member directly to the health insurance providers, resulting in a reduction of premiums paid by employees.

**ATTACHMENT B**

**SOUTH COAST**

**AIR QUALITY MANAGEMENT DISTRICT**

***ADMINISTRATIVE CODE***

*Revised ~~September 2, 2022~~ October 6, 2023*

## **Section 115 - Group Insurance**

*Represented employees should consult Article 17, "Group Insurance," of their MOU.*

### **Section 115.3 - Insurance Contribution Amount**

Effective September 1, 2010, the maximum health insurance contribution amount for management and confidential employees is \$2,060.84. South Coast AQMD shall also pay to the health insurance providers, on behalf of each management and confidential employee, an amount equal to the monthly premium increases for the health plan(s) selected by each employee, such that there is no change to the premium amount paid by the employee from the rates in effect prior to September 1, 2011, but not for premium increases effective January 1, 2013. Effective January 1, 2014, South Coast AQMD shall pay an additional amount of \$100.00 per month directly to the health insurance providers on behalf of each management and confidential employee for these health insurance premium increases. For premiums effective January 1, 2016, South Coast AQMD shall pay an additional contribution of \$100.00 per month directly to the health insurance providers on behalf of each management and confidential employee for health insurance premium increases. Effective January 1, 2017, South Coast AQMD shall pay an additional amount of \$45.00 per month directly to the health insurance providers on behalf of each management and confidential employees for health insurance premium increases. For premiums effective January 1, 2023, South Coast AQMD shall pay an additional amount of \$50.00 per month directly to the health insurance providers on behalf of each management and confidential employee for health insurance premium increases. For premiums effective January 1, 2024, South Coast AQMD shall pay an additional amount of \$75.00 per month directly to the health insurance providers on behalf of each management and confidential employee for health insurance premium increases. These payments to the health insurance company do not increase the existing health benefit cap of \$2,060.84.

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 11

REPORT: Hearing Board Report

SYNOPSIS: This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2023.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Cynthia Verdugo-Peralta  
Hearing Board Chair

ft

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Attached are the following two summaries: **August 2023 Hearing Board Cases**, and **Rules From Which Variances and Orders for Abatement Were Requested in 20 23**. An index of South Coast AQMD Rules is also attached.

There were no appeals filed during the period of August 1 to August 31, 2023.

### Report of August 2023 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. AltAir Paramount, LLC Case No. 2914-129 (N. Dwyer & J. Lee)	202(c) 203(b) 1407(c)(2) 1470(c)(2)(C)(i) 2004(f)(1) 3002(c)(1)	ICE exceeded 200-hour annual permitted hours of operation due to a power outage.	Not Opposed/Granted	RV granted commencing 8/22/23 and continuing through 12/31/23.	NOx: 2.77 lbs./hr. RHC: 0.12 lb./hr. CO: 0.70 lb./hr. PM10: 0.13 lb./hr. SOx: 0.15 lb./hr.
2. Ameresco Chiquita Energy LLC Case No. 6143-3 (Consent Calendar)	203(b) 1150.1 1303(b)(1) 1303(b)(2) 3002(c)(1)	Source test revealed NMOC in LFG & exceedances in NMOC & ROG beyond Turbine permit limits	Not Opposed/Granted	RV granted commencing 8/22/23 and continuing through 1/26/24.	TNMOC: 105 lbs./day
3. County of Los Angeles, Central Heating and Refrigeration Plant Case No. 3665-9 (Consent Calendar)	203(b) 2004(f)(1) 2012(d)(1)(a)(ii) 3002(c)(1)	Needs compliance date extended due to unforeseen delays in upgrade Project (two new ARUs)	Not Opposed/Granted	MFCD/Ext granted commencing 8/1/23 and continuing through 10/6/23, FCD.	CO: 0.62 lbs/day NOx: 6.73 lbs/day PM10: 4.45 lbs/day VOC: 3.22 lbs/day SOx: 0.35 lb./day
4. LARICS (Los Angeles Regional Interoperable Communications System Authority) CCT LMR Case No. 6234-2 (D. Hsu)	203(b)	Emergency generator nearing the 200-hour annual limit due to faulty ATS causing the ICE to run unknowingly.	Not Opposed/Granted	Ex Parte/EV granted commencing 8/23/23 and continuing for 30 days, or until the IV hearing scheduled for 9/19/23, whichever comes first.	NOx & NMHC: 27.10 lbs./day CO: 2.7 lbs./day PM: 0.09 lbs./day

<b>Case Name and Case No. (South Coast AQMD Attorney)</b>	<b>Rules</b>	<b>Reason for Petition/Hearing</b>	<b>South Coast AQMD Position/Hearing Board Action</b>	<b>Type and Length of Variance or Order</b>	<b>Excess Emissions</b>
5. Schlosser Forge Company Case No. 6241-1 (J. Jones & S. Hanizavareh)	203(b) 1430(h)(14) 2004(f)(1) 3002(c)(1)	A third party lost the source test results report when it was sent via Fed Ex. The source test cannot be redone by compliance date.	Not Opposed/Granted	IV granted commencing 8/10/23 and continuing for 90 days or until the SV hearing currently scheduled for 8/24/23, whichever comes first.	None
6. Schlosser Forge Company Case No. 6241-1 (J. Jones & S. Hanizavareh)	203(b) 1430(h)(14) 2004(f)(1) 3002(c)(1)	A third party lost the source test results report when it was sent via Fed Ex. The source test can't be redone by compliance date.	Not Opposed/Granted	SV granted commencing 8/24/23 and continuing through 11/9/23.	None
7. South Coast AQMD vs. Lekos Dye and Finishing, Inc. Case No. 6237-2 (K. Manwaring)	203(b) 2004(b) 2004(f)(1) 2005 2006	Due to increasing RTC prices, it is financially infeasible and unprofitable for them to comply with RECLAIM.	Stipulated/Issued	Stipulated O/A granted commencing 8/10/23 and continuing through 12/31/23. The Hearing Board retains jurisdiction over this matter until 12/31/23.	N/A

<b>Case Name and Case No. (South Coast AQMD Attorney)</b>	<b>Rules</b>	<b>Reason for Petition/Hearing</b>	<b>South Coast AQMD Position/Hearing Board Action</b>	<b>Type and Length of Variance or Order</b>	<b>Excess Emissions</b>
8. South Coast AQMD vs. County of San Bernardino Case No. 6174-1 (K. Roberts)	1196(d)(1) 1196(f)(8)(a) 1196(f)(10)	Fifteen fleet are out of compliance. They are working to come into compliance via exemptions and new purchases.	Stipulated/Issued	Mod. O/A issued commencing 8/8/23 and continuing through 1/31/27. The Hearing Board shall retain jurisdiction over this matter until 1/31/27.	N/A
9. Ultramar Inc., dba Valero Wilmington Refinery Case No. 3845-107 (D. Hsu)	202(a) 203(b) 401(b)(1) 407(a) 2004(f)(1) 3002(c)(1) H&S §41701	Rainwater from tropical storm Hilary entered a control panel. Main air blower tripped, shutting down the FCCU and making it unsafe to operate.	Not Opposed/Granted	Ex Parte/EV granted commencing 8/24/23, and continuing through 8/29/23, or until final compliance, whichever comes first.	CO: 1272 total lbs. CO are offset by placing ERCs on hold.
10. Universal City Studios, LLC Case No. 4935-20 (Consent Calendar)	401(b)(1) H&S §41701	Fog-generating machine used for Halloween-themed event will exceed opacity limits.	Not Opposed/Granted	SV granted commencing 8/24/23 and continuing through 11/2/23.	Opacity To Be Determined by 11/2/23.
11. Verizon Wireless Case No. 6139-7 (B. Tomasovic)	203(b)	Faulty ATS caused emergency back-up generator to run intermittently, resulting in an exceedance of the 200-hour annual limit.	Not Opposed/Granted	Ex Parte/EV granted commencing 8/31/23 and continuing for 30 days or until the IV hearing scheduled for 9/20/23, whichever comes first.	NOx: 16.75 lbs./day CO: 4.06 lbs./day VOC: 0.51 lb./day PM: 0.77 lb./day

## **Acronyms**

ARU: Adsorption Refrigeration Unit

ATS: Automatic Transfer Switch

CO: Carbon Monoxide

ERC: Emission Reduction Credits

EV: Emergency Variance

EXT: Extension

FCCU: Fluid Catalytic Cracking Unit

FCD: Final Compliance Date

ICE: Internal Combustion Engine

IV: Interim Variance

Mod: Modification

N/A: Not Applicable

NMHC: Non-Methane Hydro Carbons

NOx: Oxides of Nitrogen

O/A: Order for Abatement

PM: Particulate Matter

RHC: Reactive Hydro Carbons

ROG: Reactive Organic Gas

RTC: RECLAIM Trading Credits

RV: Regular Variance

SOx: Oxides of Sulfur

SV: Short Variance

TNMOC: Total Non-Methane Organic  
Compounds

VOC: Volatile Organic Compounds

**Rules from which Variances and Orders for Abatement were Requested in 2023**

Rules	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Actions
202(a)								1					1
202(c)								1					1
203(b)	2	7	16	4	7	9	4	9					58
218(b)(2)			1			2							3
218.1(b)(4)(C)			1			2							3
401(b)(1)								2					2
402	1					1	1						3
407(a)								1					1
415(f)				1									1
415(g)				1									1
431.1(c)(2)					3								3
431.1(f)(1)(A)					2								2
461(e)(2)(A)(i)				1									1
463(c)(2)(B)		1											1
464(b)(1)(A)					1								1
464(b)(2)					1								1
464(b)(3)					1								1
1100(e)(2)(A)	1	2											3
1100(e)(2)(B)			2										2
1100(e)(3)(A)			1										1
1110.2		1											1
1128							1						1
1146(c)(1)			1				1						2
1146(c)(1)(I)			1										1
1146(c)(1)(J)	1	2											3
1146(e)(1)			2				1						3
1147							1						1
1150.1						1		1					2
1176(e)(1)					1								1
1176(e)(2)					1								1
1178(d)(3)(D)		1											1
1196					1								1
1196(d)(1)						1	1	1					3
1196(f)(8)(a)								1					1
1196(f)(10)								1					1
1303(b)(1)						1		1					2
1302(b)(2)						1		1					2
1430(h)(14)								2					2
1470(c)(2)(C)(i)								1					1
1470(c)(4)A)	1						1						2
2004(b)								1					1
2004(f)(1)		4	3	1	1	2	1	6					18
2005								1					1
2006								1					1
2012(d)(1)(a)(ii)								1					1
2012(d)(2)		1											1
3002(c)(1)		5	3	1	4	5	1	6					25
CA H&S Code 41700							1						1
CA H&S Code 41701								2					2

**SOUTH COAST AQMD RULES AND REGULATIONS INDEX  
2023 HEARING BOARD CASES AS OF AUGUST 31, 2023**

**REGULATION II – PERMITS**

Rule 202	Temporary Permit to Operate
Rule 203	Permit to Operate
Rule 218	Continuous Emission Monitoring
Rule 218.1	Continuous Emission Monitoring Performance Specifications

**REGULATION IV – PROHIBITIONS**

Rule 401	Visible Emissions
Rule 402	Nuisance
Rule 407	Liquid and Gaseous Air Contaminants
Rule 415	Odors from Rendering Facilities
43.1	Sulfur Content of Gaseous Fuels
Rule 461	Gasoline Transfer and Dispensing
Rule 463	Organic Liquid Storage
Rule 464	Wastewater Separators

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

Rule 1100	Implementation Schedule for NO <sub>x</sub> Facilities
Rule 1110.2	Emissions from Gaseous- and Liquid-Fueled Engines
Rule 1128	Paper, Fabric, and Film Coating Operations
Rule 1146	Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters
Rule 1147	NO <sub>x</sub> Reductions from Miscellaneous Sources
Rule 1150.1	Control of Gaseous Emissions from Municipal Solid Waste Landfills
Rule 1176	VOC Emissions from Wastewater Systems
Rule 1178	Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
Rule 1196	Clean On-Road Heavy-Duty Public Fleet Vehicles

**REGULATION XIII – NEW SOURCE REVIEW**

Rule 1303 Requirements

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

Rule 1407 Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations

Rule 1430 Control of Emission from Metal Grinding Operations at Metal Forging Facilities

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 2005 New Source Review for RECLAIM

Rule 2006 Permits

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

**REGULATION XXX – TITLE V PERMITS**

3002 – Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

§41700 Prohibited Discharges

§41701 Restricted Discharges

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 10

REPORT: Legislative, Public Affairs and Media Report

SYNOPSIS: This report highlights the August 2023 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, 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 Natri  
Executive Officer

DA:LT:PC:CL:DS:cb:bel

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## **BACKGROUND**

This report summarizes the activities of the Legislative, Public Affairs and Media Office for August. The report includes Major Events, Community Events/Public Meetings, Environmental Justice (EJ) 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 hosting 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.

There were no major events hosted or sponsored in August.

## **COMMUNITY EVENTS/PUBLIC MEETINGS**

Staff engaged 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 information regarding the following:

- Tips on reducing their exposure to smog and its negative 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/grant 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 August events and meetings:

### South Bay Association of Chambers of Commerce

On August 1, staff attended the South Bay Association of Chambers of Commerce's Board of Directors meeting to provide updates on South Coast AQMD's \$76 million award from California State Transportation Agency (CalSTA) for zero-emission goods movement projects and the upcoming 9<sup>th</sup> Annual Environmental Justice (EJ) Conference.

### Gateway Cities Council of Governments

On August 2, staff participated in the Gateway Cities Council of Government's Board of Directors meeting. Updates were provided on South Coast AQMD's \$76 million award from CalSTA for zero-emission goods movement projects and CARB's award of 183 air purifiers for clean air centers during wildfires.

### Annual Back-to-School Backpack Giveaway and Resource Fair

On August 2, staff participated in Moreno Valley's Annual Back-to-School Backpack Giveaway and Resource Fair. Staff passed out South Coast AQMD rulers to students, information on how to file air quality complaints and wildfire safety tips.

### San Gabriel Valley Council of Governments

On August 2, staff attended the San Gabriel Valley Council of Governments' City Managers Steering Committee meeting. Information was provided on the Commercial Electric Lawn & Garden Equipment (eL&G) Incentive & Exchange Program, Voucher Incentive Program (VIP), Replace Your Ride (RYR) and the upcoming 9<sup>th</sup> Annual EJ Conference.

#### Orange County Business Council

On August 4, staff participated in the Orange County Business Council 's Government Affairs Committee to provide updates on the upcoming 9<sup>th</sup> Annual EJ Conference, wildfire safety tips and how to use the South Coast AQMD app to monitor air quality.

#### Community Resource Fair & Block Party

On August 5, staff participated in the 41st Assembly District Community Resources Fair & Block Party. Staff provided information on how to file air quality complaints, wildfire safety tips, VIP funding, residential EV charging incentives, residential and commercial eL&G programs and the upcoming 9<sup>th</sup> Annual EJ Conference.

#### Santa Ana Chamber of Commerce

On August 8, staff participated in the Santa Ana Chamber of Commerce 's Government Affairs Committee meeting to provide updates including how to receive air quality information via the Apps, wildfire safety tips and the upcoming 9<sup>th</sup> Annual EJ Conference.

#### San Bernardino County Transportation Authority

On August 9, staff participated in the San Bernardino County Transportation Authority's Legislative Committee meeting and shared information regarding how to file an air quality complaint, and South Coast AQMD 's Small Business Assistance program and Air Quality Permit Checklist.

#### Big Bear Chamber of Commerce

On August 10, staff presented updates at the Big Bear Chamber of Commerce's Board of Directors meeting on residential and commercial eL&G programs and demonstrated a battery-electric vehicle.

#### South Bay Cities Council of Governments

On August 24, staff participated in the South Bay Cities Council of Government 's Board of Directors meeting and extended an invitation to the 9<sup>th</sup> Annual EJ Conference, provided flyers on the RYR and commercial and residential eL&G programs.

#### Orange County Council of Governments

On August 24, staff attended an Orange County Council of Governments meeting . Staff shared information regarding CARB 's award of 183 HealthPro Plus Air Purifiers for use at clean air centers during wildfires. In addition, staff provided copies of the latest Advisor newsletter and flyers on the commercial and residential eL&G programs.

#### San Gabriel Valley Regional Wildfire Stakeholder Working Group

On August 30, staff participated in the San Gabriel Valley Regional Community Wildfire Protection Plan Stakeholder Working Group meeting to share information on

CARB’s award of 183 air purifiers for clean air centers in the region and encouraged attendance at the 9<sup>th</sup> Annual EJ Conference.

**ENVIRONMENTAL JUSTICE UPDATE**

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

Pacoima Community Initiative

On August 11, staff participated in the P acoima Community Initiative’s monthly meeting and shared information on the EJ Advisory Group meeting, Clean Air Program for Elementary Students and Why Healthy Air Matters programs, the upcoming EJ Conference and how to report air quality issues.

U.S. EPA Webinar

On August 15, staff participated in U.S. EPA ’s webinar, “Tools for Helping State and Municipal Decision-Makers Meet Air Quality, Climate, and Energy Objectives: GLIMPSE and COMET. ”

**SPEAKERS BUREAU/VISITOR SERVICES**

South Coast AQMD regularly receives requests for staff to speak on air quality-related issues from a wide variety of organizations, such as trade associations, chambers of commerce, community-based groups, schools, hospitals, and health-based organizations. South Coast AQMD also hosts visitors from around the world who meet with staff on a wide range of air quality issues.

There were no presentations in August.

**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 August are summarized below:

Calls to South Coast AQMD ’s Main Line and 1-800-CUT-SMOG®	2,481
Calls to South Coast AQMD ’s Spanish Line	46
Total Calls	2,536

## **PUBLIC INFORMATION CENTER STATISTICS**

The Public Information Center (PIC) handles phone calls and assists individuals who walk in for general information. Email advisories provide information on upcoming meetings and events, program announcements and alerts on time-sensitive issues. Information for the month of August is summarized below:

Calls Received by PIC	32
Calls to Automated System	147
Total Calls	179
Visitor Transactions	128
Email Advisories Sent	31,900

## **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 over the telephone, at South Coast AQMD headquarters and via virtual on-site consultation, as summarized below for August.

- Provided permit application assistance to 158 companies, and
- Processed 58 Air Quality Permit Checklists.

Types of businesses assisted:

Architecture Firms	Gas Stations	Schools
Auto Body Shops	Manufacturing Facilities	Warehouses
Construction Firms	Offices	
Dry Cleaners	Restaurants	
Engineering Firms	Retail Facilities	

## **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 August report is listed below:

Major Media Interactions	103
Press Releases	4
News Carousel	4

## Major Media Topics:

- **Air Quality in Coachella Valley:** Staff participated in an interview with The Desert Sun on air quality in Coachella Valley over the years.
- **EV Charging Incentive Program:** Staff participated in an interview with NTD News on the residential EV charging incentive program.
- **Rule 415 & Facility Odor Complaints:** Staff participated in an interview with Southern California Public Radio on concerns about odors from rendering facilities.
- **Wildfire and Lab Tour:** Spectrum TV toured the laboratory and conducted staff interviews for a story about the wildfire season.
- **Coachella Valley Air Quality :** Staff participated in an interview with KESQ on the air quality as a result of recent floods, mud and debris in the air.
- **Incentive Programs:** Staff participated in an interview with San Clemente Times on incentive programs offered to residents and organizations, how the area has transitioned to zero-emission equipment recently, the Clean Off-Road Equipment Voucher Incentive Project and the Electric Lawn Mower Rebate Programs.
- **Commercial Food Ovens (Rule 1153.1):** Inside EPA and the Korea Daily inquired about Rule 1153.1, which regulates commercial food ovens. The Canary had follow-up questions to an original inquiry on this topic. Responses were provided. Staff participated in interviews with KCRW and Washington Post on the agency's new Rule 1153.1.
- **History of Air Quality:** History Press requested a meeting and asked for permission to use South Coast AQMD historical images in their book. A meeting was held.
- **EtO Permanent Total Enclosure :** An interview is scheduled with Grist on Permanent Total Enclosures as a method to contain ethylene oxide emissions.
- **Charging and Fueling Infrastructure (CFI) Application:** Bloomberg requested further clarification on the agency's CFI Grant Program application. A list of those who provided letters of support was provided.
- **Philbro-Tech:** CalMatters requested 10 years of data concerning complaints in area surrounding Philbro-Tech. Reporter was asked to submit a public records request and provide additional clarification.
- **Rule 1158:** Undark Magazine requested information on covering rail cars at facilities that handle coke, coal, or sulfur. A written response was provided. Outlet provided follow up questions. Responses were provided.
- **Chiquita Canyon Landfill:** The Signal requested information regarding complaints filed against Chiquita Canyon Landfill in Castaic for the last two years and sent follow up questions on permits and health impacts to the community. Response was provided.

- **Air Quality Complaint Data:** Southern California Public Radio requested air quality complaint data from 2017. Reporter was asked to submit a public records request.
- **Port Indirect Source Rule (ISR):** Agri-Pulse requested an interview to discuss the Port ISR. Informed reporter the ISR is still in draft form.
- **Rule 2202:** On the Go inquired about updates to Rule 2202. Response was provided.
- **Earthjustice Lawsuit:** E&E News, the Daily Journal, and Politico requested a comment on the latest Earthjustice lawsuit. Responses were provided.
- **Random Lengths:** Random Lengths News requested a comment regarding the Earthjustice lawsuit. Response was provided.
- **Rule 317:** Random Lengths and The Los Angeles Times requested information regarding approval of Rule 317. Responses were provided.
- **SoCal Gas Settlement:** LA Daily News inquired about the settlements reached with SoCalGas in 2017. A response was provided.
- **EV and Air Quality :** A freelancer requested data on the correlation between the percentage of electric vehicles and impacts on air quality. Working on a response.
- **Proposed Ports ISR:** International Trade Today requested a comment regarding trade association's opposition to the proposed ISR. Working on a response. Editor with Journal of Commerce asked questions about the ISR for ports and marine terminal operators. Working on a response.
- **Chiquita Canyon Landfill Release (8/15):** Pitch to local media outlets resulted in media coverage. KTLA and LAist requested more information. Responses were provided.
- **EJ Conference Release (8/30):** Pitch to local media outlets resulted in interest from outlets. Reached out to Spectrum, 94.7 The Wave, and KPAS for potential interviews.

#### News Releases:

- **South Coast AQMD Requests Order Against Chiquita Canyon Landfill – August 15, 2023 (English and Spanish):** Informed public of petition for an Order for Abatement against the Chiquita Canyon Landfill.
- **South Coast AQMD to Host the 9th Annual Environmental Justice Conference – August 30, 2023 (English and Spanish):** Informed the public of upcoming EJ Conference and how to register for the event.

### **Social Media Posts:**

- [AQ Forecast \(8/6\)](#): 6,284 Twitter Impressions  
--RT by @NWSSanDiego, @LAFDtalk, @StewartTVNews, @ChicagoMikeSD
- [AQ Forecast \(8/15\)](#): 8,659 Twitter Impressions  
--RT by @NWSLosAngeles, @CountyofLA
- [AQ Forecast \(8/17\)](#): 1,091 Twitter Impressions  
--RT by @WeAre4CleanAir, @LAFDtalk, @805Weather
- [AQ Forecast \(8/28\)](#): 3,462 Twitter Impressions  
--RT by @RickDickertWX, @AIRNow

### **News Carousel:**

- **“Do One Thing for Clean Air - Download South Coast AQMD ’s Mobile App today” (8/3)** — Linked to the Mobile App webpage.
- **“1-800-CUT-SMOG will not be available on 8/14 due to maintenance. File air quality complaints online or via our mobile app.” (8/9)** — Linked to South Coast AQMD ’s mobile app webpage.
- **“Keep up with the Latest News from South Coast AQMD ” (8/17)** — Linked to the August/September edition of the Advisor newsletter.
- **“Register Now for the 9<sup>th</sup> Annual EJ Conference ” (8/23)** — Linked to the registration page.

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

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

- U.S. Senator Dianne Feinstein
- U.S. Senator Alex Padilla
- U.S Representative Nanette Barragán
- U.S Representative Judy Chu
- U.S. Representative Lou Correa
- U.S. Representative Mike Garcia
- U.S. Representative Grace Napolitano
- U.S. Representative Jay Obernolte
- Senator Lena Gonzalez
- Senator Josh Newman
- Senator Rosilicie Ochoa Bogh
- Senator Anthony Portantino
- Senator Susan Rubio
- Senator Tom Umberg
- Assemblymember Lisa Calderon
- Assemblymember Mike Fong
- Assemblymember Laura Friedman
- Assemblymember Eduardo Garcia
- Assemblymember Chris Holden
- Assemblymember Anthony Rendon
- Assemblymember Blanca Rubio
- Assemblymember Miguel Santiago
- Assemblymember Pilar Schiavo
- Assemblymember Tri Ta
- Assemblymember Avelino Valencia

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

Agoura Hills	Fullerton	Montebello
Alhambra	Gardena	Monterey Park
Anaheim	Glendale	Moreno Valley
Arcadia	Glendora	Murrieta
Artesia	Grand Terrace	Newport Beach
Azusa	Hawaiian Gardens	Norco
Baldwin Park	Hawthorne	Norwalk
Banning	Hemet	Ontario
Beaumont	Hidden Hills	Orange
Bell Gardens	Highland	Paramount
Bellflower	Huntington Park	Pasadena
Beverly Hills	Inglewood	Perris
Big Bear Lake	Irvine	Pico Rivera
Bradbury	Irwindale	Placentia
Brea	Jurupa Valley	Pomona
Buena Park	La Cañada Flintridge	Rancho Cucamonga
Burbank	La Habra	Rancho Palos Verdes
Calabasas	La Habra Heights	Redlands
Calimesa	La Mirada	Redondo Beach
Canyon Lake	La Palma	Rialto
Carson	La Puente	Riverside
Cerritos	La Verne	Rolling Hills
Chino	Lake Elsinore	Rolling Hills Estates
Chino Hills	Lake Forest	Rosemead
Claremont	Lakewood	San Bernardino
Colton	Lawndale	San Dimas
Commerce	Loma Linda	San Fernando
Compton	Lomita	San Gabriel
Corona	Long Beach	San Jacinto
Covina	Los Angeles	San Marino
Cudahy	Lynwood	Santa Ana
Culver City	Malibu	Santa Clarita
Diamond Bar	Manhattan Beach	Santa Fe Springs
Downey	Malibu	Santa Monica
Duarte	Maywood	Seal Beach
Eastvale	Menifee	Sierra Madre
El Monte	Mission Viejo	Signal Hill
El Segundo	Monrovia	South El Monte
Fontana	Montclair	South Gate

South Pasadena  
Temecula  
Temple City  
Torrance  
Upland

Vernon  
Walnut  
West Covina  
West Hollywood  
Westlake Village

Whittier  
Wildomar  
Yorba Linda  
Yucaipa

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

Alhambra Chamber of Commerce  
Arcadia Chamber of Commerce  
California Fire Safe Council  
Carson Chamber of Commerce  
Citrus Valley Association of Realtors  
City of Hope  
El Monte / South El Monte Chamber of Commerce  
Foothill Transit  
Gardena Valley Chamber of Commerce  
Glendora Chamber of Commerce  
Hermosa Beach Chamber of Commerce and Visitor Bureau  
Hispanic Coalition of Small Businesses  
Inglewood Airport Area Chamber of Commerce  
Inland Action  
Inland Regional Energy Network  
Kaiser Permanente  
Lake Arrowhead Communities Chamber of Commerce  
Lomita Chamber of Commerce  
Los Angeles County Economic Development Corporation  
Manhattan Beach Chamber of Commerce  
March Joint Powers Authority  
METRO  
Metropolitan Water District of Southern California  
Murrieta/Wildomar Chamber of Commerce  
Omnitrans  
Ontario International Airport Authority  
Orange Chamber of Commerce  
Orange County Council of Governments  
Palos Verdes Peninsula Chamber of Commerce  
Redondo Beach Chamber of Commerce  
Riverside Transit Agency  
San Bernardino County Transportation Authority  
San Bernardino International Airport Authority  
San Fernando Valley Council of Governments  
San Gabriel Valley Council of Governments  
San Gabriel Valley Economic Partnership  
San Pedro Chamber of Commerce  
Santa Ana Chamber of Commerce

South Bay Association of Chambers of Commerce  
South Bay Cities Council of Governments  
SunLine Transit Agency  
Torrance Area Chamber of Commerce  
Upland Chamber of Commerce  
U.S. Chamber of Commerce  
Western Riverside Council of Governments  
Western States Petroleum Association

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

Active San Gabriel Valley  
Asian Pacific Islander Forward Movement  
Asian Youth Center, San Gabriel  
Avocado Heights Vaqueros  
Cal Poly Pomona  
California State University, Dominguez Hills  
California State University, Fullerton  
California State University, San Bernadino  
Center for Asian Americans United for Self-Empowerment  
Citrus College  
Clean Air Coalition of North Whittier & Avocado Heights  
Clean Healthy Air Clean Healthy Altadena  
Del Amo Action Committee  
Friends of the Desert Mountains  
Friends of the Pacific Electric Trail  
Grades of Green  
Ground Truthing California, South El Monte  
Habitat for Humanity International  
Hacienda Heights Improvement Association, Inc.  
Healthy Fontana  
Healthy Rancho Cucamonga  
Inland Empire Biking Alliance  
Inland Empire Fire Safe Alliance  
Mt. San Antonio College  
National Forest Foundation  
North Whittier Neighborhood Watch Avocado Heights Association  
Oak Knoll Montessori School, Altadena  
Our Global Humanity

Pasadena City College  
Puente Hills Habitat Preservation Authority  
Riverside County Health Coalition  
San Bernadino Valley College  
San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy  
San Gabriel Valley Conservation Corps  
Sierra Club Angeles Chapter, Pasadena  
South Bay Parkland Conservancy  
Southern California Mountains Foundation  
The Wildlands Conservancy  
University of California, Los Angeles  
University of California, Riverside  
University of La Verne



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

**Settlement Penalty Report (08/01/2023 - 08/31/2023)**

**Total Penalties**

Civil Settlement: \$138,075.00  
Hearing Board Settlement: \$2,000.00  
MSPAP Settlement: \$78,684.00

**Total Cash Settlements: \$218,759.00**

**Fiscal Year through 08/31/2023 Cash Total: \$813,730.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Civil</b>						
115394	AES ALAMITOS, LLC	2004, 3002	08/04/2023	KCM	P66892	\$2,850.00
115389	AES HUNTINGTON BEACH, LLC	2004, 2012 Appendix A	08/04/2023	KCM	P66881, P66889	\$4,400.00
185801	BERRY PETROLEUM COMPANY, LLC	2004, 3002	08/09/2023	JL	P66548, P68323, P69282	\$24,591.00
190249	CAREY HELLMAN	40 CFR 61.145, 1403	08/23/2023	SP	P67512	\$35,000.00
162551	CE ALLENCOMPANY, INC. DBA ALLENCO	203, 463, 1148.1	08/23/2023	SH	P66538, P66539, P66541, P73323, P75509, P75513	\$10,000.00
90739	COUNTY OF RIVERSIDE FLEET SRVCS DEPT.	461	08/02/2023	RL	P75218, P75224, P75226, P75227, P75228, P75229, P75230, P77901, P77902, P77903, P77904, P77905	\$7,500.00
7417	EASTERN MUNICIPAL WATER DISTRICT	203, 3002	08/16/2023	SP	P67448, P73506, P75854	\$7,500.00
1703	EASTERN MUNICIPAL WATER DISTRICT	203, 431.1, 3002, 3004	08/16/2023	SP	P61124, P67447, P72926, P73504, P75853	\$7,500.00
52835	G&M OIL CO., LLC #30	203	08/23/2023	EC	P70496, P70500	\$8,485.00
119218	G&M OIL CO., LLC #81	203, 461	08/23/2023	EC	P70484	\$2,342.00
145969	G&M OIL CO., #139	203	08/23/2023	EC	P70499	\$2,342.00
179126	SO CAL REMEDIATION, INC.	1403	08/03/2023		P70507, P67485, P74592, P74585	\$7,500.00
				ND		
191387	SUPERIOR CARPET & DESIGN CENTER	40 CFR 61.145, 1403	08/22/2023	RM	P74222	\$500.00
146612	US HENDY OIL, INC.	203, 461	08/04/2023	ND	P66036, P70067, P72201, P74829	\$17,565.00
<b>Total Civil Settlements: \$138,075.00</b>						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Hearing Board</b>						
112573	FREUND BAKING COMPANY	1153.1	08/16/2023	JL	6226-1	\$2,000.00
<b>Total Hearing Board Settlements: \$2,000.00</b>						
<b>MSPAP</b>						
198679	2619 WILSHIRE BLVD ASSOCIATES, LLC	203, 222	08/25/2023	CL	P76540	\$2,927.00
179806	5201 W CENTURY BLVD, INC.	203, 461, H&S 41960	08/11/2023	CL	P75724	\$2,552.00
176080	BARJA, INC. - DBA A1 SHELL	461, H&S 41960	08/04/2023	CL	P75719	\$1,756.00
5023	CAL ST UNIV LONG BEACH - EH&S	461	08/11/2023	CL	P76259	\$2,677.00
83386	CALIFORNIA HIGHWAY PATROL	203, 461	08/04/2023	CL	P67742	\$2,442.00
174184	CANOGA PARK SHELL	461	08/25/2023	VA	P77729	\$1,343.00
169951	CHEVRON GAS & FOOD STORE	461	08/25/2023	VA	P68165	\$1,494.00
179152	FLYERS ENERGY, LLC.	461	08/04/2023	CL	P73117	\$2,427.00
119218	G&M OIL CO., LLC #81	203	08/04/2023	CL	P78666	\$1,171.00
182163	GM&J LASER CUTTING	201, 203	08/11/2023	CL	P75424	\$3,063.00
187918	HM COLLISION	109	08/25/2023	CL	P67746	\$2,142.00
97020	HONDA R&D NORTH AMERICAS, INC.	203, 461	08/25/2023	CL	P78311	\$6,126.00
167482	HOUSE OF CLEANERS	203	08/04/2023	CL	P73239	\$1,021.00
191302	INLAND CENTER SHELL	203	08/25/2023	CL	P76175	\$1,121.00
131628	KINDRED HOSPITAL OF LOS ANGELES	222, 1415	08/09/2023	CL	P78410	\$2,042.00
127621	LA COUNTY FIRE DEPT #187	461	08/04/2023	CL	P73166	\$1,300.00
27024	LA COUNTY SHERIFF'S DEPT.	461	08/11/2023	CL	P76262	\$887.00
184839	M2 UNITED, INC.	461	08/25/2023	CL	P69885	\$1,301.00
20280	METAL SURFACES INTERNATIONAL, LLC	203, 1469	08/04/2023	CL	P74790	\$5,764.00
199080	NATIONAL CORE	403	08/11/2023	CL	P76261	\$6,447.00
193896	NCK INDUSTRIES	203	08/04/2023	CL	P74560	\$1,071.00
177169	PACIFIC ENVIRONMENTAL & ABATEMENT	1403	08/25/2023	CL	P76223	\$1,942.00
127546	PMM, INC.	461, H&S 41960.2	08/25/2023	CL	P78678	\$1,305.00
174589	RISSER SURGERY CENTER	203	08/25/2023	CL	P78005	\$971.00
182291	RIVER ROAD X_PRESS CAR WASH	203, 461	08/25/2023	CL	P69900, P78753	\$7,500.00
142730	SANG HAN ENTERPRISE, INC.	203, 461	08/04/2023	VA	P75710	\$1,343.00
110467	LEON'S UNOCAL	203, 461, H&S 41960.2	08/04/2023	CL	P76167	\$3,276.00
177508	VEN TERRA ENVIRONMENTAL, INC.	1403	08/23/2023	CL	P74562	\$7,389.00
179162	VICTORY VALERO - HASSAKE ENT, INC.	203, 461	08/25/2023	CL	P74827, P75458	\$3,884.00
<b>Total MSPAP Settlements: \$78,684.00</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX**  
**AUGUST 2023 PENALTY REPORT**

**REGULATION I - GENERAL PROVISIONS**

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II - PERMITS**

Rule 201 Permit to Construct

Rule 203 Permit to Operate

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

**REGULATION IV - PROHIBITIONS**

Rule 403 Fugitive Dust- Pertains to solid particulate matter emitted from man-made activities

Rule 431.1 Sulfur Content of Gaseous Fuels

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1148.1 Oil and Gas Production Wells

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

**REGULATION XIV - TOXICS**

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

Rule 1466 Control of Particulate Emissions from Soils with Toxic Air Contaminants

Rule 1469 Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations

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

Rule 2004 Requirements

Rule 2012 Appendix A

Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**REGULATION XXX- TITLE V PERMITS**

Rule 3002 Requirements

Rule 3004 Permit Types and Content

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX**  
**AUGUST 2023 PENALTY REPORT**

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145      Standard for Demolition and Renovation

**CALIFORNIA HEALTH AND SAFETY CODE**

41960              Certification of Gasoline Vapor Recovery System

41960.2           Gasoline Vapor Recovery

42402              Violation of Emission Limitations – Civil Penalty

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 13

REPORT: Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

SYNOPSIS: This report provides a listing of environmental documents prepared by other public agencies seeking review by South Coast AQMD between August 1, 2023 and August 31, 2023, and proposed projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, September 15, 2023, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Natri  
Executive Officer

SR:MK:MM:BR:SW:ET

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## **Background**

The California Environmental Quality Act (CEQA) Statute and Guidelines require public agencies, when acting in their lead agency role, to provide an opportunity for other public agencies and members of the public to review and comment on the analysis in environmental documents prepared for proposed projects. A lead agency is when a public agency has the greatest responsibility for supervising or approving a proposed project and is responsible for the preparation of the appropriate CEQA document.

Each month, South Coast AQMD receives environmental documents, which include CEQA documents, for proposed projects that could adversely affect air quality. South Coast AQMD fulfills its intergovernmental review responsibilities, in a manner that is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4, by reviewing and commenting on the adequacy of the air quality analysis in the environmental documents prepared by other lead agencies.

The status of these intergovernmental review activities is provided in this report in two sections: 1) Attachment A lists all of the environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received during the reporting period; and 2) Attachment B lists the active projects for which South Coast AQMD has reviewed or is continuing to conduct a review of the environmental documents prepared by other public agencies. Further, as required by the Board's October 2002 Environmental Justice Program Enhancements for fiscal year (FY) 2002-03, each attachment includes notes for proposed projects which indicate when South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The attachments also identify for each proposed project, as applicable: 1) the dates of the public comment period and the public hearing date; 2) whether staff provided written comments to a lead agency and the location where the comment letter may be accessed on South Coast AQMD's website; and 3) whether staff testified at a hearing.

In addition, the South Coast AQMD will act as lead agency for a proposed project and prepare a CEQA document when: 1) air permits are needed; 2) potentially significant adverse impacts have been identified; and 3) the South Coast AQMD has primary discretionary authority over the approvals. Attachment C lists the proposed air permit projects for which South Coast AQMD is lead agency under CEQA.

**Attachment A – Log of Environmental Documents Prepared by Other Public Agencies and Status of Review, and Attachment B – Log of Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies**

Attachment A contains a list of all environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received pursuant to CEQA or other regulatory requirements. Attachment B provides a list of active projects, which were identified in previous months' reports, and which South Coast AQMD staff is continuing to evaluate or prepare comments relative to the environmental documents prepared by other public agencies. The following table provides statistics on the status of review<sup>1</sup> of environmental documents for the current reporting period for Attachments A and B combined<sup>2</sup>:

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<sup>1</sup> The status of review reflects the date when this Board Letter was prepared. Therefore, Attachments A and B may not reflect the most recent updates.

<sup>2</sup> Copies of all comment letters sent to the lead agencies are available on South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

<b>Statistics for Reporting Period from August 1, 2023 to August 31, 2023</b>	
<b>Attachment A:</b> Environmental Documents Prepared by Other Public Agencies and Status of Review	49
<b>Attachment B:</b> Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies (which were previously identified in the May 2023, June 2023, and July 2023 reports)	11
<b>Total Environmental Documents Listed in Attachments A &amp; B</b>	<b>60</b>
<i>Comment letters sent</i>	20
<i>Environmental documents reviewed, but no comments were made</i>	30
<i>Environmental documents currently under going review</i>	10

Staff focuses on reviewing and preparing comments on environmental documents prepared by other public agencies for proposed projects: 1) where South Coast AQMD is a responsible agency under CEQA (e.g., when air permits are required but another public agency is lead agency); 2) that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement); 3) that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); 4) where environmental justice concerns have been raised; and 5) which a lead or responsible agency has specifically requested South Coast AQMD review.

If staff provided written comments to a lead agency, a hyperlink to the “South Coast AQMD Letter” is included in the “Project Description” column which corresponds to a notation in the “Comment Status” column. In addition, if staff testified at a hearing for a proposed project, a notation is also included in the “Comment Status” column. Copies of all comment letters sent to lead agencies are available on South Coast AQMD’s website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>. Interested parties seeking information regarding the comment periods and scheduled public hearings for projects listed in Attachments A and B should contact the lead agencies for further details as these dates are occasionally modified.

In January 2006, the Board approved the Clean Port Initiative Workplan (Workplan). One action item of the Workplan 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 accordance with this action item, Attachments A and B organize the environmental documents received according to the following categories: 1) goods movement projects; 2) schools; 3) landfills and wastewater projects; 4) airports; and 5) general land use projects. In response to the action item relative to mitigation, staff maintains a compilation of mitigation measures presented as a series of tables relative to off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust;

and greenhouse gases which are available on 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 such as ground support equipment.

### **Attachment C – Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency**

The CEQA lead agency is responsible for determining the type of environmental document to be prepared if a proposal requiring discretionary action is considered to be a “project” as defined by CEQA. South Coast AQMD periodically acts as lead agency for its air permit projects and the type of environmental document prepared may vary depending on the potential impacts. For example, an Environmental Impact Report (EIR) is prepared when there is 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 a proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are types of CEQA documents which analyze the potential environmental impacts and describe the reasons why a significant adverse effect on the environment will not occur such that the preparation of an EIR is not required.

Attachment C of this report summarizes the proposed air permit projects for which South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation pursuant to CEQA. As noted in Attachment C, South Coast AQMD is lead agency for three air permit projects during August 2023.

### **Attachments**

- A. Environmental Documents Prepared by Other Public Agencies and Status of Review
- B. Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies
- C. Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency



**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> <b>RVC230823-15</b> Alternative 2 Lower Intensity Industrial; Specific Plan Amendment 19-05287; Development Plan Review 19-00012	The project consists of a Specific Plan Amendment to change the zoning designation of 13.5 acres to Light Industrial for constructing a 304,572 square foot industrial building on two acres. The project is located on the southeast corner of Ramona Expressway and Indian Avenue. Reference RVC220503-04, RVC211221-10, and RVC210504-09  Comment Period: N/A Public Hearing: 8/29/2023	Notice of Availability of a Final Environmental Impact Report	City of Perris	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230802-03</b> Costco, Highland	The project consists of constructing a 160,981 square foot warehouse and fuel facility on 19.74 acres. The project is located near the northwest corner of Webster Street and Greenspot Road.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230802-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230802-03.pdf</a>  Comment Period: 8/2/2023- 8/15/2023 Public Hearing: N/A	Site Plan	City of Highland	South Coast AQMD staff commented on 8/11/2023
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230817-03</b> Poplar South Distribution Center	The project consists of demolishing 41 residential units and constructing a 490,565 square foot warehouse on 19.08 acres. The project is located north of Jurupa Avenue, east of Poplar Avenue, south of Santa Ana Avenue, and west of Catawba Avenue.  Comment Period: 7/14/2023- 8/28/2023 Public Hearing: 8/15/2023	Draft Environmental Impact Report	City of Fontana	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230822-01</b> Bloomington Cold Storage Warehouse Project	The project consists of constructing a 97,500 square foot warehouse on 4.2 acres. The project is located on the southeast corner of Oak Street and Ninth Street in Bloomington.  Comment Period: N/A Public Hearing: N/A	Site Plan	County of San Bernardino	Document reviewed - No comments sent for this document received

# - Project has potential environmental justice concerns due to the nature and/or location of the project. Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.













**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>LAC230809-07</b> Artisan Hollywood Project	The project consists of constructing a 300,996 square foot building with 270 residential units and subterranean parking on 1.55 acres. The project is located on the southwest corner of Selma Avenue and Ivan Avenue in Hollywood. Reference LAC220927-05 and LAC201124-01  Staff previously 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/october/LAC220927-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/october/LAC220927-05.pdf</a> .  Comment Period: N/A <span style="float: right;">Public Hearing: 8/30/2023</span>	Final Environmental Impact Report	City of Los Angeles	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC230809-08</b> ENV-2018-2185-MND: 17534 - 17540 W. Sherman Way	The project consists of demolishing two residential units and constructing nine residential units totaling 25,214 square feet. The project is located on 17534-17540 West Sherman Way in Van Nuys.  Comment Period: 8/3/2023- 8/23/2023 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC230809-09</b> Master Case 23-118: Sunridge Specific Plan One-Stop Review	The project consists of constructing 226,000 square feet of commercial use, 2,900,000 square feet of business park, 6,550 residential units, an amphitheater, and 665 acres of recreational use. The project is located east of Railroad Avenue, south of Soledad Canyon Road, and west of Golden Valley.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230809-09.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230809-09.pdf</a>  Comment Period: 8/9/2023- 9/1/2023 <span style="float: right;">Public Hearing: N/A</span>	Site Plan	City of Santa Clarita	South Coast AQMD staff commented on 9/1/2023
<b>General Land Use (residential, etc.)</b> <b>ORC230802-08</b> Fairlynn Townhomes Project	The project consists of constructing 44 residential units on 2.58 acres. The project is located at 6821 Fairlynn Boulevard near the northwest corner of Fairlynn Boulevard and Esperanza Road in Yorba Linda.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/ORC230802-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/ORC230802-08.pdf</a>  Comment Period: 7/26/2023- 8/17/2023 <span style="float: right;">Public Hearing: 9/27/2023</span>	Notice of Intent to Adopt Mitigated Negative Declaration	County of Orange	South Coast AQMD staff commented on 8/17/2023

# - 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**  
**ACTIVE PROJECTS WITH CONTINUED REVIEW OF ENVIRONMENTAL DOCUMENTS PREPARED BY**  
**OTHER PUBLIC AGENCIES**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><i>Plans and Regulations</i></p> <p><b>LAC230726-06</b>            South Pasadena General Plan and Downtown Specific Plan Update, and 2021-2029 Housing Element</p>	<p>The project consists of updating the City's General Plan Housing Element to demonstrate there is sufficient capacity to construct 2,775 residential units on 2,272 acres of planning area. The project boundaries are Pasadena to the north, San Marino to the east, Alhambra to the south, and Los Angeles to the southwest within the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community.            Reference LAC210422-01 and LAC180202-01  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230726-06.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/september-2023/LAC230726-06.pdf</a></p> <p style="text-align: center;">Comment Period: 7/24/2023 - 9/6/2023                      Public Hearing: 8/8/2023</p>	<p>Draft Program Environmental Impact Report</p>	<p>City of South Pasadena</p>	<p>South Coast AQMD staff commented on 9/6/2023</p>

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

**ATTACHMENT C**  
**PROPOSED AIR PERMIT PROJECTS FOR**  
**WHICH SOUTH COAST AQMD IS CEQA LEAD**  
**AGENCY THROUGH AUGUST 31, 2023**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<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> <p>After the Draft EIR public comment and review period closed, Quemetco submitted additional applications for other permit modifications which are also being evaluated by staff.</p>	<p>Trinity Consultants</p>
<p>Sunshine Canyon Landfill is proposing to modify its South Coast AQMD permits for its active landfill gas collection and control system to accommodate the increased collection of landfill gas. The proposed project will: 1) install two new low emission flares with two additional 300-horsepower electric blowers; and 2) increase the landfill gas flow limit of the existing flares.</p>	<p>Sunshine Canyon Landfill</p>	<p>Subsequent Environmental Impact Report (SEIR)</p>	<p>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.</p>	<p>SCS Engineers</p>
<p>Tesoro is proposing to modify its Title V permit to: 1) add gas oil as a commodity that can be stored in three of the six new crude oil storage tanks at the Carson Crude Terminal (previously assessed in the May 2017 Final EIR); and 2) drain, clean and decommission Reservoir 502, a 1.5 million barrel concrete lined, wooden-roof topped reservoir used to store gas oil.</p>	<p>Tesoro Refining &amp; Marketing Company, LLC (Tesoro)</p>	<p>Addendum to the Final Environmental Impact Report (EIR) for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC)</p>	<p>The consultant provided a Preliminary Draft Addendum, which is undergoing South Coast AQMD staff review.</p>	<p>Environmental Audit, Inc.</p>

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 14

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 Natri  
Executive Officer

SLR:MK:IM:JA: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.

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.*

The following table provides a list of changes since the previous Rule Forecast Report.

<b>1110.3</b>	<b>Emissions from Linear Generators</b>
<b>1110.2</b>	<b>Emissions from Gaseous - and Liquid-Fueled Engines</b>
Proposed Rule 1110.3 and Proposed Amended Rule 1110.2 are being added to November 2023 to establish emission standards and requirements for the linear generators. Rule 1110.2 will need to be amended to remove existing provisions for linear generators.	
<b>1135</b>	<b>Emissions of Oxides of Nitrogen from Electricity Generating Facilities</b>
Proposed Amended Rule 1135 is being moved from December 2023 to first Quarter 2024 to allow additional time for completion of a grid stability study.	
<b>1180</b>	<b>Petroleum Refinery and Related Operations Fenceline and Community Air Monitoring</b>
<b>1180.1</b>	<b>Other Refinery Fenceline and Community Monitoring</b>
Proposed Amended Rule 1180 and Proposed Rule 1180.1 are being moved from November 2023 to first Quarter 2024 to allow additional time to work with stakeholders on expanded applicability and requirements consistent with the proposed state law.	
<b>1405</b>	<b>Control of Ethylene Oxide Emissions from Sterilization and Related Operations</b>
Proposed Amended Rule 1405 has been moved from October to December 2023. At the September Board Meeting, Proposed Amended Rule 1405 was set for Public Hearing in December 2023. The Board direction is to work out any remaining issues with amendments.	
<b>2304</b>	<b>Indirect Source Rule for Commercial Marine Ports – Container Terminals</b>
<b>316.1</b>	<b>Fees for Rule 2304</b>
Proposed Rules 2304 and 316.1 are being moved from December 2023 to second Quarter 2024 to allow additional time for stakeholder engagement and to solicit feedback on proposed rules.	
<b>2306</b>	<b>New Intermodal Railyard Indirect Source Rule</b>
Proposed Rule 2306 is being moved from December 2023 to first Quarter 2024 to allow additional time for stakeholder engagement and to solicit feedback on the proposed rule.	

## 2023 MASTER CALENDAR

Month	Title and Description	Type of Rulemaking
<b>November</b>		
1110.3 <sup>+</sup> 1110.2	<p><b>Emissions from Linear Generators</b></p> <p><b>Emissions from Gaseous - and Liquid-Fueled Engines</b></p> <p>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.</p> <p><i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
2011  2012	<p><b>Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions</b></p> <p><b>Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions</b></p> <p>Proposed Amended Rules 2011 and 2012 will allow the SO<sub>x</sub> and NO<sub>x</sub>, respectively, Continuous Emission Monitoring System (CEMS) to shutdown when the combustion source for which the CEMS is monitoring is scheduled to be shutdown for an extended period of time.</p> <p><i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
<b>December</b>		
1405 <sup>*</sup>	<p><b>Control of Ethylene Oxide Emissions from Sterilization and Related Operations</b></p> <p>Amendments needed to address ethylene oxide emissions from sterilization of medical equipment.</p> <p><i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	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*

## TENTATIVE 2024 CALENDAR

Month	Title and Description	Type of Rulemaking
1 <sup>st</sup> Quarter		
1118 <sup>*+</sup>	<p><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></p>	AQMP/ AB 617 CERP
1135 <sup>+</sup>	<p><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></p>	AQMP/ AB 617 BARCT
1146.2 <sup>#+</sup>	<p><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></p>	AQMP/ AB 617 BARCT
1148.1 <sup>*+</sup>	<p><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></p>	Other/ AB 617 CERP
1159.1 <sup>#</sup>	<p><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></p>	AQMP/ AB 617 BARCT
1180	<p><b>Petroleum Refinery and Related Operations 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></p>	Other

\* 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

**TENTATIVE 2024 CALENDAR (Continued)**

Month	Title and Description	Type of Rulemaking
1 <sup>st</sup> Quarter (Continued)		
1180.1	<p><b>Other 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></p>	Other
Regulation XIII <sup>*#</sup>	<p><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></p>	AQMP
Regulation XX <sup>*#</sup>	<p><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></p>	AQMP
2306 <sup>*+</sup>	<p><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></p>	AQMP/ AB 617 CERP
2 <sup>nd</sup> Quarter	Title and Description	Type of Rulemaking
317	<p><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></p>	Other
1151	<p><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></p>	Other/ 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

**TENTATIVE 2024 CALENDAR (Continued)**

Month	Title and Description	Type of Rulemaking
2 <sup>nd</sup> Quarter (Continued)		
1173 <sup>+</sup>	<p><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></p>	AQMP/ AB 617 CERP
1435*	<p><b>Control of Toxic Air Contaminant Emissions from Metal Heating Operations</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></p>	AQMP/ AB 617 CERP
1445*	<p><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></p>	Toxics
2304 <sup>#+</sup>  316.1	<p><b>Indirect Source Rule for Commercial Marine Ports – Container Terminals</b>  <b>Fees for Rule 2304</b>                      Proposed Rule 2304 will establish requirements to reduce emissions from indirect sources related to marine ports. Proposed Rule 316.1 will establish fees to recover the South Coast AQMD’s anticipated cost of implementing Proposed Rule 2304.  <i>Elaine Shen 909.396.2715; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP/ AB 617 CERP

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2023 To-Be-Determined

2023	Title and Description	Type of Rulemaking
102	<p><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></p>	Other
103	<p><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></p>	Other
209	<p><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></p>	Other
223	<p><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></p>	AQMP
403	<p><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></p>	Other
403.1	<p><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></p>	Other
407 <sup>#</sup>	<p><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></p>	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 To-Be-Determined (Continued)

2023	Title and Description	Type of Rulemaking
410	<p><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.</p> <p style="text-align: center;"><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
425	<p><b>Odors from Cannabis Processing</b> Proposed Rule 425 will establish requirements for control of odors from cannabis processing.</p> <p style="text-align: center;"><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
430	<p><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.</p> <p style="text-align: center;"><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	RECLAIM / Other
431.1 <sup>#</sup>	<p><b>Sulfur Content of Gaseous Fuels</b> Proposed Amended Rule 431.1 will assess exemptions, including RECLAIM, and update other provisions, if needed.</p> <p style="text-align: center;"><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
431.2 <sup>#</sup>	<p><b>Sulfur Content of Liquid Fuels</b> Proposed Amended Rule 431.2 will assess exemptions, including RECLAIM, and update other provisions, if needed.</p> <p style="text-align: center;"><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
431.3 <sup>#</sup>	<p><b>Sulfur Content of Fossil Fuels</b> Proposed Amended Rule 431.3 will assess exemptions, including RECLAIM, and update other provisions, if needed.</p> <p style="text-align: center;"><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP
444	<p><b>Open Burning</b> Amendments may be needed to clarify existing provisions.</p> <p style="text-align: center;"><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
445 <sup>*</sup>	<p><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.</p> <p style="text-align: center;"><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP

\* 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 To-Be-Determined (Continued)**

2023	Title and Description	Type of Rulemaking
461	<p><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></p>	Other
461.1	<p><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></p>	Other
462	<p><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></p>	Other
468 <sup>#</sup>	<p><b>Sulfur Recovery Units</b>                      Proposed Amended Rule 468 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></p>	AB 617 BARCT
469 <sup>#</sup>	<p><b>Sulfuric Acid Units</b>                      Proposed Amended Rule 469 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></p>	AB 617 BARCT
1101 <sup>#</sup>	<p><b>Secondary Lead Smelters/Sulfur Oxides</b>                      Proposed Amended Rule 1101 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></p>	AB 617 BARCT

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**2023 To-Be-Determined (Continued)**

2023	Title and Description	Type of Rulemaking
1102	<p><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></p>	AB 617 CERP
1105 <sup>#</sup>	<p><b>Fluid Catalytic Cracking Units SOx</b>  Proposed Amended Rule 1105 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></p>	AB 617 BARCT/ AB 617 CERP
1107	<p><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></p>	Toxics/ Other
1108	<p><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></p>	Toxics/ Other
1108.1	<p><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></p>	Toxics/ Other
1110.2* <sup>+#</sup>	<p><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></p>	AQMP/ AB 617 BARCT

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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
1110.4 1401 1470	<p><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></p> <p>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.</p> <p><i>Michael Morris 909.396.3282; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ Other
1111	<p><b>Reduction of NO<sub>x</sub> Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces</b></p> <p>Proposed Amended Rule 1111 will implement the 2022 control measure requiring zero emission residential space heating.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1111.1	<p><b>Zero-Emission Residential Furnaces</b></p> <p>Proposed Rule 1111.1 may include provisions to encourage zero emission residential furnaces that goes beyond Rule 1111 for gas-fired furnaces.</p> <p><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1113	<p><b>Architectural Coatings</b></p> <p>Proposed amendments may be needed to address delisted compounds and other amendments to improve clarity and to remove obsolete provisions.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
1114	<p><b>Petroleum Refinery Coking Operations</b></p> <p>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.</p> <p><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Other
1119 <sup>#</sup>	<p><b>Petroleum Coke Calcining Operations – Oxides of Sulfur</b></p> <p>Proposed Amended Rule 1119 will update S Ox emission limits to reflect Best Available Retrofit Control Technology, if needed, remove exemptions for RECLAIM facilities, and update monitoring, reporting, and recordkeeping requirements.</p> <p><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 BARCT/ AB 617 CERP

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<sup>#</sup> 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
1121*	<p><b>Control of Nitrogen Oxides from Residential Type, Natural-Gas-Fired Water Heaters</b></p> <p>Proposed amendments may be needed to further reduce NOx emissions from water heaters.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1121.1	<p><b>Zero Emission Residential Water Heaters</b></p> <p>Proposed Rule 1121.1 may include provisions to encourage zero emission water heaters that goes beyond Rule 1121 for gas-fired water heaters.</p> <p><i>TBD; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AQMP
1122	<p><b>Solvent Degreasers</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ Other
1124	<p><b>Aerospace Assembly and Component Manufacturing Operations</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ Other
1125	<p><b>Metal Container, Closure, and Coil Coating Operations</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ Other
1126	<p><b>Magnet Wire Coating Operations</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Toxics/ Other
1128	<p><b>Paper, Fabric, and Film Coating Operations</b></p> <p>Proposed amendments may be needed to address certain exempt compounds, VOC limits for certain applications, and other amendments to improve clarity.</p> <p><i>Heather Farr 909.396.3672; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	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	<p><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></p>	Toxics/ Other
1130.1	<p><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></p>	Toxics/ Other
1133.3	<p><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></p>	AQMP
1136	<p><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></p>	Toxics/ Other
1138 <sup>+</sup>	<p><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></p>	AQMP
1142	<p><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></p>	Other
1143	<p><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></p>	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
1144	<p><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></p>	Toxics/ Other
1145	<p><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></p>	Toxics/ Other
1146	<p><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></p>	Other
1146.1 <sup>#</sup>	<p><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></p>	Other
1162	<p><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></p>	Toxics/ Other
1165	<p><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></p>	AQMP
1166	<p><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></p>	Other

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**2023 To-Be-Determined (Continued)**

2023	Title and Description	Type of Rulemaking
1171	<p><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></p>	Toxics/ Other
1174	<p><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></p>	AQMP/ Other
1176	<p><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></p>	Other/ AB 617 CERP
1186.1, 1191, 1192, 1193, 1194, 1195, 1196* <sup>+</sup>	<p><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></p>	AQMP/ Other
1403*	<p><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></p>	Toxics
1404	<p><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></p>	Toxics/ AQMP

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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
1411	<p><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></p>	Toxics
1415 1415.1	<p><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></p>	Other
1420	<p><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></p>	Toxics
1420.1	<p><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></p>	Toxics
1420.2	<p><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></p>	Toxics

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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
1420.3	<p><b>Emissions Standards for Lead from Firing Ranges</b>  <b>Proposed Rule 1420.3 will establish requirements to address lead emissions from firing ranges.</b>  <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	Others
1426.1	<p><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></p>	Toxics
1430	<p><b>Control of Emissions from Metal Grinding Operations at Metal Forging Facilities</b>  <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.</b>  <i>Kalam Cheung 909.396.3281; CEQA: Barbara Radlein 909.396.2716; Socio: Elaine Shen 909.396.2715</i></p>	AB 617 CERP
1450*	<p><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></p>	Toxics
1455	<p><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></p>	Toxics/ AB 617 CERP
1466	<p><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></p>	Toxics
1466.1	<p><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></p>	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
1469	<p><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></p>	Toxics
1470.1	<p><b>Emissions from Emergency Standby Diesel Fueled Engines</b>            Proposed Rule 1470.1 seeks to reduce NOx 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></p>	AQMP
1472	<p><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></p>	Toxics
1901	<p><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></p>	AQMP
2306.1 <sup>*+</sup>	<p><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></p>	AQMP/ AB 617 CERP
Regulation XX	<p><b>RECLAIM - Requirements for Oxides of Sulfur (SOx) Emissions</b>            Amendments to Regulation XX rules to address SOx requirements at RECLAIM facilities if there is consideration to transition SOx 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></p>	RECLAIM / Other
Regulation XXIII <sup>*+</sup>	<p><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></p>	AQMP/ AB 617 CERP

\* Potentially significant hearing

+ Reduce criteria air contaminants and assist toward attainment of ambient air quality standards

# Part of the transition of RECLAIM to a command-and-control regulatory structure

## 2023 To-Be-Determined *(Continued)*

2023	Title and Description	Type of Rulemaking
Regulation II, III, IV, XIV, XI, XIX, XXIII, XXIV, XXX and XXXV	<p>Various rule amendments may be needed to meet the requirements of state and federal laws, implement OEHHA’s 2015 revised risk assessment guidance, changes from OEHHA to new or revised toxic air contaminants or their risk values, address variance issues, emission limits, technology-forcing emission limits, conflicts with other agency requirements, to abate a substantial endangerment to public health, additional reductions to meet SIP short-term measure commitments, to address issues raised by U.S. EPA or CARB for the SIP 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.</p>	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*

 Back to Agenda

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 15

PROPOSAL : Report of RFQs/RFPs Scheduled for Release in October

SYNOPSIS: This report summarizes the RFQs/RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of October.

COMMITTEE: Administrative, September 8, 2023, Reviewed

RECOMMENDED ACTION:

Approve the release of RFQs/RFPs for the month of October.

Wayne Natri  
Executive Officer

SJ:gp

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### **Background**

In January 2020, the Board approved a revised Procurement Policy and Procedure. Under the revised policy, RFQs/RFPs for budgeted items over \$100,000 that follow the Procurement Policy and Procedure would no longer be required to obtain individual Board approval. However, a monthly report of all RFQs/RFPs over \$100,000 is included as part of the Board agenda package and the Board may, if desired, take individual action on any item. The attached report provides the title and synopsis of the RFQ/RFP, the budgeted funds available, and the name of the Deputy Executive Officer/Assistant Deputy Executive Officer responsible for that item. Further detail including closing dates, contact information, and detailed proposal criteria will be available online at <http://www.aqmd.gov/grants-bids> following Board approval on October 6, 2023.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFQs/RFPs and inviting bids will be published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside

County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin.

Additionally, potential bidders may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFQs/RFPs will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>), where it can be viewed by making the selection "Grants & Bids."

**Proposal Evaluation**

Proposals received will be evaluated by applicable diverse panels of technically qualified individuals familiar with the subject matter of the project or equipment and may include outside public sector or academic community expertise.

**Attachment**

Report of RFQs/RFPs Scheduled for Release in October 2023

**October 6, 2023 Board Meeting  
Report on RFQs/RFPs Scheduled for Release on October 6, 2023**

**(For detailed information visit South Coast AQMD's website at  
<http://www.aqmd.gov/nav/grants-bids>  
following Board approval on October 6, 2023)**

**SPECIAL TECHNICAL EXPERTISE**

RFP #P2024-04 Issue RFP for Software Systems Development, Maintenance and Support Services Moskowitz/3329

This action is to issue an RFP to solicit bids for vendors to provide a full range of high-quality software systems development, maintenance and support; enterprise resource planning; customer relationship management; and content management system services. Funds for these services are included in the FY 2023-24 Budget.

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 16

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, September 8, 2023, Reviewed

RECOMMENDED ACTION :  
Receive and file.

Wayne Natri  
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.

### **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**

**October 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>
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> <li>• System Architecture verified</li> </ul>	<ul style="list-style-type: none"> <li>• System development in progress</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> <li>• Deployed to Production for Information Management division</li> </ul>	<ul style="list-style-type: none"> <li>• Training and Integrated User Testing for other divisions</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Online Application Filing 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 to production of the top three most frequently used Rule 222 forms: Negative Air Machines, Small Boilers and Charbroilers</li> <li>• Deployment to stage of Phase 2 additional 12 400-E-XX forms completed</li> <li>• Deployed to production of three additional Rule 222 forms (Tar Pots, Cooling Towers, and Power Washers)</li> <li>• Deployment to production of eight additional Rule 222 forms (Food Ovens, Storage of Odorants, Equipment Used to Store Aqueous Urea Solutions, Asphalt Day Tanker, Asphalt Pavement Heater, Diesel Fueled Boiler, Micro Turbines, and Portable Diesel Fueled Heater) completed</li> <li>• Deployment to production of the Emergency Internal Combustion Engine (EICE) application completed</li> <li>• System Development for Phase 3 of the project (final twelve 400-E-XX forms) completed</li> </ul>	<ul style="list-style-type: none"> <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> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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>• 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>• Deployed Phase 2 – Early Annual WAIRE Report (EAWR), Initial Site Information Report (ISIR), full Annual WAIRE Report (AWR)</li> <li>• Deployed Phase 3– Final Annual WAIRE Report</li> </ul>	<ul style="list-style-type: none"> <li>• Phase 4 Enhancements</li> </ul>
Agenda Tracking System	Develop new Agenda Tracking System for submittal, review and approval of Governing Board meeting 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> <li>• Task order issued</li> <li>• Project Kick-off completed</li> <li>• Initial User Interface Design completed</li> <li>• System Architecture design completed</li> </ul>	<ul style="list-style-type: none"> <li>• System Development in progress</li> </ul>
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> <li>• User Acceptance Testing completed</li> </ul>	<ul style="list-style-type: none"> <li>• Deployment to production</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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>• Task Order issued</li> <li>• Phase 1 completed and approved by stakeholder</li> <li>• Solicitation for On-Road projects opened to public</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 – Clean Air Reporting Log (CARL ) Import for Off-Road and On-Road projects User Acceptance Testing completed</li> <li>• Application Status Tracking User Acceptance Testing completed</li> <li>• Evaluation – Messages Module User Acceptance Testing completed</li> <li>• Carl Moyer Program – PA2023-04 opened</li> <li>• Phase 2 – management reports – User Acceptance Testing completed</li> <li>• Phase 2 – Calculations Module development and User Acceptance Testing completed</li> <li>• Phase 2 – Inspection Module forms development completed</li> <li>• Phase 2 – Additional change requests for Inspection module, application filing, evaluation workflow, and manager reports were added in the timeline/budget and completed</li> <li>• Phase 2 – Inspection Module reports development has been completed</li> </ul>	<ul style="list-style-type: none"> <li>• Inspection Module and Reports User Acceptance Testing</li> <li>• Phase 3 – Planning for Phase 3</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
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>• Completed development of all Sprints 1 through 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> <li>• Development of all modifications identified by users completed</li> <li>• User Acceptance Testing in stage environment completed</li> <li>• Deployment to production environment completed</li> </ul>	<ul style="list-style-type: none"> <li>• Complete initial Source Test Submittals with regulated community volunteers</li> <li>•</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> <li>• High level requirement gathering completed</li> <li>• Task order issued</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed requirement gathering</li> </ul>
Website Upgrade	Upgrade the Website Content Management System to latest version	\$100,000	<ul style="list-style-type: none"> <li>• Project initiation completed</li> <li>• Task order issued</li> <li>• Initial upgrade completed</li> <li>• Proposal for additional enhancement accepted</li> <li>• Development of enhancements based on industry best practices completed</li> </ul>	<ul style="list-style-type: none"> <li>• Integration testing of enhancements</li> </ul>

Project	Brief Description	Estimated Project Cost	Completed Actions	Upcoming Milestones
Prequalify Vendor List for PCs, Network Hardware, etc.	Establish list of prequalified vendors to provide computer, network, and printer hardware and software, and to purchase desktop computer hardware upgrades	\$300,000		<ul style="list-style-type: none"> <li>• Released RFQQ November 3, 2023</li> <li>• Approve Vendors List February 2, 2024</li> </ul>
Renewal of HP Server Maintenance & Support	Purchase of maintenance and support services for servers and storage device	\$175,000		<ul style="list-style-type: none"> <li>• Request Board approval for HP server maintenance and support April 5, 2024</li> <li>• Execute purchases April 30, 2024</li> </ul>
Renewal of OnBase Software Support	Authorize the sole source purchase of OnBase software subscription and support for one year	\$175,000		<ul style="list-style-type: none"> <li>• Request Board Approval June 7, 2024</li> <li>• Execute purchase July 30, 2024</li> </ul>

Projects that have been completed within the last 12 months are shown below.

**Completed Projects**

Project	Date Completed
Oracle PeopleSoft Software Support	August 31, 2023
PeopleSoft E-Requestion deployment for IM Division	August 22, 2023
Renewal of OnBase Software Support	July 31, 2023
Air Quality Advisory Enhancement	June 30, 2023
Legal Office System – Phase 2.1	June 7, 2023
WAIRE Program Online Portal – Initial Site Information Report Enhancement	May 26, 2023
Renewal of HP Server Maintenance & Support	April 30, 2023
Purchase of Server and Storage Upgrades	April 30, 2023
Rule 1180 Monitoring Site and Notification Updates	March 30, 2023
WAIRE Program Online Portal – Owner AWR Enhancement	February 22, 2023
Phone System Upgrade	January 28, 2023
Carl Moyer GMS – PA2023-04	January 10, 2023
AB 2766 for reporting year 2021 - 2022	January 3, 2023
WAIRE Program Online Portal – Phase 3	December 31, 2022
Annual Emission Reporting for reporting year 2022	December 31, 2022
Online Application Filing – Eight Additional Rule 222 Forms	December 2, 2022
CLASS Database Software Licensing	November 30, 2022

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 17

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a hybrid meeting on Friday, September 8, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Vanessa Delgado, Chair  
Administrative Committee

SN:cb

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### **Committee Members**

Present: Chair Vanessa Delgado, Committee Chair  
Vice Chair Michael Cacciotti  
Supervisor V. Manuel Perez

Absent: Board Member Gideon Kracov

### **Call to Order**

Chair Delgado called the meeting to order at 10:02 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 to report.
2. **Chair's Report of Approved Travel:** Travel was reported for Board Member Kracov to Sacramento, California for a Senate Hearing and CARB meeting.

3. **Report of Approved Out-of-Country Travel:** Travel was reported for Sarah Rees, Deputy Executive Officer/Planning, Rule Development and Implementation, to Europe to visit MAN Energy Systems and Port Tours in Rotterdam and Antwerp.
4. **Review October 6, 2023 Governing Board Agenda :** Wayne Nastri, Executive Officer noted for Board Member awareness the Set Hearings for Proposed Amended Rules 2011 and 2012, which relates to continuous emissions monitoring systems for RECLAIM facilities, and Proposed Amended Rule 1180 and Proposed Rule 1180.1, which relates to the fenceline and community air monitoring program. Also Rule 1405 Public Hearing has been moved to December and an update will be provided on MATES VI. Bayron Gilchrist, General Counsel, reminded that the meeting will be held in Valley Glen. For additional information please refer to the [Webcast at 8:16](#).
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** There were three proposals, so this item was moved to Action Items. For additional information please refer to the [Webcast at 9:14](#).
6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Cessa Heard-Johnson, Diversity, Equity & Inclusion Officer, provided an update on agency efforts, seasonal events, cultural displays, upcoming statewide working group, and discussed Rose Schneiderman for Fabulous Female Friday.

Chair Delgado appreciated the efforts of going out into the community. Vice Chair Cacciotti inquired what has impacted Dr. Heard-Johnson from going out into the community. Dr. Heard-Johnson commented that it has been powerful to get the communities together. Supervisor Perez commented on the efforts and a cultural war to try to find a middle ground and get communities to be open-minded. For additional information please refer to the [Webcast at 10:01](#).

7. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management, reported on the status of various projects and projects that have been completed. For additional information please refer to the [Webcast at 22:24](#).
8. **Report of RFQs/RFPs Scheduled for Release in October:** Sujata Jain, Chief Financial Officer/Finance, reported that this item is to issue an RFP for software system development, maintenance and support services. The funds are included in the budget for fiscal year 2023/2024. For additional information please refer to the [Webcast at 23:58](#).

**ACTION ITEM S:**

5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):**  
There were three proposals: Board Member Gideon Kracov’s Board Consultant, Destiny Rodriguez, Councilmember Jose Luis Solache’s Board Assistant, Marisela Santana, and Board Consultant, Uduak-Joe Ntuk: all contract modifications for September 1, 2023 to June 30, 2024.

Moved by Cacciotti; seconded by Perez, unanimously approved.

Ayes: Cacciotti, Delgado, Perez  
Noes: None  
Absent: Kracov

9. **Adopt Resolution, Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for Continued AB 617 Implementation:** Ms. Jain reported that this item is to adopt a resolution to accept the terms and conditions of an AB 617 Implementation Grant , recognize revenue from CARB into the General Fund in the amount of \$3,326,667 and appropriate \$3,400,000 into fiscal year budgets 2023/2024 or 2024/2025 for AB 617 expenses. This item is also to authorize the Executive Officer to execute contracts for AB 617 implementation grant activities for items that are listed in Tables 1 through 3 of the Board letter.

It was identified for the record that Supervisor Perez is a Board Member for CARB, but does not have a financial interest and can participate in the item.

For additional information please refer to the [Webcast at 24:40](#).

Moved by Cacciotti; seconded by Perez, unanimously approved.

Ayes: Cacciotti, Delgado, Perez  
Noes: None  
Absent: Kracov

10. **Recognize Revenue, Appropriate Funds, Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for U.S. EPA Grants :** Dr. Jason Low, Deputy Executive Officer/Monitoring & Analysis, reported that South Coast AQMD was awarded two grants by U.S. EPA . One to expand the pilot sensor library program and the second to enhance measurements in the PM2.5 Wilmington area. This item is to recognize about \$1,000,000 from U.S. EPA and appropriate the funds to the Monitoring & Analysis budget, execute contracts and issue solicitations and purchase orders to support those projects.

For additional information please refer to the [Webcast at 26:58](#).

Moved by Cacciotti; seconded by Perez, unanimously approved.

Ayes: Cacciotti, Delgado, Perez

Noes: None

Absent: Kracov

**WRITTEN REPORT :**

11. **Local Government & Small Business Assistance Advisory Group Minutes for the June 9, 2023 Meeting:** The report was acknowledged and received.

**OTHER MATTERS:**

12. **Other Business:** There was no other business to report.
13. **Public Comment:** There was no public comment.
14. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for Friday, October 13, 2023 at 10:00 a.m.

**Adjournment**

The meeting was adjourned at 10:27 a.m.



# South Coast Air Quality Management District

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

## LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, JUNE 9, 2023 MEETING MINUTES

### MEMBERS PRESENT:

South Coast AQMD Board Members:  
Councilmember Carlos Rodriguez, LGSBA Chair  
Mayor Patricia Lock Dawson  
Supervisor Curt Hagman  
Councilmember Jose Luis Solache

### Public Members:

Paul Avila, P.B.A. & Associates  
Geoffrey Blake, Metal Finishers of Southern California  
LaVaughn Daniel, DancoEN  
John DeWitt, JE DeWitt, Inc.  
Bill LaMarr, California Small Business Alliance  
Rita Loof, RadTech International  
David Rothbart, Los Angeles County Sanitation Districts

### MEMBERS ABSENT:

Felipe Aguirre  
Rachelle Arizmendi  
Todd Campbell, Clean Energy  
Eddie Marquez, Roofing Contractors Association

### OTHERS PRESENT:

Mark Abramowitz  
Mark Taylor, Board Member Consultant (*Rodriguez*)

### SOUTH COAST AQMD STAFF:

Susan Nakamura, Chief Operating Officer  
Derrick Alatorre, Deputy Executive Officer  
Anissa Heard-Johnson, Deputy Executive Officer  
Aaron Katzenstein, Deputy Executive Officer  
Terrence Mann, Deputy Executive Officer  
Lisa Tanaka O'Malley, Assistant Deputy Executive Officer  
Mei Wang, Assistant Deputy Executive Officer  
Jillian Wong, Assistant Deputy Executive Officer  
Victor Yip, Assistant Deputy Executive Officer

Daphne Hsu, Principal Deputy District Counsel  
Mark Henninger, Information Technology Manager  
Bettina Burleigh Sanchez, Senior Air Quality Engineer  
Bahareh Farahani, Program Supervisor  
Elaine-Joy Hills, Senior Staff Specialist  
Van Doan, Air Quality Specialist  
De Groeneveld, Senior Information Technology Specialist  
Kevin Cao, Senior Information Technology Specialist  
Cristina Lopez, Senior Public Affairs Specialist  
Debra Ashby, Senior Public Affairs Specialist  
Cindy Bustillos, Executive Secretary  
Aisha Reyes, Senior Administrative Secretary  
Catherine Rodriguez, Senior Administrative Secretary

**Agenda Item #1 – Roll Call/Call to Order/Opening Remarks**

Chair Carlos Rodriguez called the meeting to order at 11:30 a.m., roll call was taken, and a quorum was present.

For additional details of the Local Government and Small Business Assistance (LGSBA) Advisory Group Meeting, please refer to the [Webcast](#).

**Agenda Item #2 – Approval of April 14, 2023 Meeting Minutes**

Chair Rodriguez called for approval of the April 14, 2023 meeting minutes.

There were no public comments.

Motion to approve minutes made by Geoffrey Blake; seconded by Jose Luis Solache; approved.

Ayes: Avila, Blake, Hagman, Daniel, Dawson, DeWitt, LaMarr, Loof, Rodriguez, Rothbart, Solache

Noes: None

Abstained: None

Absent: Aguirre, Arizmendi, Campbell, Marquez

For additional details, please refer to the [Webcast](#), beginning at 4:47.

**Agenda Item #3 – Review of Follow-Up and Action Items**

Derrick Alatorre, Deputy Executive Officer, Legislative, Public Affairs and Media, announced that the list of schools in Los Angeles County that have received funding for busses that was requested at the April 14, 2023 meeting was emailed to the Advisory Group on April 18, 2023.

There were no public comments.

For additional details, please refer to the [Webcast](#), beginning at 6:43.

**Agenda Item #4 – Proposed Updates to Best Available Control Technology Guidelines (BACT)**

Bahareh Farahani, Program Supervisor, Engineering and Permitting, provided information on proposed updates to the BACT guidelines.

Rita Loof asked if South Coast AQMD looked at other air districts' BACT guidelines. Ms. Farahani replied that there are working group meetings with CARB and other air districts to discuss new updates.

David Rothbart asked if there were any source tests for linear generators using biogas. Jason Aspell, Deputy Executive Officer, Engineering and Permitting, replied that there are no new BACT determinations for biogas.

Paul Avila referenced slide #10 and asked if older boilers are still in use and how BACT is applicable. Mr. Aspell clarified that BACT is applicable to new or modified equipment with emission increases. Mr. Avila asked if existing boilers are being monitored. Susan Nakamura, Chief Operating Officer, Executive Office, replied that existing boilers are subject to Rules 1146, 1146.1, and 1146.2 and ongoing source testing requirements are required demonstrate compliance with emission limits.

Supervisor Curt Hagman asked how long the BACT determination process takes. Ms. Farahani referenced slide #5 and replied that it takes approximately 1½ years. Supervisor Hagman asked if it's possible to quickly test and certify equipment to prevent delays in permitting. Mr. Aspell replied that the listed equipment has already been achieved in practice and BACT determinations do not delay the permitting process.

Mr. Rothbart commented on the importance of equipment reliability. Mr. Aspell stated that reliability determination is part of the BACT review process.

There were no public comments.

For additional details on the presentation and discussions, please refer to the [Webcast](#), beginning at 34:43.

**Agenda Item #5 – Update on Draft Letter from LGSBA Advisory Group on CARB’s Community Air Protection Blueprint**

Mr. Alatorre stated that staff recommended the draft letter be presented to the Governing Board, instead of the Administrative Committee.

Chair Rodriguez clarified that Governing Board members serving on the LGSBA Advisory Group cannot vote on this item.

Mr. Alatorre stated that with the exclusion of Governing Board members, there is no quorum and voting on this item cannot take place during this meeting.

Ms. Loof suggested to include a draft letter from the Governing Board to CARB along with this letter for approval. Mr. Alatorre stated that the Governing Board will not revise this letter and it will be from the LGSBA Advisory Group. A board letter detailing the request will be included.

Chair Rodriguez asked for confirmation that the intent of the letter is to request the Governing Board to write a letter to CARB expressing support for industry trade groups to participate on the Community Steering Committees.

Ms. Loof and Bill LaMarr confirmed Chair Rodriguez’s statement.

Supervisor Hagman suggested to present the letter to the Governing Board to forward to CARB. He also encouraged LGSBA Advisory Group members to attend Governing Board meetings and provide comments on this topic.

Daphne Hsu explained the purpose of the Advisory Group is to advise the Governing Board and the letter needs approval by the Governing Board before being sent to another entity.

Ms. Loof asked if a draft potential letter from the Governing Board to CARB could be prepared for the next meeting. Chair Rodriguez stated that the existing draft letter is adequate, with a minor edit to include language to request the Governing Board to write a new letter.

There were no public comments.

For additional details, please refer to the [Webcast](#), beginning at 8:02.

### **Agenda Item #6 – Update on Technology Advancement Projects**

Aaron Katzenstein, Deputy Executive Officer, Technology Advancement Office, provided an overview and highlights on South Coast AQMD technology advancement projects.

Ms. Loof referenced slides #5 and #8 and asked for clarification on the different funding amounts. Dr. Katzenstein stated that the difference was due to unused Clean Fuels funds as other grants were also available. Ms. Loof commented on the funding amount applied to stationary sources and asked if additional incentives would be offered. Dr. Katzenstein clarified that amount applied towards stationary sources is not incentives; it is the technology development portion of the Clean Fuels program.

Supervisor Hagman commented on emerging technologies. Dr. Katzenstein referenced slide #7 and stated that a lot of funding for research, development, and demonstration are for local universities to develop new technology.

Mr. Rothbart commented on different fuel sources, including hydrogen fuel, and asked about related infrastructure development. Dr. Katzenstein discussed renewable power and infrastructure.

Mr. LaMarr referenced slide #19 and discussed battery weights, tire-wear, brake-wear, and fine particulates. Dr. Katzenstein discussed studies on tire emissions and development of new tire formulations. Mr. LaMarr referenced slide #4 and asked about proof-of-commercialization. Dr. Katzenstein explained commercialization and provided examples.

John DeWitt asked about post-implementation cost-effectiveness. Dr. Katzenstein stated that it is difficult to relate emission reduction to technology demonstration projects at initial deployment; however, emission benefits become more apparent as new technologies are mass deployed.

There were no public comments.

For additional details, please refer to the [Webcast](#), beginning at 1:01:47.

### **Agenda Item #7 – Other Business**

Mr. Rothbart asked for clarification on quorum requirement for voting. Ms. Hsu replied that a quorum is required for voting. Since Governing Board members are excluded from voting on agenda item #5, there is no quorum. Mr. Alatorre added that Governing Board members are excluded because they will be voting on the same item later.

Ms. Loof asked about exclusion of Governing Board members from voting. Ms. Hsu explained that there may be additional comments when it is presented to the Governing Board later, which may affect their voting positions.

Supervisor Hagman asked if the Governing Board members who are excluded from voting could also be excluded when determining a quorum. Ms. Hsu explained that the charter requires a quorum to approve a recommendation to the Governing Board.

There were no public comments.

For additional details, please refer to the [Webcast](#), beginning at 1:37:12

**Agenda Item #8 – Public Comment**

There were no public comments.

**Agenda Item #9 – Next Meeting Date**

The next regular LGSBA Advisory Group meeting is scheduled for Friday, August 11, 2023, at 11:30 a.m.

**Adjournment**

The meeting adjourned at 1:13 p.m.

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 18

REPORT: Investment Oversight Committee

SYNOPSIS: The Investment Oversight Committee held a hybrid meeting on Friday, September 8, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION: Receive and file.

Michael A. Cacciotti, Chair  
Investment Oversight Committee

SJ:gp

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### **Committee Members**

Present: Vice Chair Michael A. Cacciotti, Committee Chair  
Supervisor Curt Hagman  
Board Member Veronica Padilla-Campos  
Councilmember José Luis Solache  
Jill Whynot

Absent: Richard Dixon

### **Call to Order**

Chair Cacciotti called the meeting to order at 8:02 a.m.

For additional details of the Investment Oversight Committee Meeting, please refer to the [Web cast](#).

### **DISCUSSION ITEMS:**

1. *Quarterly Report of Investments:* Sujata Jain, Chief Financial Officer/Finance, presented the quarterly investment report and reported that by June 30, 2023, South Coast AQMD's weighted average yield on total investments of \$1,273,431,247.76 from all sources was 3.74 percent. The allocation by investment type was 93 percent in the Los Angeles County Pooled Surplus Investment Fund and 7 percent in the State of California Local Agency Investment Fund and South Coast AQMD's Special Purpose Investments.

Committee Chair Cacciotti asked about the strategy involved in determining reinvestment of funds due to upcoming maturity of treasury notes. Ms. Jain explained that staff will look into the needs of the funds and work with the L.A. County Treasurer to reinvest the funds. For additional information please refer to the [Webcast at 7:57](#).

2. *Financial Market Update*: Richard Babbe, from the consulting firm of PFM Asset Management, gave a presentation on economic indicators. Mr. Babbe discussed CPI, inflation trends, goods demands, unemployment, and consumer spending. He also talked about a New York Fed model based on the yield curve which shows that there is a 66 percent chance of a recession in July 2024, but that would also depend on other outcomes such as performance from China's real estate market, U.S. commercial real estate, and U.S. student debt repayment. Another indicator of a recession is a slowdown in the federal tax allocation. The Federal Reserve may be done with their interest rate increases and are hoping for a soft landing which involves cooling off the economy in such a manner as to avoid a major disruption due to a recession.

Ms. Whynot asked if there is any indication of how deep of a recession is being predicted. Mr. Babbe talked about the probability versus the magnitude of a recession. For additional information please refer to the [Webcast at 30:52](#).

Board Member Padilla-Campos asked how long the interest rates would stay elevated. Mr. Babbe replied that typically it is seven to nine months on average from when the Federal Reserve stops raising interest to when interest rates are reduced. For additional information please refer to the [Webcast at 32:38](#).

Board Member Padilla-Campos asked about the repayment of credit card debt. Mr. Babbe stated that the overall consumer debt has increased and for the most part people are paying off the debt. For additional information please refer to the [Webcast at 33:51](#).

Committee Chair Cacciotti asked Mr. Babbe what his advice would be regarding the reinvestment of the \$40 million in Special Purpose Investments (SPI) that will be maturing in February 2024. Mr. Babbe stated that any reinvestment is based on liquidity and restrictions on the funds. For additional information please refer to the [Webcast at 35:46](#).

### **OTHER MATTERS:**

#### **3. Other Business**

There was no other business to report.

**4. Public Comment Period**

There were no public comments to report.

**5. Next Meeting Date**

The next regular Investment Oversight Committee meeting is scheduled for Friday, December 8, 2023 at 8:00 a.m.

**Adjournment**

The meeting adjourned at 8:37 a.m.

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BOARD MEETING DATE: October 6, 2023

AGENDA NO. 19

REPORT: Legislative Committee

SYNOPSIS: The Legislative Committee held a hybrid meeting on Friday, September 8, 2023. The following is a summary of the meeting.

<b>Agenda Item</b>	<b>Recommendation/Action</b>
Air District/Public Agency Board Member Compensation Limit Increase Bill Proposal	Approve
Moyer Policy Adjustments Bill Proposal	Approve
ACA 13 (Ward) – Voting thresholds	Support

**RECOMMENDED ACTION:**

Receive and file this report and approve agenda items as specified in this letter.

Michael A. Cacciotti, Chair  
Legislative Committee

DA:LTO:PC:DG:ar

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**Committee Members**

Present: Council Member Michael A. Cacciotti, Committee Chair  
Supervisor Curt Hagman  
Supervisor V. Manuel Perez  
Councilmember José Luis Solache

Absent: Mayor Patricia Lock Dawson  
Councilmember Nithya Raman

**Call to Order**

Chair Michael Cacciotti called the meeting to order at 9:02 a.m.

**DISCUSSION /ACTION ITEMS:**

**1. Potential Concepts for 2024 South Coast AQMD-Sponsored State Legislative Proposals**

Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs & Media, presented the two concepts for 2024 South Coast AQMD-sponsored state legislation for consideration by the Committee:

- **Increase Air District/Public Agency Board Member Compensation Limit**  
This bill would increase the maximum limits of compensation for air district and some public agency board members and include an annual Consumer Price Index adjustment.
- **Carl Moyer Policy Adjustments**  
This bill would extend the liquidation time for Moyer funding from four to six years and increase the administrative fee to implement the program from 6.25% to 8-10%.

Mr. Alatorre recommended removing the allowance to fund incentives for offroad vehicles in the proposed Carl Moyer bill.

Supervisor Perez asked if staff have approached legislators regarding the board member compensation increase proposal. Mr. Alatorre responded that staff has not discussed any of the bill proposals with legislators pending Board direction. Supervisor Perez requested to include compensation for Board Member Consultants in the bill proposal. Wayne Nastri, Executive Officer, responded that increasing compensation for Board Member Consultants does not require legislation and can be done through the South Coast AQMD budget process . Staff will look into the compensation limits for Board Consultants.

Councilmember Solache requested that staff consider removing the claim form reimbursement requirement and for Board Members to receive a stipend. Mr. Nastri responded that staff would look into this and report back to the Committee.

For additional information, please refer to the [Webcast](#) beginning 5:38.

There was no public comment.

## **Staff Recommended Approval of the Two 2024 South Coast AQMD-Sponsored State Legislative Proposals**

Moved by: Hagman; Second by: Solache

Ayes: Cacciotti, Hagman, Perez, Solache

Noes: None

Abstain: None

Absent: Dawson, Raman

### **2. Recommend Position on State Legislation**

Philip Crabbe III, Senior Public Affairs Manager/Legislative, Public Affairs & Media, presented on Assembly Constitutional Amendment (ACA) 13 (Ward), the “Protect and Retain the Majority Vote Act. ” This bill would place a proposed constitutional amendment on the statewide ballot. The proposed constitutional amendment would require that a ballot measure to increase the vote threshold for a future initiative must pass by that same margin.

ACA 13 is meant to counter Proposition 1935 which would make it more difficult for State and local government to enact, modify, or expand taxes, fees, and assessments. Proposition 1935 could negatively affect South Coast AQMD’s revenues including retroactively void fees adopted after January 2022.

ACA 13, by requiring ballot measures to pass with a higher voter threshold, could make it more difficult for Proposition 1935 to pass by a vote of the electorate.

For additional information, please refer to the [Webcast](#) beginning 19:39.

There was no public comment.

### **Staff Recommended a Support Position on ACA 13 (Ward )**

Moved by: Perez; Second by: Solache

Ayes: Cacciotti, Perez, Solache

Noes: None

Abstain: Hagman

Absent: Dawson, Raman

### **DISCUSSION ITEMS:**

#### **3. Update and Discussion on Federal Legislative Issues**

South Coast AQMD’s federal legislative consultants (Cassidy & Associates, Kadesh & Associates, and Carmen Group) provided written reports on key Washington, D.C. issues.

Jed Dearborn, Cassidy & Associates, reported that the fiscal year ends on September 30. Congress will have to pass twelve appropriations bills or seek a continuing resolution to keep the government open. It is anticipated that there will be a brief shutdown in October.

Ben Miller, Kadesh & Associates, reported on a recent visit by policy advisors from Senator Alex Padilla's office to the South Coast region to see the impacts of goods movement firsthand and to discuss clean air technologies. Additionally, Senator Padilla and Representative Nanette Barragán led a letter urging U.S. EPA to adopt stringent emissions standards for heavy-duty trucks to reduce NOX, particulate matter and GHG emissions.

Gary Hoitsma, Carmen Group, reported that U.S. EPA's Local Government Advisory Committee is seeking five new members. The Committee makes recommendations to the EPA administrator on various items, including environmental justice.

Supervisor Perez inquired about incentives for companies that own diesel trucks and warehouses. Lisa Tanaka O'Malley, Assistant Deputy Executive Officer/Legislative, Public Affairs & Media, replied that staff have been working across divisions to advocate for funding to address mobile sources including heavy-duty trucks. Funding programs from the Bipartisan Infrastructure Law and Inflation Reduction Act and other opportunities are tracked in order for South Coast AQMD to apply for grants.

For additional information, please refer to the [Webcast](#) beginning 26:17.

There was no public comment.

#### **4. Update and Discussion on State Legislative Issues**

South Coast AQMD's state legislative consultants (California Advisors, LLC, Joe A. Gonsalves & Son, and Resolute) provided written reports on key issues in Sacramento.

Ross Buckley, California Advisors, LLC, reported that South Coast AQMD sponsored bill, AB 849 (Garcia), was held in the Senate Appropriations Committee on their suspense file list and therefore died.

Mr. Buckley also stated that Senator Mike McGuire will be the next Senate President Pro Tempore. He will assume the role in early 2024, but the official transition date has not yet been announced.

Paul Gonsalves, Joe A. Gonsalves & Son, reported that the Legislature will adjourn on September 14. Generally, bills not passed by that date will become two-year bills.

David Quintana, Resolute, reported on the reappointments of Chair Vanessa Delgado and Board Member Gideon Kracov to the South Coast AQMD Governing Board. Supervisor Perez's reappointment to CARB was approved by the Senate Rules Committee and the next step is a full vote by the Senate .

Chair Cacciotti inquired about possible future changes to the cap-and-trade program. Mr. Quintana replied that he will report back to the Committee on this item.

For additional information, please refer to the [Webcast](#) beginning 39:40.

There was no public comment.

### **OTHER MATTERS:**

#### **5. Other Business**

Ms. Tanaka O'Malley reported that an advocacy trip to Washington D.C. is scheduled for October 15 to October 19. The trip could be delayed by a federal government shutdown.

For additional information, please refer to the [Webcast](#) beginning 47:27.

#### **6. Public Comment Period**

There was no public comment.

#### **7. Next Meeting Date**

The next regular Legislative Committee meeting is scheduled for Friday, October 13, 2023, at 9:00 a.m.

### **Adjournment**

The meeting adjourned at 9:52 a.m.

### **Attachments**

1. Attendance Record
2. State Legislative Proposals
3. Recommend Position on State Legislation
4. Update on Federal Legislative Issues – Written Reports
5. Update on State Legislative Issues – Written Reports

# ATTACHMENT 1

## SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT LEGISLATIVE COMMITTEE MEETING ATTENDANCE RECORD – September 8, 2023

Councilmember Michael Cacciotti.....	South Coast AQMD Board Member
Supervisor Curt Hagman.....	South Coast AQMD Board Member
Supervisor V. Manuel Perez.....	South Coast AQMD Board Member
Councilmember José Luis Solache.....	South Coast AQMD Board Member
Ken Chawkins.....	Board Consultant (Cacciotti)
Guillermo Gonzalez.....	Board Consultant (Perez)
Debra Mendelsohn.....	Board Consultant (McCallon)
Uduak-Joe Ntuk.....	Board Consultant (Kracov)
Marisela Santana.....	Board Consultant (Solache)
Mark Taylor.....	Board Consultant (Rodriguez)
Ben Wong.....	Board Consultant (Cacciotti)
Ross Buckley.....	California Advisors, LLC
Jed Dearborn.....	Cassidy & Associates
Paul Gonsalves.....	Joe A. Gonsalves & Son
Gary Hoitsma.....	Carmen Group, Inc.
Ben Miller.....	Kadesh & Associates
David Quintana.....	Resolute
Alan Abbs.....	Public Member
Mark Abramowitz.....	Public Member
Vanessa Bautista.....	Public Member
Kimberly Caceres.....	Public Member
Ramine Cromartie.....	Public Member
Harvey Eder.....	Public Member
Michele Grubbs.....	Public Member
Victor Ibarra.....	Public Member
Roupen Karakouzian.....	Public Member
Adam Keigwin.....	Public Member
Bill La Marr.....	Public Member
Dan McGivney.....	Public Member
Jacqueline Moore.....	Public Member
Kristy Monji.....	Public Member
Patty Senecal.....	Public Member
Lesly Valenzuela.....	Public Member
Peter Whittingham.....	Public Member
Derrick Alatorre.....	South Coast AQMD Staff
Debra Ashby.....	South Coast AQMD Staff
Barbara Baird.....	South Coast AQMD Staff
Cindy Bustillos.....	South Coast AQMD Staff
Lara Brown.....	South Coast AQMD Staff
Erika Chavez.....	South Coast AQMD Staff
Maria Corralejo.....	South Coast AQMD Staff
Philip Crabbe.....	South Coast AQMD Staff
Denise Gailey.....	South Coast AQMD Staff

Scott Gallegos.....	South Coast AQMD Staff
Bayron Gilchrist.....	South Coast AQMD Staff
De Groeneveld.....	South Coast AQMD Staff
Sheri Hanizavareh .....	South Coast AQMD Staff
Anissa Cessa Heard-Johnson.....	South Coast AQMD Staff
Mark Henninger.....	South Coast AQMD Staff
Sujata Jain.....	South Coast AQMD Staff
Aaron Katzenstein .....	South Coast AQMD Staff
Angela Kim.....	South Coast AQMD Staff
Howard Lee.....	South Coast AQMD Staff
Brisa Lopez.....	South Coast AQMD Staff
Cristina Lopez.....	South Coast AQMD Staff
Karin Manwaring.....	South Coast AQMD Staff
Connie Mejia.....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Susan Nakamura.....	South Coast AQMD Staff
Wayne Nastro.....	South Coast AQMD Staff
Robert Paud.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Mary Reichert.....	South Coast AQMD Staff
Aisha Reyes.....	South Coast AQMD Staff
Danielle Soto.....	South Coast AQMD Staff
Lisa Tanaka O'Malley.....	South Coast AQMD Staff
Dominic Tung .....	South Coast AQMD Staff
Mei Wang .....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff

# ATTACHMENT 2

## Potential 2024 South Coast AQMD-Sponsored State Legislative Proposals in Concept – Sept. 2023

### **1) Air District/Public Agency Board Member Compensation Limit Increase Bill**

- a. Bill would increase the maximum limits of compensation for Board members of air districts and potentially other public agencies (including CARB), as needed.
- b. This bill would reset outdated compensation limits and include a CPI increase going forward.

### **2) Moyer Policy Adjustments Bill**

- a. Bill would expand liquidation time for Moyer funding from 4 to 6 years to offset increasingly difficult conditions to fund projects.
- b. Bill would allow the Moyer Program to fund incentives for offroad vehicles.
- c. Increase administrative fees for air districts from 6.25% to 10% to offset increases in costs and requirements to implement program.

# ATTACHMENT 3

ACA 13

Page 1

Date of Hearing: August 23, 2023

ASSEMBLY COMMITTEE ON ELECTIONS  
Gail Pellerin, Chair  
ACA 13 (Ward) – As Amended August 17, 2023

**SUBJECT:** Voting thresholds.

**SUMMARY:** Requires an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. Specifically, **this measure:**

- 1) Provides that an initiative measure that includes one or more provisions that amend the California Constitution, and that increases the voter approval requirement to adopt any state or local measure, must receive a proportion of votes in favor of the initiative that is equal to or greater than the highest voter approval requirement imposed by the initiative for the adoption of a state or local measure.
- 2) Permits a local governing body, at any election, to hold an advisory vote concerning any issue of governance for the purpose of allowing voters within the jurisdiction to voice their opinions on the issue. Provides that an advisory question is approved only if a majority of the votes cast on the question are in favor. Provides that the results of the advisory vote are not controlling on the local governing body.
- 3) Provides that this measure shall be known, and may be cited, as the Protect and Retain the Majority Vote Act.
- 4) Contains a severability clause.
- 5) Makes a conforming change.

**EXISTING LAW:**

- 1) Permits voters to propose statutes or amendments to the Constitution by initiative. (California Constitution, Article II, §8)
- 2) Provides that a state initiative statute that is approved by a majority of votes cast thereon takes effect on the fifth day after the Secretary of State (SOS) files the statement of the vote for the election at which the measure is voted on. (California Constitution, Article II, §10(a))
- 3) Provides that a proposed constitutional amendment that is approved by a majority of votes cast thereon takes effect on the fifth day after the SOS files the statement of the vote for the election at which the measure is voted on. (California Constitution, Article XVIII, §4)
- 4) Permits each city, county, school district, community college district, county board of education, and special district to hold an advisory election for the purpose of allowing voters to voice their opinions on substantive issues, as specified. (Elections Code §9603(a))

**FISCAL EFFECT:** Unknown

**COMMENTS:**

1) **Purpose of the Measure:** According to the author:

The Protect and Retain the Majority Vote Act, ACA 13, would retain the majority vote requirement for passage of state and local initiatives. ACA 13 will require proposed initiatives that seek to increase vote thresholds on future ballot measures to pass with that same proportional higher vote threshold. For example, a measure that would impose a two-thirds vote threshold on future measures should also pass with a two-thirds vote.

Cities and counties also often place non-binding advisory measures on the ballot to allow voters to weigh in on various issues. This is a critical tool that allows voters to advise local government, and ACA 13 would protect the right of cities to place advisory questions on the ballot to ask voters their opinion on issues.

2) **Supermajority Vote Requirements:** Under existing law, any *state* ballot measure can be approved by a simple majority vote of the electorate, regardless of the changes to state law made by the measure. By contrast, some *local* ballot measures are subject to higher vote requirements. For instance, a local measure that is placed on the ballot by a local governing body and that proposes a special tax (a tax for which the proceeds will be used for a specific purpose) requires a two-thirds vote of the electorate.

If this measure qualifies for the ballot and is approved by voters, it would mark the first time that any state ballot measure would require more than a simple majority vote to be approved. Specifically, state ballot measures that (1) are initiative measures (the term “initiative” refers exclusively to a proposed law that qualifies for the ballot through the collection of voters’ signatures on an initiative petition), (2) propose to amend the state constitution, and (3) propose to increase the vote required for voters to approve a state or local ballot measure would be subject to a voter approval threshold that is greater than a simple majority vote.

3) **Prior Effort to Impose Supermajority Vote Requirement on State Ballot Measures:** Notwithstanding the fact that all state ballot measures require a simple majority to pass, at least one prior initiative measure sought to impose a supermajority vote requirement on certain state ballot measures.

Specifically, Proposition 136, which appeared on the ballot at the November 1990 statewide general election, would have required any state special taxes that were proposed by a state initiative measure to be approved by two-thirds of the voters, among other provisions. Proposition 136 failed narrowly, receiving 47.9% of the vote.

4) **Voter Approval Thresholds Only:** The provisions of this measure related to the vote requirement for initiative constitutional amendments apply only to initiatives that seek to make it more difficult for *voters* to take a specified action by approving a ballot measure. It does not affect the vote requirement for initiative constitutional amendments that seek only to make it harder for a *governmental body* to approve a specified action by increasing the vote

by which that body must approve an action.

For example, an initiative constitutional amendment that required a two-thirds vote of the local electorate to approve any ballot measure that sought to rezone parcels would need to be approved by two-thirds of the voters if this measure takes effect. By contrast, an initiative constitutional amendment that required a two-thirds vote of a local *governing body* to rezone parcels would be subject to a simple majority vote (provided that the initiative did not also include other provisions that affected the vote requirement for actions taken by voters).

- 5) **Pending Initiative:** On February 1, 2023, the SOS certified that initiative #1935—a measure that would amend the California Constitution to change the rules for how the state and local governments can impose taxes, fees, and other charges—is eligible to appear on the ballot at the November 5, 2024, statewide general election. The proponent of that initiative can withdraw it at any time through June 27, 2024. If the proponent does not withdraw the initiative by that deadline, the SOS will certify that the measure is qualified and it will appear on the November 5, 2024, statewide general election ballot.

Among other provisions, initiative #1935 requires that *any* local special tax be approved by a two-thirds vote of the electorate to take effect. Recent case law suggests that local special taxes that are proposed by a local initiative measure can be approved by a majority vote of the electorate. By contrast, local special taxes that are placed on the ballot by a local governmental body must be approved by a two-thirds vote of the electorate. Additionally, initiative #1935 prohibits an advisory measure from appearing on the same ballot as a local measure that proposes a general tax if the advisory measure would indicate that the revenue from the general tax will, could, or should be used for a specific purpose.

If this measure applied to the voter’s consideration of initiative #1935, it appears that initiative #1935 would need to be approved by two-thirds of the voters in order to take effect. However, while this measure likely would affect the vote requirement for initiative #1935, its effects are not limited to that initiative. Rather, the provisions of this measure would apply to any initiative constitutional amendment that appears on the ballot in the future and that proposes to increase the vote requirement for a state or local ballot measure.

- 6) **Oregon Measure 63:** The vote requirement provisions of this measure are similar to the provisions of a constitutional amendment approved by Oregon voters in 1998. Specifically, Measure 63 amended the Oregon Constitution to provide “any measure that includes any proposed requirement for more than a majority of votes cast by the electorate to approve any change in law or government action shall become effective only if approved by at least the same percentage of voters specified in the proposed voting requirement.” Measure 63 was approved with 55% of the vote.
- 7) **Advisory Measures:** As detailed above, the California Elections Code already permits cities, counties, school districts, community college districts, county boards of education, and special districts to submit advisory questions to their voters. This measure proposes to add a similar provision to the state constitution.

As detailed above, a pending initiative measure that is eligible to appear on the November 5,

2024, statewide general election ballot would limit the ability of a local government to place an advisory measure on the ballot if the measure is related to the potential use of revenues derived from a general tax that is appearing on the same ballot. If approved by voters, that constitutional limitation on local advisory measures would prevail over the general provisions of the Elections Code that permit local advisory measures.

If both this measure and the pending initiative measure were to be approved by voters, the California Constitution would include potentially conflicting provisions governing local advisory measures. In such a situation, it is unclear which provision would prevail if a local jurisdiction sought to place an advisory measure on the ballot related to the use of revenues from a general tax appearing on the same ballot.

- 8) **Arguments in Support:** In support of this measure, the California Special Districts Association writes:

Under current law, an initiative constitutional amendment that proposes to amend the California Constitution requires a simple majority of voters casting votes in favor of the measure for the amendment to be approved. Notably, this simple majority requirement is irrespective of any of the provisions contained within the proposed constitutional amendment; should the text of the proposed constitutional amendment contain provisions that would otherwise require voter thresholds in excess of a simple majority in the future, those increased vote thresholds may nonetheless be imposed with a simple majority of voters. Phrased another way, this allows a simple majority of voters to insert a three-fifths, two-thirds, four-fifths, or higher vote threshold into the California Constitution, even without the corresponding level of support in terms of votes cast in favor of the original amendment proposal.

ACA 13 would propose to California voters a solution to this quirk in the initiative process: if approved by two-thirds of the California Legislature, California voters would be asked to decide whether an initiative constitutional amendment containing provisions that increase vote thresholds should be required to attain the same proportion of votes in favor of the amendment that the proposed increased vote thresholds would demand. In this way, ACA 13 would ensure that a proposal cannot impose vote thresholds on our communities and our State that exceed the level of support for imposing such thresholds.

ACA 13 protects the democratic process in local communities by ensuring that a simple majority of statewide voters cannot restrict the will of a supermajority of voters in a local community.

- 9) **Arguments in Opposition:** In opposition to this measure, the Howard Jarvis Taxpayers Association writes:

ACA 13 reminds us of the recently failed effort in Ohio to make it more difficult to pass constitutional amendments. Many in this Legislature decried that as

undemocratic. How is creating a two-tiered system for amending the California Constitution any less undemocratic? We would argue it is even more so.

This is a blatant attempt to erode the citizen initiative process by creating content-based distinctions to pass certain types of constitutional amendments. It also begs the question why the Legislature would impose such a content-based standard. Since there is no precedent for setting different standards as it relates to the passage of constitutional amendments, this seems an obvious attempt to undermine an initiative that has already qualified for the ballot. The Taxpayer Protection and Government Accountability Act would restore the voter thresholds that the state Constitution requires for new and higher taxes. These thresholds were set by voters when they approved Propositions 13 and 218.

Clearly then, ACA 13 is yet another attempt by the Legislature to make it not only easier to raise taxes but also directly attack Proposition 13.

10) **Approval by Voters:** As a constitutional amendment, this measure requires the approval of the voters to take effect.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Alliance San Diego  
American Federation of State, County and Municipal Employees, AFL-CIO  
Asian Pacific Environmental Network  
California Calls  
California Environmental Justice Alliance Action, a Project of Tides Advocacy  
California Federation of Teachers, AFL-CIO  
California Green New Deal Coalition  
California Labor Federation, AFL-CIO  
California Professional Firefighters  
California School Employees Association  
California Special Districts Association  
California State Association of Counties  
California State Council of Service Employees International Union  
California Teachers Association  
Catalyst California  
Central Coast Alliance United for A Sustainable Economy  
City of San Diego  
Communities for A New California  
Community Coalition  
Congregations Organized for Prophetic Engagement  
Corporation for Supportive Housing  
Courage California  
Dolores Huerta Foundation  
Innercity Struggle

League of California Cities  
Million Voters Project  
Oakland Rising  
San Francisco Rising  
Strategic Concepts in Organizing and Policy Education  
Working Partnerships USA

**Opposition**

California Business Roundtable  
Howard Jarvis Taxpayers Association  
2 individuals

**Analysis Prepared by:** Ethan Jones / ELECTIONS / (916) 319-2094

## ATTACHMENT 4A



To: South Coast Air Quality Management District  
From: Cassidy & Associates  
Date: August 24, 2023  
Re: August Report

### *HOUSE/SENATE*

#### *Congress*

Congress has been in recess since July 29. The Senate is scheduled to return on September 5, and the House is scheduled to return on September 12.

Both chambers will need to address major legislation upon their return, including the Fiscal Year 2024 National Defense Authorization Act (NDAA), the 12 Fiscal Year 2024 Appropriations bills, Federal Aviation Administration (FAA) reauthorization, and the 2023 Farm Bill.

Both chambers passed their versions of the NDAA before recess and will negotiate on a final version upon return. The Senate has not passed any appropriations bills and the House has passed one. Lawmakers have until September 30 to allocate spending in order to avoid a government shutdown.

#### *EPA*

On August 2, the Biden administration announced \$115 million in grant opportunities under the Diesel Emissions Reduction Act grant funding competition. The Environmental Protection Agency (EPA) anticipates awarding 4-10 applicants in each of their regions for projects which reduce diesel emissions and exposure, especially from fleets operating at goods movement facilities in areas with poor air quality. Funding can be allocated for upgrading or replacing diesel-powered vehicles and equipment and will be prioritized for projects which engage and benefit the health of local communities, protect investments from severe weather events caused by climate

change, and demonstrate the ability to continue emissions reductions after the project ends. Read more [here](#).

Throughout August, the EPA announced funding to various schools through the People, Prosperity, and the Planet (P3) Program. The program offers competitive grants to universities for scientific and engineering research. One project, at [Purdue University](#), will research how to reduce indoor air pollutants in classroom environments, and another at the [University of Texas](#) will fund the development of low-cost air quality sensors.

On August 4, the EPA published their preliminary [Toxics Release Inventory data](#) for 2022. The release includes information on certain facilities which use substances on a designated chemical list and what quantities the facilities released into the environment or otherwise managed as waste. It also details any pollution prevention activities taken by the facilities in 2022.

On August 15, the EPA issued its third Toxic Substances Control Act test order on PFAS under their National PFAS Testing Strategy. This testing will allow the EPA to further understand the potential harms of PFAS exposure in our air and water. Read more [here](#).

On August 21, the EPA announced a review of the Ozone National Ambient Air Quality Standards (NAAQS) based on the advice of the Clean Air Scientific Advisory Committee (CASAC). The review will ensure that the standards reflect the most current science and continue to protect the public from the health effects of harmful pollutants which include respiratory issues. The EPA will issue a call for information in the Federal Register and continue their review throughout 2024. Read [here](#) for more information.

Cassidy and Associates support in August:

- Worked with South Coast AQMD staff to strategize on DC outreach
- Provided an overview of DOT application scoring criteria
- Advised staff on House and Senate Appropriations markups, focusing on South Coast AQMD priorities
- Continued to monitor and report on activities in Congress and the Administration that impact the District

## *IMPORTANT LEGISLATIVE DATES*

**September 30, 2023:**

FY 2023 appropriations expire.

**September 30, 2023:**

The Farm Bill, an omnibus package of legislation that supports US agriculture and food industries expires; the bill is reauthorized on a five-year cycle.

**September 30, 2023:**

Deadline for the Federal Aviation Administration reauthorization.

**September 30, 2023:**

National Flood Insurance Program reauthorization deadline.

## AGENCY RESOURCES

USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each Federal Agency has also established a dedicated coronavirus website, where you can find important information and guidance. They include: Health and Human Services ([HHS](#)), Centers of Medicare and Medicaid ([CMS](#)), Food and Drug Administration ([FDA](#)), Department of Education ([DoED](#)), Department of Agriculture ([USDA](#)), Small Business Administration ([SBA](#)), Department of Labor ([DOL](#)), Department of Homeland Security ([DHS](#)), Department of State ([DOS](#)), Department of Veterans Affairs ([VA](#)), Environmental Protection Agency ([EPA](#)), Department of the Interior ([DOI](#)), Department of Energy ([DOE](#)), Department of Commerce ([DOC](#)), Department of Justice ([DOJ](#)), Department of Housing and Urban Development ([HUD](#)), Department of the Treasury ([USDT](#)), Office of the Director of National Intelligence ([ODNI](#)), and U.S. Election Assistance Commission ([EAC](#)).

Helpful Agency Contact Information:

U.S. Department of Health and Human Services – Darcie Johnston (Office – 202-853-0582 / Cell – 202-690-1058 / Email – [darcie.johnston@hhs.gov](mailto:darcie.johnston@hhs.gov))

U.S. Department of Homeland Security – Cherie Short (Office – 202-441-3103 / Cell – 202-893-2941 / Email – [Cherie.short@hq.dhs.gov](mailto:Cherie.short@hq.dhs.gov))

U.S. Department of State – Bill Killion (Office – 202-647-7595 / Cell – 202-294-2605 / Email – [killionw@state.gov](mailto:killionw@state.gov))

U.S. Department of Transportation – Sean Poole (Office – 202-597-5109 / Cell – 202-366-3132 /  
Email – [sean.poole@dot.gov](mailto:sean.poole@dot.gov))

# ATTACHMENT 4B

## KADESH & ASSOCIATES

South Coast AQMD Report for the September 2023  
Legislative Meeting covering August 2023  
Kadesh & Associates

Both the House and Senate were in recess for the entire month of August; the Senate will be returning after Labor Day, and the House on Sept 12. That's a relatively typical summer schedule, but the concern is that this leaves only a handful of legislative days between now and the end of the federal fiscal year on September 30.

Congress went into the August recess without providing much clarity about how the annual appropriations process might proceed in September. In the House, divisions within the Republican conference led leadership to pull the Agriculture appropriations bill from floor consideration. This was an example of the same dynamic that has frustrated Speaker McCarthy's efforts on several bills so far. In the Senate, the appropriations committee continued to consider and approve legislation on a bipartisan basis, finishing its work in the last week of July.

In the House, ten of twelve appropriations bills have been approved by the committee by nearly party-line votes, with one approved on the floor. In the Senate, none have reached the floor but all 12 have been approved by the committee by nearly unanimous votes.

In mid-August, the House GOP held a conference call to discuss internal appropriations strategies. No real decisions were made, but Speaker McCarthy recommended a continuing resolution that would avoid a shutdown through early December. However, the Freedom Caucus has not signed off on this strategy, and has made additional demands -- including border spending -- before they will consider a FY24 bill.

Thankfully, although the big picture remains very complicated, the House and Senate have continued to support the major clean air funding programs that South Coast AQMD supports. As a reminder, the House bill includes \$69.9M for Targeted Airshed Grants, \$105M for DERA, and \$231M for CAA 103/105 programs. In the Senate, the numbers were very similar: \$69.9M for TAG, \$100M for DERA, and \$249M for 103/105.

### Kadesh & Associates Activity Summary-

-Worked with South Coast AQMD and the congressional delegation on whole-of-government efforts to address air quality through BIL and IRA funding programs.

### Contacts:

Contacts included staff and Members throughout the CA delegation, especially new members of the delegation, authors of priority legislation, Senate offices, and members of key committees. We have also been in touch with administration staff.

###

# ATTACHMENT 4C



**Carmen Group**  
I N C O R P O R A T E D

**To:** South Coast AQMD Legislative Committee  
**From:** Carmen Group  
**Date:** August 24, 2023  
**Re:** Federal Update -- Executive Branch

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**Congressional Outlook:** As Congress returns from its summer recess, the House and Senate will need to pass a short-term continuing resolution (CR) to keep the government funded past the September 30th end of the federal fiscal year and avoid a government shutdown. While the appropriations bills are far from complete, a group of House conservatives is demanding that the CR contain add-on provisions on the border, on the Department of Justice, and on the Department of Defense that will be opposed by Democrats. Speaker McCarthy could move a clean CR, allowing it to pass with more Democrats than Republicans, a scenario that could spark a revolt in the Republican caucus. Meantime, nevertheless, other circumstances point to the likelihood that House Republicans will vote to open an impeachment inquiry targeting the President.

**Meeting with Office of Naval Research:** In August, South Coast AQMD technology and planning staff participated in a virtual meeting with a program officer at Defense Department's Office of Naval Research (ONR) to discuss research concerning emissions reductions for ocean-going vessels that could be of mutual benefit to both ONR and South Coast AQMD.

## **Environmental Protection Agency**

**EPA Announces Funds Available for DERA Grants:** In August, the EPA announced the availability of \$115 million in funding for this year's round of Diesel Emissions Reduction Act (DERA) grants, designed to cut harmful pollution from older diesel engines. EPA anticipates making 4-10 awards in each of the EPA's ten regions. Applications due December 1, 2023.

**EPA Targets Air Toxics in Overburdened Communities:** In August, the EPA announced its final list of six National Enforcement and Compliance Initiatives for 2024-2027. One of these – Reducing Air Toxics from Overburdened Communities – will target, investigate and address noncompliance with clean air standards designed to protect public health, with a focus on regulated hazardous air pollutants (HAPs) from nearby industries in communities already highly burdened with pollution impacts.

**EPA Launches Full Review of Ozone Standards:** In August, the Environmental Protection Agency announced a new review of the Ozone National Ambient Air Quality Standards (NAAQS), which effectively reverses the previous administration's decision to

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retain the current standards for ozone which were established in 2015 at a level of 70 parts per billion. The announcement follows new advice from the Clean Air Scientific Advisory Committee (CASAC) which identified more recent studies on the issue and recommended new risk analyses that might support more stringent standards. EPA plans to issue a formal call for information soon, convene a public science and policy workshop next spring, issue a summary of findings next summer, and release the agency's Integrated Review Plan next fall.

## **Department of Transportation**

**NHTSA Proposes Updated Fuel Economy Standards:** In August, the National Highway Traffic Safety Administration (NHTSA) issued a proposal to update the corporate average fuel economy (CAFE) standards for cars and light trucks, including heavy-duty pickup trucks and work vans. The proposed standards, potentially reaching an average fleet fuel economy of 58 miles per gallon by 2032, complement and align with the EPA's recently proposed emissions standards for similar vehicle fleets. Manufacturers may use all available technologies – including advanced internal combustion engines, hybrids, and electric vehicles – for compliance. NHTSA requests public comment on a full range of options – from the no-action alternative to the most stringent – including options not explicitly identified in the proposal. Comments due 60 days from publication (approximately by the end of October).

**FTA Announces Funds Available for TOD Planning:** In August, the Federal Transit Administration (FTA) announced the availability of \$13.4 million in competitive grant funds under the Pilot Program for Transit Oriented Development (TOD) Planning. The funding will support local planning and investment near transit hubs to promote “sustainable, livable, and equitable communities.” Special consideration will be given to applications that “improve air quality, advance environmental justice, support unhoused populations, and promote housing affordability.” Applicants must be an existing FTA grant recipient – either a project sponsor of an eligible transit project or an entity with land use planning authority in the project corridor. Applications due October 10, 2023.

## **Department of Energy**

**States Encouraged to Apply for Home Energy Rebate Funds:** The Department of Energy is making \$8.5 billion from the Inflation Reduction Act available to the states to implement two Home Energy Rebate programs. The Home Efficiency Rebates Program will allow state energy offices to reduce the upfront cost of whole-home energy efficiency upgrades in single-family and multi-family homes. The Home Electrification and Appliance Rebates Program will allow state energy offices to reduce the upfront cost of efficient electric technologies in single-family and multifamily homes. Submitted applications from the states for these programs will be reviewed on a rolling basis.

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**Outreach:** Contacts included staff at the Department of Defense Office of Naval Research (ONR) to arrange the August meeting with South Coast AQMD staff on ocean-going-vessels emissions research.

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## CALIFORNIA ADVISORS, LLC

South Coast AQMD Report  
California Advisors, LLC  
September 8, 2023, Legislative Committee Hearing

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### **Legislative Update**

Legislators returned to Sacramento on August 14<sup>th</sup> for the final five weeks of the legislative year. The primary focus has been on the appropriations committee hearings. The Senate and the Assembly committees have referred hundreds of bills to their respective fiscal committees and many of those bills have been moved to their “Suspense Files.” For a number of these bills, the Department of Finance has issued opposition letters due to the increase in state costs.

As background, in the Senate, generally, if the cost of a bill is determined to be \$50,000 or more to the General Fund or \$150,000 or more to a special fund, the bill meets the criteria for referral to the Suspense File. The fiscal thresholds for suspense apply to the impact on any fund in any fiscal year. The Assembly sends any bill with an annual cost of more than \$150,000 (any fund).

Suspense File bills are then considered at one hearing. No testimony is presented – author or witness – at the Suspense File hearing. This year, the hearing will take place on September 1.

After the Suspense File hearing, the Legislature will start their “floor session only” days on September 5<sup>th</sup> and work through the 14<sup>th</sup>. Given this is the first year of the two-year session, the Legislature can stay for as long as they need on the final night. It is only in the second year that the midnight rule takes place.

Typically, there are several end-of-session bills that materialize in the last month via the “gut-and-amend” process. One of those late pushes this year is coming in the form of Assembly Constitutional Amendment 13 (ACA 13) which has been deemed “The Protect and Retain the Majority Vote Act” and would require any initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on further ballot measures. This is an effort in direct response to an initiative that has already qualified for the 2024 ballot which would require any local special tax to be approved by a two-thirds vote. If ACA 13 passes, it would require that initiative to also pass by two-thirds vote in November of 2024.

### **Budget Update**

The Legislature has started working on its yearly end-of-session budget package. Over the past three years, this has been a critical time due to entire portions of the budget still needing to be negotiated. This year, it appears like the bill package will be more technical or providing clean-up in nature. Since almost all the items were settled in the June budget.

Both the Assembly Budget Committee and the Senate Committee on Budget and Fiscal Review have scheduled hearings on August 30<sup>th</sup> to review the 2023 end-of-session budget package. The final language associated with those bills will be finalized a few days ahead of those hearings.

The Department of Finance released their monthly cash report. For the month of July, which is the first month of the 2023-24 budget, the state received \$1.268 billion below budget forecasts. Some of this is attributed to processing delays, however, the shortfall will be something to monitor.

Further, while there will continue to be adjustments to the budget it is important to note that the state will still not have final tax data until October 16<sup>th</sup>. This could necessitate having to make some changes in the early portion of 2024. The current budget does factor in this delay but much of it will depend on taxpayer's behaviors in the coming months.

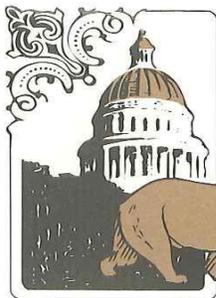
### **Appointments Update**

In August, we are pleased to report that two of South Coast AQMD's Board Members appeared before the Senate Rules Committee to have their appointments by the Governor confirmed.

On August 16<sup>th</sup>, Board Member Gideon Kracov was approved by the Senate Rules Committee on a unanimous vote to the South Coast Air Quality Management District's Governing Board.

On August 23<sup>rd</sup>, Board Member V. Manuel Perez was also approved by the Senate Rules Committee on a unanimous vote to the California Air Resources Board.

# ATTACHMENT 5B



## **Joe A. Gonsalves & Son**

**Anthony D. Gonsalves**

**Jason A. Gonsalves**

**Paul A. Gonsalves**

PROFESSIONAL LEGISLATIVE REPRESENTATION  
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Email: gonsalves@gonsalvi.com

**TO:** South Coast Air Quality Management District  
**FROM:** Anthony, Jason & Paul Gonsalves  
**SUBJECT:** Legislative Update – August 2023  
**DATE:** Thursday, August 24, 2023

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On August 14, 2023, the Legislature returned from Summer Recess to wrap up the last 5 weeks of session, which ends on September 14, 2023. Policy Committee deadlines have passed and Members are focused on moving their remaining bills out of the Appropriations Committee by the September 1, 2023 deadline. Those that pass out of the Appropriations Committees will have until September 14, 2023 to pass the Legislature and be sent to the Governor for his consideration.

The final weeks of session are historically chaotic, as legislators, staff, and lobbyists scramble to move or to defeat bills in the final weeks. As a reminder, all bills must be in print for 72-hours before the Legislature can consider them. This means that the last day to amend bills on the floor will be September 11, 2023.

The following will provide you with an update on the legislation we have been advocating for on behalf of the District:

- AB 1216 (Muratsuchi): Our office worked with the author and sponsors of the bill on amendments that would ensure the District is reimbursed for all costs associated with the bill. AB 1216 is currently in the Senate Appropriations Committee and will be heard on August 28, 2023.
- AB 1465 (Wicks): Our office has been supporting this measure on behalf of the District throughout the legislative process. The bill is currently on the Senate Floor and is eligible to be heard at any time.
- AB 1638 (Fong): Our office has been working with the author's office on amendments to exclude the District from the requirements in the bill. The author has agreed to our amendments and will be amending the bill while it is on the Senate Appropriations Committee Suspense File.

- SB 410 (Becker): Our office has been supporting this measure on behalf of the District throughout the legislative process. The bill is currently on the Assembly Appropriations Suspense File.

The following will provide you with updates of interest to the District:

### **CLIMATE PARTNERSHIP WITH AUSTRALIA**

On August 15, 2023, Governor Newsom announced that California and Australia signed a Memorandum of Understanding (MOU) pledging to work together to fight climate change. The agreement focuses on clean energy, clean tech, nature-based solutions, trade, and more.

The MOU outlines five years of cooperation between California and Australia on clean energy, clean transportation, clean technologies, nature-based solutions, climate adaptation, green finance and investment and circular economy. The text of the MOU can be found here: <https://www.gov.ca.gov/wp-content/uploads/2023/08/8.15.23-MOU.pdf>.

In addition to the MOU, Governor Newsom and Ambassador Rudd signed a Joint Statement affirming their partnership on the climate action outlined in the MOU. Following the MOU signing, the California Governor's Office of Business and Economic Development (GO-Biz) co-hosted a business forum with CalChamber and the Australian Embassy that focused on the importance of public-private collaboration in the fight against climate change.

### **HYDROGEN ECONOMY OF THE FUTURE:**

On August 8, 2023, Governor Newsom directed GO-Biz to develop California's Hydrogen Market Development Strategy, employing an all-of-government approach to building up California's clean, renewable hydrogen market. It will closely resemble the Zero-Emission Vehicle Market Development Strategy to help California collectively move forward and deliver zero-emission benefits to all Californians.

Expanding the market for clean, renewable hydrogen is key to achieving California's climate goals, especially for a clean electric grid, net-zero carbon emissions, and drastically cutting air pollution. California is currently competing to become a federally funded Hydrogen Hub, a program that will leverage \$8 billion from the Bipartisan Infrastructure Law to establish at least four Hydrogen Hubs across the United States.

The strategy proposes the following 6 actions:

- Create a market development strategy that is focused on leveraging hydrogen to accelerate clean energy deployment and decarbonizing our transportation and industrial sectors.
- Build on the 2022 Scoping Plan while leveraging the upcoming SB 1075 hydrogen report and ARCHES' cross sector, multi-stakeholder hydrogen market white papers.
- Develop in consultation with state agencies (CARB, the California Energy Commission, and the California Public Utilities Commission) while clearly defining agencies' roles and responsibilities.

- Identify shared strategies to deliver projects, which may include new financing models, permitting modifications, and procurement initiatives.
- Engage relevant stakeholders, including local communities, to advance equity and deliver environmental and economic benefits.
- Ensure state agencies and partners continue to pull in a shared direction to accelerate the use of renewable energy throughout our economy and increase the resilience and reliability of our energy system.

### **ZERO-EMISSION VEHICLES:**

On August 2, 2023, California announced that 1 in every 4 new cars sold last quarter in California were zero-emission vehicles (ZEVs). Earlier this year, the state surpassed its goal of selling 1.5 million ZEVs 2-years ahead of schedule.

These latest sales figures come as a group of 7 major automakers (BMW, GM, Honda, Hyundai, Kia, Mercedes-Benz, and Stellantis) announced a partnership to build public ZEV charging networks throughout the country, showcasing where the industry has been going and California's success in encouraging a thriving and competitive ZEV marketplace with the state's world-leading requirement of 100% ZEV new car sales by 2035.

California's ZEV record is leading the world with 25.4% of all new cars sold in California last quarter being ZEVs. 125,939 ZEV sales in Q2 2023 along with 1,623,211 total ZEV sales to date. Additionally, 34% of new ZEVs sold in the U.S. are sold in California, according to the Veloz EV Market Report.

California has also been making record investments in ZEV's, including thousands of dollars in grants and rebates available for low-income Californians and over \$10 billion in the State Budget for zero-emission cars, trucks, buses and infrastructure.

### **CAP-AND-TRADE**

On August 23, 2023, CARB announced the results of the August Cap-and-Trade auction and, as expected, there was a strong demand for allowances. Simultaneously, CARB is continuing its series of workshops exploring potential changes to the cap-and-trade program, which is an important opportunity to increase the state's climate ambition.

The results of the August Auction are as follows:

- All 55,760,384 current vintage allowances offered for sale were purchased, resulting in the 12th consecutive sold out auction. The current auction settled at \$35.20, \$12.99 above the \$22.21 floor price and \$4.87 above the May settlement price of \$30.33. This is a record settlement price, coming in well above the previous record of \$30.85 from the May 2022 auction.
- All of the 7,577,000 future vintage allowances offered for sale were purchased; these allowances can be used for compliance beginning in 2026. Future vintage allowances settled at \$34.16, \$11.95 above the \$22.21 floor price and \$4.11 above the May settlement price of \$30.05.

- The auction generated over \$1.2 billion for the Greenhouse Gas Reduction Fund, the second highest revenue from an allowance auction.

### **2023 LEGISLATIVE DEADLINES**

August 14 - Legislature reconvenes from Summer Recess

September 1 - Last day for fiscal committees to meet and report bills

September 5-14 - Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees

September 8 - Last day to amend on the Floor

September 14 - Last day for each house to pass bills. Interim Recess begins upon adjournment

## South Coast Air Quality Management District Legislative and Regulatory Update – August 2023

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### ❖ Important Upcoming Dates

September 1 – Last Day for Fiscal Committees To Meet and Report Bills  
September 14 – Last Day for the Legislature to Pass Bills

### ❖ RESOLUTE Actions on Behalf of South Coast AQMD. RESOLUTE partners David Quintana, and Alfredo Arredondo continued their representation of South Coast AQMD before the State’s Legislative and the Executive branch. Selected highlights of our recent advocacy include:

- Provided ongoing updates as the Legislature reconvened from the summer recess.
- Set and attended meetings with legislative offices as needed in support of sponsored legislation.

### ❖ First Quarterly Cap And Trade Auction raises \$1.24 Billion in for GGRF

The first Cap and Trade auction of the 2023-2024 Fiscal Year took place on August 16<sup>th</sup>, with preliminary results being posted August 23<sup>rd</sup>. The proceeds will go into the GGRF (Greenhouse Gas Reduction Fund) which has consistently been the main funding source for the AB 617 Program, along with other programs.

### ❖ Politico: There’s a run on carbon credits. That’s good news for the budget. By Blanca Begert

**SELLING LIKE HOTCAKES**— California carbon emissions are as valuable as they’ve ever been. Last week’s auction of greenhouse gas permits fetched \$35.20 per ton, according to [figures released by the state today](#).

The high price indicates that companies are spooked by the state’s plan to eventually tighten its emissions cap. We knew they were, but this auction puts their money where their fears are.

**A bit of background:** The California Air Resources Board, which runs quarterly auctions for high-emitting companies to buy pollution allowances under the state’s cap-and-trade program, announced in workshops over the summer that it would be modeling scenarios for a tighter allowance budget to align with the state’s updated climate targets.

The agency outlined three scenarios: One to meet the existing legislative goal of a 40 percent emission reduction by 2030, one to meet the 48 percent reduction called for in CARB’s scoping plan and another just-for-kicks goal of a 55 percent reduction.

Allowances on the spot market have been trading at just over \$35 per ton since then, as companies expect prices to eventually shoot up when the supply tightens. (The minimum state-set price is \$22 per ton.) That’s even after the [agency insinuated](#) that it would most likely be aiming for the lowest ambition scenario.

“After these announcements, we saw prices on the secondary market go up,” said **Katelyn Roedner Sutter**, California state director at the Environmental Defense Fund. Last week’s sale saw prices about \$5 per ton higher than the May auction.

Another reason prices could be going up is that companies are anticipating California will eventually link its market with Washington state, which just started its program (“cap-and-invest,” if you please) at the beginning of the year. It’d be California’s second steady trading partner after Quebec.

“There are very substantive conversations between California, Quebec and Washington,” former Washington state Sen. **Reuven Carlyle** (D) said of plans to link the markets. Since Washington’s program is more stringent, combining the markets would drive up prices in California.

That’s all great news for state coffers: The auction raised about \$1.2 billion for the state’s greenhouse gas reduction fund, which goes to things like transportation electrification, affordable housing construction and tree planting, with the majority of benefits going to disadvantaged communities.

But it doesn’t have much impact on actual emissions, energy economists said. Prices would need to be a lot higher to entice industry to change their practices instead of buying permits.

“On the one hand, \$35 a ton is real money,” said **Dallas Burtraw**, a senior fellow at Resources for the Future. “But the price by itself is not sufficient at this level to do the work of driving decarbonization in the California economy.” The primary way that emission reductions have been achieved so far is through regulatory programs and performance standards, he said.

Next steps are for CARB to hold more workshops and eventually a rulemaking. Some are hoping for a dramatic tightening of the cap (which would bring commensurately dramatic price increases).

“The assumption in all of the scoping plans is that the cap-and-trade program will produce actual scarcity in the allowance market and will force emissions down to program cap levels over the next few years,” said climate economist and policy expert **Danny Cullenward**. “So long as the large chunk of allowances persists, that’s not likely to be the case.”

#### ❖ **Politico: What Kind of Climate Guy is Robert Rivas?** By **Alexander Nieves**

**ROBERT’S RULES** — In deep-blue California, it’s a given that the state’s political leaders will be into climate change. But what flavor of climate advocate is new Assembly Speaker Robert Rivas? Inquiring minds want to know — even if he’s not ready to say, after nearly two months on the job.

The big questions are which policies Rivas will prioritize, and if he’ll be more hands-on in setting the chamber’s priorities than his predecessor, famously laissez-faire Assemblymember Anthony Rendon (D-Lakewood).

Here’s what we got from the horse’s mouth:

“The Speaker recognizes that climate change is the crisis of our lifetime,” **Cynthia Moreno**, Rivas’ press secretary, said in a statement. “Unlocking solutions is not just a priority. It is essential. And he is committed to representing the diverse perspectives and priorities of the caucus to sustain California as a leader on climate and environmental justice issues.”

Here’s what we’ve gleaned from interviews with representatives from a dozen organizations who have worked with him. For clues to his climate inclinations, look to:

#### — **His Hollister roots:**

Rivas is the first speaker to hail from the agriculture- and oil-heavy Central Coast. He’s known for championing one of the first bans on hydraulic fracturing, in 2014, when he was a San Benito County supervisor.

He's not reflexively anti-oil, though. Environmental groups that have worked with Rivas on legislation called him a detail-oriented lawmaker with a strong grasp on climate policy. But they also say he's a pragmatist who's willing to break with the environmental justice community.

See: his support for last year's SB 905, which set the stage for deploying carbon capture and storage technology that EJ groups argue allows oil and gas companies to continue operating as usual.

Environmental and EJ groups are heartened, though, by other bills Rivas has carried, including efforts to capture carbon through natural processes like soil management, streamline building of farmworker housing and bolster the state's response to extreme heat. And they give him props for helping to secure votes for a \$54 billion climate spending package last fall.

— His leadership team:

It does indeed represent "diverse perspectives and priorities." His No. 2 is Assemblymember Cecilia Aguiar-Curry (D-Winters), a moderate, and his No. 3 is Assemblymember Isaac Bryan (D-Los Angeles), a progressive.

"In order to attain his speakership, he put together a weird coalition of some of the most progressive and most conservative Dems in the Assembly," one person said anonymously (because absolutely no one wants to be on the record speaking at all critically about a brand-new person in power).

That could result in some unpredictable vote counts.

We're watching to see what he does this session on a pair of bills to require companies to disclose their carbon emissions and climate-related financial risks.

Business groups are fervently against them, and the marquee bill, SB 253 by Sen. Scott Wiener (D-San Francisco), died by one vote on the Assembly floor in its previous incarnation last year.

Rivas voted for it, but many of his allies, including Aguiar-Curry and Assemblymembers Carlos Villapudua (D-Stockton) and David Alvarez (D-San Diego), [stayed off](#), helping ensure its demise. Will he push them to take a position?

We're also looking to see how much clout he exerts on wildfire insurance, where insurers, regulators and lawmakers are trying to hammer out a deal as soon as this week. He was one of 45 lawmakers who [backed homebuilders' pitch](#) to get the insurer of last resort, the FAIR Plan, to raise its coverage limits to cover more condos.

Environmental groups are also looking out for any signs of influence from Rivas' brother, Rick Rivas, who helped run his fracking ban campaign and is a vice president of the American Beverage Association, which is a major player on plastic packaging bills. Robert Rivas [has maintained](#) that his brother is not a lobbyist and won't influence his decision-making. But people are still watching!

— His policy staff:

Rivas lost longtime environmental policy veterans Alf Brandt and Marie Liu when the speakership changed hands. He's moved relatively quickly to replace them with Keith Cialino and Susan Chan (as Camille [reported today](#)) — and he's retained Chase Hopkins, who's handling energy. We've heard nothing but unequivocal praise for Cialino, Chan and Hopkins.

We're obviously also looking to see who he installs as the all-important committee chairs, who set (or don't set) bills for hearings. But that's not expected to happen until next year, so we're also watching to see how Rivas' policy team continues to shape up — and if he adds anyone else.

That could signal a stronger speakership than under Rendon, who ran a tight ship and preferred to cede authority to his committee chairs, and, by association, committee staffers

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 20

REPORT: Mobile Source Committee

SYNOPSIS: The Mobile Source Committee held on Friday, September 15, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Gideon Kracov, Committee Chair  
Mobile Source Committee

SLR:ja

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### **Committee Members**

Present: Board Member Gideon Kracov, Committee Chair  
Mayor Larry McCallon  
Supervisor Holly J. Mitchell  
Supervisor V. Manuel Perez  
Councilmember Nithya Raman  
Councilmember Carlos Rodriguez

### **Call to Order**

Committee Chair Kracov called the meeting to order at 9:00 a.m.

For additional details, please refer to the [Webcast](#).

### **ROLL CALL**

### **INFORMATIONAL ITEMS (Items 1-3):**

#### **1. Update on the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program**

Vicki White, Planning and Rules Manager/Planning Rule Development, and Implementation, presented a status update on Rule 2305 - Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program implementation.

Committee Chair Kracov noted the high prevalence of zero emission yard hostler usage and near-zero emission Class 8 truck visits reported in the 2022 Annual WAIRE Reports. Staff clarified the results are from Phase 1 reporting. For additional details, please refer to [Webcast](#) at 21:45.

Mayor McCallon asked what types of projects will be funded using the mitigation fees and where will these projects be located. Ms. White explained that the mitigation fees will be used to incentivize truck owners/operators to purchase zero and/or near-zero emission trucks, including charging/fueling infrastructure. She added that the projects are expected to reduce emissions in the communities from where the mitigation fees were paid. For additional details, please refer to [Webcast](#) at 26:10.

Chair Kracov commented that while there were concerns that warehouse operators would purchase mitigation fee points, the Annual WAIRE Report data demonstrates that a majority of warehouse operators have chosen to invest in actions to reduce emissions in their community. Staff confirmed this statement and reiterated that mitigation fee points only account for 3 percent of the total WAIRE points earned. For additional details, please refer to [Webcast](#) at 26:56.

Mayor McCallon shared a concern the Los Angeles area appears to have received a higher focus for the in-person site visits than the San Bernardino/Muscoy area. Staff explained they visited warehouses inside and just outside of the AB 617 San Bernardino/Muscoy boundary since these warehouses contribute to the emissions impacting that community. For additional details, please refer to [Webcast](#) at 33:54.

Councilmember Rodriguez asked how the estimated NOx reductions from the reported actions compares to the rulemaking estimate. Staff responded that the rule development model estimated a range of 1.5 to 3 tons per day NOx reductions and that the program is on track to meet the expectations of this model. Committee Chair Kracov noted the importance of achieving 100 percent compliance for the rule. For additional details, please refer to [Webcast](#) at 37:34.

Councilmember Raman asked if the difference between the estimated and actual truck trips will impact NOx reductions. Staff explained that the truck trip recordkeeping is new for the warehouse operators, and more auditing needs to be completed before we can complete this analysis and identify any next steps. For additional details, please refer to [Webcast](#) at 42:02.

Ivette Torres, The People's Collective for Environmental Justice, asked if the facilities purchasing mitigation fee points will be publicly disclosed as the purchases were highly concentrated in the Inland Empire. For additional details, please refer to [Webcast](#) at 45:35.

Fernando Gaytan, Earth Justice, commented that South Coast AQMD should focus its efforts on reporting and compliance, and noted that Rule 2305 demonstrates South Coast AQMD's ability to implement an indirect source rule. For additional details, please refer to [Webcast](#) at 46:36.

Committee Chair Kracov noted that Rule 2305 is succeeding in cleaning the air but agreed that compliance is a concern and enforcement must increase and asked when the next set of compliance reports will be available. Staff responded that the Annual WAIRE Reports deadline for the next phase is in January 2024. Staff also indicated that the regular monthly updates to this Committee will be done in the interim. Chair Kracov asked when the Committee could expect to see improvements in compliance. Wayne Nastri, Executive Officer, stated that improvements in compliance should appear in three to six months as enforcement activities are increasing, and that it would be ideal to update the Committee on these findings in March or April. Councilmember Rodriguez agreed and Chair Kracov noted that the next update would be tentatively scheduled for March in addition to the monthly Committee updates. For additional details, please refer to [Webcast](#) at 48:35.

Supervisor Perez requested that staff provide a response to the first public comment. Staff clarified that there is a higher concentration of Phase 1 warehouses in the Inland Empire which may contribute to the larger amount of mitigation fees purchased. Staff also noted that more research is needed to determine whether the mitigation fees paid are disproportionately from certain areas. For additional details, please refer to [Webcast](#) at 52:02.

## **2. Update on Ports Indirect Source Rule**

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation, provided a status update on Proposed Rule 2304 - Indirect Source Rule for Commercial Marine Ports (Ports ISR). For additional details, please refer to the [Webcast](#) at 53:34.

Mayor McCallon inquired about staff's engagement with the Los Angeles Department of Water and Power (LADWP) and Southern California Edison. Mr. MacMillan responded that staff have had discussions with both utilities on electrical infrastructure planning and timeline. For additional details, please refer to the [Webcast](#) at 1:01:46.

Councilmember Tim McOsker, City of Los Angeles Fifteenth Council District, emphasized the importance of prioritizing clean air while maintaining port economic activity and jobs. He appreciated additional time for rulemaking and that staff is engaging with terminals, port labor and community while developing details of the proposed rule beyond the preliminary rule concepts. Committee Chair Kracov

requested Councilmember's assistance in engaging with other departments in the City of Los Angeles. For additional details, please refer to the [Webcast](#) at 1:03:58.

Sal DiCostanzo and Vic Zuniga, International Longshore and Warehouse Union (ILWU) Local 13; Thomas Jelenić, Pacific Merchant Shipping Association (PMSA); Elissa Diaz, Los Angeles Area Chamber of Commerce; Jessica Barriga, Inland Empire Economic Partnership; and Nayiri Baghdassarian, San Gabriel Valley Economic Partnership expressed concerns that the proposed rule could potentially result in cargo diversion and negatively impact port-related employment and economy. In addition, these commentors and Chris Cannon, Port of Los Angeles, supported additional time for rule development and stakeholder engagement. Mr. DiCostanzo urged South Coast AQMD to return to pursuing a MOU with the Ports. Jacqueline Moore, PMSA, stated that significant reductions in port emissions (compared to 2005 levels) are a result of voluntary and collaborative efforts. Matt Schrap, Harbor Trucking Association, expressed concerns that biased forecasts for port cargo volume might be used to estimate port emission reduction needs. For additional details, please refer to the [Webcast](#) at 1:12:27.

Committee Chair Kracov reiterated that the preliminary rule concepts do not include any cargo volume cap and would build in compliance flexibility for meeting port- and terminal-wide emissions limits. He also noted that mandatory CARB regulations have played an important role in reducing port emissions. For additional details, please refer to the [Webcast](#) at 1:20:37.

Chris Chavez, Coalition for Clean Air, expressed concern over the delay in rule development. Mr. Chavez and Jesse Marquez, Coalition for a Safe Environment, cautioned Committee Members not to reconsider a MOU approach. Dawny'all Heydari, Pacific Environment, and Theral Golden, West Long Beach Association, commented on the need to address environmental and public health concerns for port-adjacent communities. Harvey Eder, Public Solar Power Coalition, commented on the need to consider community equity in publicly funded infrastructure projects. Yassi Kavezade, Sierra Club, urged the development of a Ports ISR that can broker jobs and clean air. Fernando Gaytan, Earthjustice, commented on the amount of public grants available to the Ports to transition to zero emission operations. For additional details, please refer to the [Webcast](#) at 1:25:32.

Councilmember Raman and Supervisor Mitchell encouraged continued and further engagement by all stakeholders throughout the revised rule development timeline. Councilmember Raman also noted the need to partner with LADWP on zero-emission infrastructure development. For additional details, please refer to the [Webcast](#) at 1:37:00.

Councilmember Rodriguez commented on the amount of emission reductions reported in the Ports' emission inventories and noted they were achieved while cargo volume continued to increase. For additional details, please refer to the [Webcast](#) at 1:40:10.

**3. Update on Rail Yard Facility Based Mobile Source Measures**

This item was postponed to the October 20, 2023 Mobile Source Committee Meeting. Chair Kracov explained that the cancellation of the upcoming three community meetings is due to a delay in the railroads' transmission and time for review of accurate emissions data for the purpose of emission reduction estimation for a potential MOU with Union Pacific and Burlington Northern Santa Fe. Mr. Nastri reiterated staff's commitment to resuming indirect source rulemaking if the data issues are not resolved in a timely manner and also agreed to bring this item to the October Board Meeting. For additional details, please refer to the [Webcast](#) at 1:43:00.

**WRITTEN REPORTS (Items 4-6):**

**4. Scientific, Technical, and Modeling Peer Review Advisory Group Meeting Minutes**

This item was received and filed.

**5. Rule 2202 Activity Report: Rule 2202 Summary Status Report**

This item was received and filed.

**6. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects**

This item was received and filed.

**OTHER MATTERS:**

**7. Other Business**

There was no other business to report.

**8. Public Comment Period**

Mr. Eder wanted to bring awareness to the 2016 plan, solar new deal and the DOE SunShot program. Jan Victor Andasan, East Yard Communities for Environmental Justice, expressed his gratitude for the meeting being held in the auditorium. He also showed support for longer meetings to provide enough time for the public to have more time to speak and be fully engaged. Mr. Golden expressed appreciation for the meeting and looks forward to future discussions.

**9. Next Meeting Date**

The next regular Mobile Source Committee meeting is scheduled for Friday, October 20, 2023 at 9:00 a.m.

**Adjournment**

The meeting adjourned at 10:51 a.m.

**Attachments**

1. Attendance Record
2. Scientific, Technical, and Modeling Peer Review Advisory Group Meeting Minutes – Written Report
3. Rule 2202 Activity Report – Written Report
4. Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects – Written Report

## ATTACHMENT 1

### SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MOBILE SOURCE COMMITTEE MEETING

Attendance – September 15, 2023

Board Member Gideon Kracov .....	South Coast AQMD Board Member
Mayor Larry McCallon .....	South Coast AQMD Board Member
Supervisor Holly Mitchell.....	South Coast AQMD Board Member
Supervisor V. Manuel Perez.....	South Coast AQMD Board Member
Councilmember Nithya Raman .....	South Coast AQMD Board Member
Mayor Carlos Rodriguez.....	South Coast AQMD Board Member
Guillermo Gonzales .....	Board Consultant (Perez)
Jackson Guze .....	Board Consultant (Raman)
Lorraine Lundquist .....	Board Consultant (Mitchell)
Debra Mendelsohn.....	Board Consultant (McCallon)
Uduak-Joe Ntuk.....	Board Consultant (Solache)
Destiny Rodriguez .....	Board Consultant (Kracov)
Mark Taylor.....	Board Consultant (Rodriguez)
Mark Abramowitz.....	Community Environmental Services
Randa AbuShaban .....	Orange County Sanitation
Juan Acosta .....	Public Member
Yasmine Agelidis .....	Earthjustice
Doyel Allen .....	BNSF Railway
Jan Victor Andasan.....	East Yard Communities for Environmental Justice
Matt Arms .....	Port of Long Beach
Lane Ashley.....	Public Member
Nayiri Baghdassarian.....	San Gabriel Valley Economic Partnership
Jessica Barriga .....	Inland Empire Economic Partnership
Greg Betzwieser .....	Public Member
Sara Baumann .....	Port of Long Beach
Christopher Cannon .....	Port of Los Angeles
Dori Chandler .....	Coalition for Clean Air
Chris Chavez .....	Coalition for Clean Air
Trish Clary .....	Union Pacific Railroad
O.L. Cliatt II.....	Pacific Harbor Line
Curtis Coleman.....	Southern CA Air Quality Alliance
Ramine Cromartie.....	Western States Petroleum Association
Tim DeMoss .....	Port of Los Angeles
Elissa Diaz .....	LA Area Chamber of Commerce
Sal DiCostanzo .....	ILWU
Harvey Eder.....	Public Solar Power Coalition
Xiaoling Fang.....	Public Member
Cecilia Garibay.....	Public Member
Fernando Gaytan.....	Earthjustice
Theral Golden.....	West Long Beach Association
Estefania Gonzalez-Navarro .....	Public Member
Michele Grubbs .....	Pacific Merchant Shipping Association
Dawny'all Heydari.....	Pacific Environment

Marcos Holguin .....	SR Holguin, PC
Justin Houterman .....	Port of Los Angeles
Joseph Hower .....	Ramboll
Regina Hsu .....	Earthjustice
Mike Jacob .....	Public Member
Thomas Jelenic .....	Pacific Merchant Shipping Association
Gillian Kass .....	Ramboll
Yassi Kavezade .....	Sierra Club
Lena Kent .....	BNSF Railway
Matt Klink .....	California Strategies
David Libatique .....	Port of Los Angeles
Najah Louis .....	NRDC
Artie Mandel.....	Port of Los Angeles
Kirk Marckwald .....	CEA Consulting
Jesse Marquez.....	Coalition for a Safe Environment
Duane Martinez .....	Public Member
Councilmember Tim McOsker.....	City of Los Angeles Fifteenth Council District
Jeanne Min .....	Council District 15
Fred Minassian .....	Public Member
Lisa Mirisola.....	Public Member
Jacqueline Moore .....	Pacific Merchant Shipping Association
Don Nguyen .....	Orange County Sanitation
Marven Norman .....	Center for Community Action and Environmental Justice
Peter Okurowski .....	CEA Consulting
Teresa Pisano.....	Port of Los Angeles
Bethmarie Quiambao, .....	Southern California Edison
Bill Quinn.....	CCEEB
Leela Rao .....	Port of Long Beach
Theresa Romanosky.....	Association of American Railroads
Matt Schrap .....	HTA
Melissa Schop.....	Union Pacific Railroad
Jack Symington .....	Public Member
Eleanor Torres .....	Port of Long Beach
Ivette Torres .....	Peoples Collective for Environmental Justice
Lupe Valdez .....	Union Pacific Railroad
Paola Vargas.....	East Yard Communities for Environmental Justice
Danny Vilicich.....	ILWU
Scott Weaver .....	Ramboll
Peter Whittingham.....	Public Affairs Advisors
Sarah Wiltfong.....	LA County Business Federation
Vic Zuniga.....	ILWU
Jacob Allen .....	South Coast AQMD Staff
Debra Ashby.....	South Coast AQMD Staff
Jason Aspell.....	South Coast AQMD Staff
Rachel Ballon .....	South Coast AQMD Staff
Lara Brown.....	South Coast AQMD Staff
Laurence Brown .....	South Coast AQMD Staff
Cindy Bustillos .....	South Coast AQMD Staff

Marc Carreras-Sospedra.....	South Coast AQMD Staff
Philip Crabbe III.....	South Coast AQMD Staff
Joshua Ewell.....	South Coast AQMD Staff
Heather Farr.....	South Coast AQMD Staff
Scott Gallegos.....	South Coast AQMD Staff
Bay Gilchrist.....	South Coast AQMD Staff
Alex Han.....	South Coast AQMD Staff
Sheri Hanizavareh.....	South Coast AQMD Staff
Dillon Harris.....	South Coast AQMD Staff
Daniel Hernandez.....	South Coast AQMD Staff
Kathryn Higgins.....	South Coast AQMD Staff
Roupen Karakouzian.....	South Coast AQMD Staff
Aaron Katzenstein.....	South Coast AQMD Staff
Angela Kim.....	South Coast AQMD Staff
Ricky Lai.....	South Coast AQMD Staff
Ruby Laity.....	South Coast AQMD Staff
Howard Lee.....	South Coast AQMD Staff
Mikaela Lim.....	South Coast AQMD Staff
Hay Lo.....	South Coast AQMD Staff
Jason Low.....	South Coast AQMD Staff
Brisa Lopez.....	South Coast AQMD Staff
Cristina Lopez.....	South Coast AQMD Staff
Ian MacMillan.....	South Coast AQMD Staff
Terrence Mann.....	South Coast AQMD Staff
Mojtaba Moghani.....	South Coast AQMD Staff
Michael Morris.....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Susan Nakamura.....	South Coast AQMD Staff
Wayne Nastri.....	South Coast AQMD Staff
Charlene Nguyen.....	South Coast AQMD Staff
Kevin Orellana.....	South Coast AQMD Staff
Vasileios Papapostolou.....	South Coast AQMD Staff
Daniel Penoyer.....	South Coast AQMD Staff
Olga Pikelnaya.....	South Coast AQMD Staff
Dylan Plautz.....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Mary Reichert.....	South Coast AQMD Staff
Catherine Rodriguez.....	South Coast AQMD Staff
Zafiro Sanchez.....	South Coast AQMD Staff
Penny Shaw-Cedillo.....	South Coast AQMD Staff
Elaine Shen.....	South Coast AQMD Staff
Isabelle Shine.....	South Coast AQMD Staff
Nicole Silva.....	South Coast AQMD Staff
Lisa Tanaka O'Malley.....	South Coast AQMD Staff
Vanessa Tanik.....	South Coast AQMD Staff
Sam Wang.....	South Coast AQMD Staff
Shawn Wang.....	South Coast AQMD Staff
Jessica Wei.....	South Coast AQMD Staff
Vicki White.....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff
Victor Yip.....	South Coast AQMD Staff
Alex Zhang.....	South Coast AQMD Staff



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
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## MINUTES JOINT MEETING OF THE ADVISORY COUNCIL AND THE SCIENTIFIC, TECHNICAL & MODELING PEER REVIEW ADVISORY GROUP

Wednesday, October 5, 2022  
10:00 am

### 1. Welcome, Introduction, and Roll Calls

Ian MacMillan, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation called the meeting to order at 10:01 a.m. For additional details on Agenda item 1, please refer to the [Webcast](#) beginning at 00:00.

### 2. Comply with AB 361 Requirements to Allow the Joint Meeting of the Advisory Council and the Scientific, Technical, and Modeling Peer Review Advisory Group to Meet Remotely

Barbara Baird, Chief Deputy Counsel, Legal, introduced the provisions that allow the joint meeting to be conducted remotely. The Advisory Group approved, 12-0. The STMPR Advisory Group approved, 9-0. For additional details on Agenda item 2, please refer to the [Webcast](#) beginning at 11:10.

### 3. Approval of Minutes for Advisory Council

Mr. MacMillan asked the Advisory Council for the approval of minutes from the August 10, 2022 meeting of the Advisory Council. No opposition was recorded. For additional details on Agenda item 3, please refer to the [Webcast](#) beginning at 18:55.

### 4. Approval of Minutes for Scientific, Technical, and Modeling Peer Review Advisory Group

Mr. MacMillan asked the STMPR Advisory Group for the approval of minutes from the May 31, 2022 meeting of the STMPR Advisory Group. No opposition was recorded. For additional details on Agenda item 4, please refer to the [Webcast](#) beginning at 20:20.

### 5. Advisory Council's Comments on the 2022 AQMP Health Effect Analysis

Eric Praske, Ph.D., Acting Program Supervisor, Planning Rule Development and Implementation, presented a summary of comments and feedback from the Advisory Council on the health effects analysis. For additional details on Agenda item 5, please refer to the [Webcast](#) beginning at 21:15.

#### Advisory Council/STMPR Advisory Group Member Comments:

Dr. Michael Kleinman commented that U.S. EPA's Clean Air Scientific Advisory Committee (CASAC), of which he is a member, is anticipating the finalization in

December of its discussion of scientific issues related to the 2020 Ozone Integrated Science Assessment. He indicated supportive evidence for a lower ozone standard and the associated implications for AQMP. He offered to summarize CASAC comments for the Advisory Group.

## **6. Updated Health Benefits and Incremental Costs Based on the Revised Draft 2022 AQMP**

Henry Roman, Principal/Industrial Economics, Inc. (IEc), and Dr. I. Elaine Shen, Planning and Rules Manager/Planning Rule Development and Implementation, presented on the updated health benefits and incremental costs analyses, respectively, associated with the Revised Draft 2022 AQMP. For additional details on Agenda item 6, please refer to the [Webcast](#) beginning at 28:48.

### Advisory Council/STMPR Advisory Group Member Comments:

Ralph Morris commented that health effects were estimated for interim years while air quality modeling was not reported for interim years. Dr. Lee responded that year 2032 was modeled for the purpose of attainment demonstration for the Coachella Valley.

Bill La Marr asked about what value of statistical life (VSL) figure was assumed for the health benefits monetization analysis, and cited some different figures used by other agencies and how they differ from what is used in the health benefits analysis of 2022 AQMP. He further asked whether benefits are overstated relative to the costs and impacts on businesses in the region. Mr. MacMillan acknowledged that the overall costs are significant in the 2022 AQMP, but the benefits outweigh the costs over time. Mr. Roman responded by describing the methodology in developing VSL. Dr. Shen mentioned that the appendices in the Draft Socioeconomic Report include sensitivity analyses based on alternative VSLs.

David Rothbart and Mr. La Marr asked about grid capacity to meet future energy demand of electrification associated with control measures requiring zero-emission (ZE) technologies. Mr. MacMillan mentioned the concerted efforts across agencies at the state level and suggested that it is uncertain to what extent the possibility that shortfalls in electricity supply could be partially bridged by use of hydrogen fuel. Mr. La Marr suggested that an energy summit would allow businesses to offer considerations in the rollout of ZE infrastructure. Dr. Kleinman commented on the role of energy storage in ZE infrastructure. Mr. La Marr expressed concerns over ZE technology cost impacts and would like utilities providers to estimate the timeline and costs associated with attaining Senate Bill 100's clean energy goals. Ken Chawkins remarked that future utility expansion costs will likely get passed along to rate-payers.

### Public Comments:

Dr. James Enstrom, Scientific Integrity Institute, challenged the estimates on premature death avoided by citing his own research and previously submitted written comments on the lack of health effects due to ozone and PM exposure, and requested to speak directly to Board Member Delgado.

Shayne Seever, Vista Metals, commented on the potential emissions of hydrogen generation and supply, especially when mixed with natural gas, and also whether this possible outcome was studied in the emission projections. Mr. MacMillan responded that the evaluation of impacts on NO<sub>x</sub> emissions will be studied in conjunction with the rollout of hydrogen technology. Robert Silence, Optivus Technology, commented that if every home were equipped with its own solar generation and battery equipment, as to be incentivized by the Inflation Reduction Act, there would be virtually no need for infrastructure expansion to meet future electricity demand with regard to ZE technology. He further commented on the need to use only green hydrogen produced by electrolysis. Adrian Martinez, Earthjustice, commented that further investigation is needed on hydrogen and NO<sub>x</sub> emissions and suggested it to be done via the Clean Fuels Program Advisory Group. Mr. Martinez also suggested to include health benefits for on-site workers as industrial facilities switch to ZE alternatives.

Kathleen Wells, Project 21, asked whether demographics and small business were considered as variables in the cost-benefit analysis, citing an interview she had with a black owner/operator of a trucking business that was adversely impacted by federal trucking regulations.

- 7. Environmental Justice Analysis of Implementing the Revised Draft 2022 AQMP**  
Stefani Penn, Ph.D., Senior Associate/ IEC, presented on environmental justice by examining the distribution of health benefits across EJ and non-EJ communities. For additional details on Agenda item 7, please refer to the [Webcast](#) beginning at 1:44:55.

Advisory Council/STMPR Advisory Group Member Comments:

Ana Gonzales asked how the avoided premature deaths estimated for 2022 AQMP compare to the 5,000 premature deaths associated with air pollution. Dr. Shen responded that the latter figure was based on CARB's analysis using historical data while the AQMP analysis projects health benefits for future years. Ms. Gonzales cited significant increases in truck traffic resulted from the expansion of warehouses in the Inland Empire and whether the associated air quality impacts are accounted for in the 2022 AQMP. Mr. MacMillan responded by affirming that warehouse industry growth is included in the projections outlined in the Revised Draft 2022 AQMP and noted projected decreases in per-truck emissions due to implementation of adopted and proposed regulations.

Mr. La Marr commented on the typographical errors for the estimated asthma related emergency room visits reduced. He also asked about how the avoided asthma incidence was estimated. Mr. Roman acknowledged the typographical errors and described the methodology and data sources.

Je-Show Yang asked how regulation and rule compliance was factored into the analysis. Mr. MacMillan responded that full compliance is typically assumed.

Mr. Chawkins expressed concern about insufficient meeting time for the remaining items on the agenda. Mr. MacMillan asked the participants whether to reschedule the remaining items for another time or to proceed with the remaining agenda items, and

most participants indicated their preference to proceed. Mr. MacMillan added that the recorded meeting will be made available on the South Coast AQMD website.

Public Comments:

Ms. Wells commented on the need to further distinguish different racial/ethnic groups within the broad definition of “minority population” and that a community’s racial makeup changes over time. She then questioned whether there is a scientifically proven causal relationship between asthma and air pollution. Mr. Roman confirmed that projections take into account population demographics and movement/redistribution of the population throughout the region. He also cited scientific evidence on the causal relationship between ozone/PM2.5 levels and asthma.

**8. Job Impacts of the Revised Draft 2022 AQMP**

Dr. Peter Evangelakis, Senior Vice President/Regional Economic Models, Inc. (REMI), presented on the model used to simulate regional economic impacts. Dr. Shen presented on the employment impacts resulting from the Revised Draft 2022 AQMP. For additional details on Agenda item 8, please refer to the [Webcast](#) beginning at 2:33:26.

Public Comments:

Theral Golden, West Long Beach Association, asked about the health effects analysis underlying the job impacts associated with health benefits. Dr. Shen responded that the analysis was presented earlier and included in the Draft Socioeconomic Report for the 2022 AQMP.

**9. Cost-Effectiveness**

Mr. MacMillan presented on cost-effectiveness thresholds proposed in the Revised Draft 2022 AQMP. For additional details on Agenda item 9, please refer to the [Webcast](#) beginning at 2:48:01.

Advisory Council/STMPR Advisory Group Member Comments:

Mr. Rothbart asked whether the U.S. EPA quantifies its regulatory costs in the same way as how staff estimated the costs for the proposed control measures under the Federal Actions category. Mr. La Marr commented that a cost of \$325,000 per ton of NOx reduced will have a detrimental impact on small business.

Public Comments:

Ms. Wells commented that some racial/ethnic groups may be disproportionately impacted by more stringent regulation which is therefore a form of racism.

Bill Quinn, California Council for Environmental and Economic Balance (CCEEB), stated that their membership is fine with the proposed \$325,000/ton threshold and asked for clarification on how the threshold would be applied. Mr. MacMillan responded that it would serve as a screening threshold for additional analysis of alternatives to be discussed via a public process.

### **Advisory Council Members Present (19)**

Adonis Galarza, Alianza Coachella Valley  
Alfred Fraijo  
Ana Gonzalez, Center for Community Action and Environmental Justice  
Andrew Silva, San Bernardino County Resident  
Bill La Marr, California Alliance of Small Business Associations  
David Rothbart, The Los Angeles County Sanitation Districts and Southern California Alliance of Publicly Owned Treatment Works  
Greg Ostermann, Jet Propulsion Laboratory, NASA  
Irene Burga, GreenLatinos  
Jennifer Bullard, Orange County Business Council  
Je-Show Yang, Asian and Pacific Islander Forward Movement  
Jo Kay Ghosh, Heluna Health  
Ken Chawkins, Chawkins Communications Consulting  
Michael Kleinman, University of California, Irvine  
Natalie Hernandez, Climate Resolve  
Paul Granillo Inland Empire Economic Partnership  
Scott Weaver, Ramboll  
Vanessa Delgado, (Board liaison) South Coast AQMD Governing Board  
Yassi Kavezade, Sierra Club

### **STMPR Members Present (14)**

Alex Gunther, University of California, Irvine  
Anthony Oliver, CARB  
Fred Lurmann, Sonoma Technology Inc.  
Gabriele Pfister, National Center for Atmospheric Research  
Gloria González-Rivera, University of California, Riverside  
Greg Osterman, Jet Propulsion Laboratory/NASA  
Jeremy Avise, CARB  
John Cho, Southern California Association of Governments  
Kelly Barsanti, University of California, Riverside  
Ken Davidson, U.S. EPA Region IX  
Pablo Saide, University of California, Los Angeles  
Peter Evangelakis, REMI, Inc.  
Ralph Morris, Ramboll  
Robert Kleinhenz, Kleinhenz Economics

### **Public Attendees and Interested Parties (6)**

Bill Quinn  
James Enstrom  
Kathleen Wells  
Robert Silence  
Shayne Seever  
Theral Golden



# South Coast Air Quality Management District

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## Rule 2202 Summary Status Report Activity for January 1, 2023 – August 31, 2023

Employee Commute Reduction Program (ECRP)	
# of Submittals:	237

Emission Reduction Strategies (ERS)	
# of Submittals:	104

Air Quality Investment Program (AQIP) Exclusively		
County	# of Facilities	\$ Amount
Los Angeles	37	\$ 212,730
Orange	2	\$ 15,982
Riverside	2	\$ 9,720
San Bernardino	1	\$ 4,766
<b>TOTAL:</b>	<b>42</b>	<b>\$ 243,198</b>

ECRP w/AQIP Combination		
County	# of Facilities	\$ Amount
Los Angeles	0	\$ 0
Orange	0	\$ 0
Riverside	0	\$ 0
San Bernardino	0	\$ 0
<b>TOTAL:</b>	<b>0</b>	<b>\$ 0</b>

### Total Active Sites as of August 31, 2023

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
524	8	69	601	100	648	1,349
38.84%	0.59%	5.11%	44.55%	7.41%	48.04%	100% <sup>4</sup>

### Total Peak Window Employees as of August 31, 2023

ECRP (AVR Surveys)			TOTAL Submittals w/Surveys	AQIP	ERS	TOTAL
ECRP <sup>1</sup>	AQIP <sup>2</sup>	ERS <sup>3</sup>				
372,462	2,760	10,700	385,922	13,381	273,904	673,207
55.33%	0.41%	1.59%	57.33%	1.99%	40.68%	100% <sup>4</sup>

- Notes:**
1. ECRP Compliance Option.
  2. ECRP Offset (combines ECRP w/AQIP). AQIP funds are used to supplement the ECRP AVR survey shortfall.
  3. ERS with Employee Survey to get Trip Reduction credits. Emission/Trip Reduction Strategies are used to supplement the ECRP AVR survey shortfall.
  4. Totals may vary slightly due to rounding.

## Draft Version

BOARD MEETING DATE: October 6, 2023

AGENDA NO.

REPORT: Intergovernmental Review of Environmental Documents and CEQA Lead Agency Projects

SYNOPSIS: This report provides a listing of environmental documents prepared by other public agencies seeking review by South Coast AQMD between August 1, 2023 and August 31, 2023, and proposed projects for which South Coast AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, September 15, 2023, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Wayne Nastri  
Executive Officer

SR:MK:MM:BR:SW:ET

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### **Background**

The California Environmental Quality Act (CEQA) Statute and Guidelines require public agencies, when acting in their lead agency role, to provide an opportunity for other public agencies and members of the public to review and comment on the analysis in environmental documents prepared for proposed projects. A lead agency is when a public agency has the greatest responsibility for supervising or approving a proposed project and is responsible for the preparation of the appropriate CEQA document.

Each month, South Coast AQMD receives environmental documents, which include CEQA documents, for proposed projects that could adversely affect air quality. South Coast AQMD fulfills its intergovernmental review responsibilities, in a manner that is consistent with the Board's 1997 Environmental Justice Guiding Principles and Environmental Justice Initiative #4, by reviewing and commenting on the adequacy of the air quality analysis in the environmental documents prepared by other lead agencies.

The status of these intergovernmental review activities is provided in this report in two sections: 1) Attachment A lists all of the environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received during the reporting period; and 2) Attachment B lists the active projects for which South Coast AQMD has reviewed or is continuing to conduct a review of the environmental documents prepared by other public agencies. Further, as required by the Board's October 2002 Environmental Justice Program Enhancements for fiscal year (FY) 2002-03, each attachment includes notes for proposed projects which indicate when South Coast AQMD has been contacted regarding potential air quality-related environmental justice concerns. The attachments also identify for each proposed project, as applicable: 1) the dates of the public comment period and the public hearing date; 2) whether staff provided written comments to a lead agency and the location where the comment letter may be accessed on South Coast AQMD's website; and 3) whether staff testified at a hearing.

In addition, the South Coast AQMD will act as lead agency for a proposed project and prepare a CEQA document when: 1) air permits are needed; 2) potentially significant adverse impacts have been identified; and 3) the South Coast AQMD has primary discretionary authority over the approvals. Attachment C lists the proposed air permit projects for which South Coast AQMD is lead agency under CEQA.

**Attachment A – Log of Environmental Documents Prepared by Other Public Agencies and Status of Review, and Attachment B – Log of Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies**

Attachment A contains a list of all environmental documents prepared by other public agencies seeking review by South Coast AQMD that were received pursuant to CEQA or other regulatory requirements. Attachment B provides a list of active projects, which were identified in previous months' reports, and which South Coast AQMD staff is continuing to evaluate or prepare comments relative to the environmental documents prepared by other public agencies. The following table provides statistics on the status of review<sup>1</sup> of environmental documents for the current reporting period for Attachments A and B combined<sup>2</sup>:

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<sup>1</sup> The status of review reflects the date when this Board Letter was prepared. Therefore, Attachments A and B may not reflect the most recent updates.

<sup>2</sup> Copies of all comment letters sent to the lead agencies are available on South Coast AQMD's website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

<b>Statistics for Reporting Period from August 1, 2023 to August 31, 2023</b>	
<b>Attachment A:</b> Environmental Documents Prepared by Other Public Agencies and Status of Review	49
<b>Attachment B:</b> Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies (which were previously identified in the May 2023, June 2023, and July 2023 reports)	11
<b>Total Environmental Documents Listed in Attachments A &amp; B</b>	<b>60</b>
<i>Comment letters sent</i>	<i>13</i>
<i>Environmental documents reviewed, but no comments were made</i>	<i>27</i>
<i>Environmental documents currently undergoing review</i>	<i>20</i>

Staff focuses on reviewing and preparing comments on environmental documents prepared by other public agencies for proposed projects: 1) where South Coast AQMD is a responsible agency under CEQA (e.g., when air permits are required but another public agency is lead agency); 2) that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement); 3) that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); 4) where environmental justice concerns have been raised; and 5) which a lead or responsible agency has specifically requested South Coast AQMD review.

If staff provided written comments to a lead agency, a hyperlink to the “South Coast AQMD Letter” is included in the “Project Description” column which corresponds to a notation in the “Comment Status” column. In addition, if staff testified at a hearing for a proposed project, a notation is also included in the “Comment Status” column. Copies of all comment letters sent to lead agencies are available on South Coast AQMD’s website at: <http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>. Interested parties seeking information regarding the comment periods and scheduled public hearings for projects listed in Attachments A and B should contact the lead agencies for further details as these dates are occasionally modified.

In January 2006, the Board approved the Clean Port Initiative Workplan (Workplan). One action item of the Workplan 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 accordance with this action item, Attachments A and B organize the environmental documents received according to the following categories: 1) goods movement projects; 2) schools; 3) landfills and wastewater projects; 4) airports; and 5) general land use projects. In response to the action item relative to mitigation, staff maintains a compilation of mitigation measures presented as a series of tables relative to off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust;

and greenhouse gases which are available on 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 such as ground support equipment.

### **Attachment C – Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency**

The CEQA lead agency is responsible for determining the type of environmental document to be prepared if a proposal requiring discretionary action is considered to be a “project” as defined by CEQA. South Coast AQMD periodically acts as lead agency for its air permit projects and the type of environmental document prepared may vary depending on the potential impacts. For example, an Environmental Impact Report (EIR) is prepared when there is 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 a proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are types of CEQA documents which analyze the potential environmental impacts and describe the reasons why a significant adverse effect on the environment will not occur such that the preparation of an EIR is not required.

Attachment C of this report summarizes the proposed air permit projects for which South Coast AQMD is lead agency and is currently preparing or has prepared environmental documentation pursuant to CEQA. As noted in Attachment C, South Coast AQMD is lead agency for three air permit projects during August 2023.

### **Attachments**

- A. Environmental Documents Prepared by Other Public Agencies and Status of Review
- B. Active Projects with Continued Review of Environmental Documents Prepared by Other Public Agencies
- C. Proposed Air Permit Projects for Which South Coast AQMD is CEQA Lead Agency



**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>Warehouse &amp; Distribution Centers</b> <b>RVC230823-15</b> Alternative 2 Lower Intensity Industrial; Specific Plan Amendment 19-05287; Development Plan Review 19-00012	The project consists of a Specific Plan Amendment to change the zoning designation of 13.5 acres to Light Industrial for construction of a 304,572 square foot industrial building on two acres. The project is located on the southeast corner of Ramona Expressway and Indian Avenue. Reference RVC220503-04, RVC211221-10, and RVC210504-09  Comment Period: N/A <span style="float: right;">Public Hearing: 8/29/2023</span>	Notice of Availability of a Final Environmental Impact Report	City of Perris	Document reviewed - No comments sent for this document received
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230802-03</b> Costco, Highland	The project consists of constructing a 160,981 square foot warehouse and fuel facility on 19.74 acres. The project is located near the northwest corner of Webster Street and Greenspot Road.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230802-03.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/SBC230802-03.pdf</a>  Comment Period: 8/2/2023- 8/15/2023 <span style="float: right;">Public Hearing: N/A</span>	Site Plan	City of Highland	South Coast AQMD staff commented on 8/11/2023
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230817-03</b> Poplar South Distribution Center	The project consists of demolishing 41 residential units and constructing a 490,565 square foot warehouse on 19.08 acres. The project is located north of Jurupa Avenue, east of Poplar Avenue, south of Santa Ana Avenue, and west of Catawba Avenue.  Comment Period: 7/14/2023- 8/28/2023 <span style="float: right;">Public Hearing: 8/15/2023</span>	Draft Environmental Impact Report	City of Fontana	** Under review, may submit written comments
<b>Warehouse &amp; Distribution Centers</b> <b>SBC230822-01</b> Bloomington Cold Storage Warehouse Project	The project consists of constructing a 97,500 square foot warehouse on 4.2 acres. The project is located on the southeast corner of Oak Street and Ninth Street in Bloomington.  Comment Period: N/A <span style="float: right;">Public Hearing: N/A</span>	Site Plan	County of San Bernardino	Document reviewed - No comments sent for this document received

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b><i>Waste and Water-related</i></b> <b>SBC230823-13</b> Ducommun AeroStructures	The project consists of a modifying a permit to allow the installation of a detection monitoring well and a point of compliance well on the Ducommun AeroStructures site on 120 acres. The project is located on the southwest corner of El Mirage Road and Sheep Creek Road in El Mirage. Reference SBC230131-05  Comment Period: N/A Public Hearing: N/A	Permit Modification	Department of Toxic Substances Control	Document reviewed - No comments sent for this document received
<b><i>Utilities</i></b> <b>RVC230823-08</b> Plot Plan Wireless No. 230005	The project consists of renewing an existing wireless facility entitlement (PP21927) for continued use and operation. The project is located near the northeast corner of Jefferson Street and Barton Street in Riverside.  Comment Period: N/A Public Hearing: N/A	Other	Riverside County	Document reviewed - No comments sent for this document received
<b><i>Transportation</i></b> <b>LAC230802-05</b> Del Amo Boulevard Bridge Replacement and Signal Enhancement	The project consists of constructing improvements along a two-mile stretch of Del Amo Boulevard from the Interstate 605 freeway to Denni Street.  Comment Period: 7/31/2023 - 8/31/2023 Public Hearing: 8/7/2023	Notice of Intent to Adopt Mitigated Negative Declaration	City of Cerritos	Document reviewed - No comments sent for this document received
<b><i>Institutional (schools, government, etc.)</i></b> <b>LAC230823-04</b> Cornerstone Bible Church Expansion	The project consists of demolishing four residential buildings, a parking lot, modular buildings, a playground area, and various hardscape areas and constructing a 18,760 square foot church on 1.62 acres. The project boundareies are a public alley to the north, North Vista Bonita Avenue to the east, East Whitcomb Avenue to the south, and North Glendora Avenue to the west.  Comment Period: 8/17/2023 - 9/9/2023 Public Hearing: N/A	Notice of Intent to Adopt Mitigated Negative Declaration	City of Glendora	Document reviewed - No comments sent for this document received

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.





**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<b>General Land Use (residential, etc.)</b> <b>LAC230809-07</b> Artisan Hollywood Project	The project consists of constructing a 300,996 square foot building with 270 residential units and subterranean parking on 1.55 acres. The project is located on the southwest corner of Selma Avenue and Ivan Avenue in Hollywood. Reference LAC220927-05 and LAC201124-01  Staff previously 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/october/LAC220927-05.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2022/october/LAC220927-05.pdf</a>  Comment Period: N/A <span style="float: right;">Public Hearing: 8/30/2023</span>	Final Environmental Impact Report	City of Los Angeles	** Under review, may submit written comments
<b>General Land Use (residential, etc.)</b> <b>LAC230809-08</b> ENV-2018-2185-MND: 17534 - 17540 W. Sherman Way	The project consists of demolishing two residential units and constructing nine residential units totaling 25,214 square feet. The project is located on 17534-17540 West Sherman Way in Van Nuys.  Comment Period: 8/3/2023 - 8/23/2023 <span style="float: right;">Public Hearing: N/A</span>	Notice of Intent to Adopt Mitigated Negative Declaration	City of Los Angeles	Document reviewed - No comments sent for this document received
<b>General Land Use (residential, etc.)</b> <b>LAC230809-09</b> Master Case 23-118: Sunridge Specific Plan One-Stop Review	The project consists of constructing 226,000 square feet of commercial use, 2,900,000 square feet of business park, 6,550 residential units, an amphitheater, and 665 acres of recreational use. The project is located east of Railroad Avenue, south of Soledad Canyon Road, and west of Golden Valley.  Comment Period: 8/9/2023 - 9/1/2023 <span style="float: right;">Public Hearing: N/A</span>	Site Plan	City of Santa Clarita	** Under review, may submit written comments
<b>General Land Use (residential, etc.)</b> <b>ORC230802-08</b> Fairlynn Townhomes Project	The project consists of constructing 44 residential units on 2.58 acres. The project is located at 6821 Fairlynn Boulevard near the northwest corner of Fairlynn Boulevard and Esperanza Road in Yorba Linda.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/ORC230802-08.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/ORC230802-08.pdf</a>  Comment Period: 7/26/2023 - 8/17/2023 <span style="float: right;">Public Hearing: 9/27/2023</span>	Notice of Intent to Adopt Mitigated Negative Declaration	County of Orange	South Coast AQMD staff commented on 8/17/2023

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**ATTACHMENT A**  
**ENVIRONMENTAL DOCUMENTS PREPARED BY OTHER PUBLIC AGENCIES AND STATUS OF REVIEW**  
**August 1, 2023 to August 31, 2023**

SOUTH COAST AQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<i>Plans and Regulations</i> <b>RVC230817-02</b> Oak Valley North Project	The project consists of constructing 223 residential units, a church, and 982,232 square feet of business park uses on 110.2 acres. The project is located northeast of Interstate 10 and Calimesa Boulevard, southeast of Singleton Road, and south of Beckwith Avenue.  <a href="http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/RVC230817-02.pdf">http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2023/august-2023/RVC230817-02.pdf</a>  Comment Period: N/A	Notice of Preparation	City of Calimesa	South Coast AQMD staff commented on 8/17/2023
	Public Hearing: N/A			

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

\*\* Disposition may change prior to Governing Board Meeting

Documents received by the CEQA Intergovernmental Review program but not requiring review are not included in this report.







**Draft Version**

**ATTACHMENT C  
PROPOSED AIR PERMIT PROJECTS FOR  
WHICH SOUTH COAST AQMD IS CEQA LEAD  
AGENCY THROUGH AUGUST 31, 2023**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>Quemetco is proposing to modify existing South Coast AQMD permits to allow the facility to recycle more batteries and to eliminate the existing daily idle time of the furnaces. The proposed project will increase the rotary feed drying furnace feed rate limit from 600 to 750 tons per day and increase the amount of total coke material allowed to be processed. In addition, the project will allow the use of petroleum coke in lieu of or in addition to calcined coke, and remove one existing emergency diesel-fueled internal combustion engine (ICE) and install two new emergency natural gas-fueled ICEs.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<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> <p>After the Draft EIR public comment and review period closed, Quemetco submitted additional applications for other permit modifications which are also being evaluated by staff.</p>	<p>Trinity Consultants</p>
<p>Sunshine Canyon Landfill is proposing to modify its South Coast AQMD permits for its active landfill gas collection and control system to accommodate the increased collection of landfill gas. The proposed project will: 1) install two new low emission flares with two additional 300-horsepower electric blowers; and 2) increase the landfill gas flow limit of the existing flares.</p>	<p>Sunshine Canyon Landfill</p>	<p>Subsequent Environmental Impact Report (SEIR)</p>	<p>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.</p>	<p>SCS Engineers</p>
<p>Tesoro is proposing to modify its Title V permit to: 1) add gas oil as a commodity that can be stored in three of the six new crude oil storage tanks at the Carson Crude Terminal (previously assessed in the May 2017 Final EIR); and 2) drain, clean and decommission Reservoir 502, a 1.5 million barrel concrete lined, wooden-roof topped reservoir used to store gas oil.</p>	<p>Tesoro Refining &amp; Marketing Company, LLC (Tesoro)</p>	<p>Addendum to the Final Environmental Impact Report (EIR) for the May 2017 Tesoro Los Angeles Refinery Integration and Compliance Project (LARIC)</p>	<p>The consultant provided a Preliminary Draft Addendum, which is undergoing South Coast AQMD staff review.</p>	<p>Environmental Audit, Inc.</p>

 [Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 21

REPORT: Stationary Source Committee

SYNOPSIS: The Stationary Source Committee held a hybrid meeting on Friday, September 15, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Mayor Larry McCallon, Chair  
Stationary Source Committee

JA:cr

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### **Committee Members**

Present: Mayor Larry McCallon, Committee Chair  
Supervisor Holly J. Mitchell, Committee Vice Chair  
Vice Chair Michael A. Cacciotti  
Board Member Veronica Padilla-Campos

Absent: Chair Vanessa Delgado  
Councilmember José Luis Solache

### **Call to Order**

Chair McCallon called the meeting to order at 10:58 a.m.

For additional information of the Stationary Source Committee Meeting, please refer to the [Webcast](#).

### **Roll Call**

### **INFORMATIONAL ITEM S:**

#### **1. Quarterly Permitting Update for Rule 1109.1 - Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations**

Bhaskar Chandan, Senior Engineering Manager/Engineering and Permitting, presented the quarterly Rule 1109.1 permitting updates. For additional details, please refer to the [Webcast](#) beginning at 3:52.

Board Member Padilla-Campos inquired about industry's time commitments in completing the permit applications and the method of communication. Mr. Chandan explained that the time commitment varies based on the complexity of the project and that communication on permit applications is mostly on the phone or via Zoom. For additional details, please refer to the [Webcast](#) beginning at 11:00.

Harvey Eder, Public Solar Power Coalition, commented that this item was covered at the February 8, 2019 Administrative Committee and claimed testimony was purged from the record. For additional details, please refer to the [Webcast](#) beginning at 12:98.

**2. Update on Proposed Rule 1110.3 – Emissions from Linear Generators and Proposed Amended Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines**

Michael Morris, Planning and Rules Manager/Planning, Rule Development and Implementation, provided a summary on Proposed Rule 1110.3 and Proposed Amended Rule 1110.2. For additional details, please refer to the [Webcast](#) beginning at 15:10.

Committee Chair McCallon expressed support to make linear generator technology available and to remove barriers to implementation.

Board Member Padilla-Campos asked about the five-year source testing proposal and the certification program. Mr. Morris clarified that the five-year source testing schedule was acceptable to U.S. EPA, but the certification was not. Mr. Morris explained that the five-year source testing schedule was selected as the technology was relatively clean and staff was providing a balance between the need to source test with the costs associated with it. For additional details, please refer to the [Webcast](#) beginning at 21:53.

Mr. Eder asked if the technology was a low temperature boiling fluid or a heat engine. Chair McCallon responded that linear generators are an alternative technology to generate electricity. For additional details, please refer to the [Webcast](#) beginning at 23:40.

Committee Chair McCallon sought clarification on staff meeting with U.S. EPA and their involvement with the certification. Mr. Morris responded that staff has been in communication with U.S. EPA regarding a possible certification pathway throughout the rule development process. Committee Chair McCallon questioned if staff would be providing an update since the hearing is being set next month. Michael Krause, Assistant Deputy Executive Officer/Planning, Rule Development and Implementation, explained that staff would include the proposal in the amendments presented at the public hearing if U.S. EPA was to determine that the

manufacturer's proposed language was approvable. For additional details, please refer to the [Webcast](#) beginning at 24:54.

Technical malfunction on [Webcast](#) beginning at 25:59.

**3. Summary of Proposed Amended Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) and Proposed Amended Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions**

Mr. Krause presented a summary of Proposed Amended Rules 2011 and 2012 . For additional details, please refer to the [Webcast](#) beginning at 26:00.

Bill Quinn, California Council for Environmental and Economic Balance, acknowledged the need for the proposed amendments to address potential compliance issues as RECLAIM facilities retrofit equipment to comply with the landing rules and expressed support for the adoption of the rule amendments. For additional details, please refer to the [Webcast](#) beginning at 29:50.

Curtis Coleman, Southern California Air Quality Alliance, expressed appreciation to staff for expeditious work in rule development and indicated support of the adoption of the rule amendments. For additional details, please refer to the [Webcast](#) beginning at 30:42.

Mr. Eder expressed concerns over political and economic equity. For additional details, please refer to the [Webcast](#) beginning at 31:49.

There were no comments from committee members.

**4. Update on Proposed Amended Rule 1405 – Control of Ethylene Oxide Emissions from Sterilization and Related Operations**

Dr. Kalam Cheung, Planning & Rules Manager /Planning, Rule Development and Implementation, presented updates to Proposed Amended Rule 1405 (PAR 1405 ) since the last update to Stationary Source Committee on August 18, 2023. For additional details, please refer to the [Webcast](#) beginning at 32:46.

Vice Chair Michael Cacciotti asked about off-gassing for downstream users and warehouses. Executive Officer Wayne Nastri responded that emissions are expected to be de minimis and that mobile monitoring around warehouses only detected one or two instances of enhanced signals. Vice Chair Cacciotti also inquired about recent conversations with sterilization facilities to address misunderstandings. Mr. Nastri provided an overview of the discussions and added that discussions with facilities would continue. For additional details, please refer to the [Webcast](#) beginning at 40:28.

Board Member Padilla-Campos asked if the two-year timeline remains a challenge for facilities. Dr. Cheung noted operators expressed concerns on the timeline to permit and construct a PTE. Mr. Nastri added that there are potential supply chain issues for technologies including those for monitoring and CEMS to allow facilities to meet implementation deadlines. For additional details, please refer to the [Webcast](#) beginning at 44:56.

Committee Chair McCallon expressed concern regarding significant background EtO levels and asked what is being done to address it. Mr. Nastri responded that PAR 1405 addresses known EtO sources and background EtO emission would be addressed separately. Committee Chair McCallon asked if information would be collected from all warehouses. Mr. Krause responded that information would be collected from a limited number of warehouses. For additional details, please refer to the [Webcast](#) beginning at 47:32.

Committee Chair McCallon also inquired about permitting activities for the Sterigenics facility. Jason Aspell, Deputy Executive Officer/Engineering and Permitting, responded that the application in question was delayed because the facility did not provide the designs required to process their application. Mr. Aspell added that staff has been receiving monthly updates that the design is still in progress. For additional details, please refer to the [Webcast](#) beginning at 49:10.

Maya Lopez Grasse, Alston & Bird, provided additional information regarding the Illinois facility discussed in the presentation. Ms. Lopez Grasse added that the California facilities had already begun upgrading before the PAR 1405 rulemaking started. For additional details, please refer to the [Webcast](#) beginning at 51:43.

Joseph Hower, Ramboll, agreed with Mr. Aspell's description of the application processing with Sterigenics. However, the Sterigenics facilities are currently under negative pressure, and that the facility could not shut down for many months to make upgrades because of potential impacts to sterilized product availability. For additional details, please refer to the [Webcast](#) beginning at 53:21.

**5. Update on Proposed Amended Rule 1180 - Major Petroleum Refinery Fenceline and Community Air Monitoring and Proposed Rule 1180.1 – Other Refinery Fenceline and Community Air Monitoring**

Heather Farr, Planning & Rules Manager/Planning, Rule Development and Implementation, provided a summary of Proposed Amended Rule 1180 and Proposed Rule 1180.1 to broaden fenceline and community air monitoring requirements to include smaller refineries and facilities with operations related to refineries. For additional details, please refer to the [Webcast](#) beginning at 55:06.

Board Member Padilla-Campos asked for clarification on how the monitoring stations are funded and asked if the nearby communities would be notified about

refinery air monitoring station installations. Committee Vice Chair Mitchell sought clarification on scheduled hearing dates. Committee Chair McCallon asked if the rules are tied to the current Senate Bill 674 (SB 674) and suggested another presentation to the Stationary Source Committee before the set hearing. Staff responded to comments regarding alignment with SB 674 and indicated the projected date for the Public Hearing would be January 2024. For additional details, please refer to the [Webcast](#) beginning at 1:04:22.

Cindy (no last name provided), East Yard Communities for Environmental Justice, proposed collaborating with other districts to understand the comprehensive impacts of air pollutant exposure and recommended organizing an additional evening meeting with the community. For additional details, please refer to the [Webcast](#) beginning at 1:08:58.

### **WRITTEN REPORTS :**

#### **6. Monthly Update of Staff's Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command-and-Control Regulatory Program**

The report was acknowledged by the committee.

#### **7. Notice of Violation Penalty Summary**

The report was acknowledged by the committee.

### **OTHER MATTERS :**

#### **8. Other Business**

There was no other business to report.

#### **9. Public Comment Period**

Mr. Eder expressed concerns about not having access to presentations when attending meetings remotely. He advocated for the use of solar. For additional details, please refer to the [Webcast](#) beginning at 1:11:28.

#### **10. Next Meeting Date**

The next Stationary Source Committee meeting is scheduled for Friday, October 20, 2023 at 10:30 a.m.

### **Adjournment**

The meeting was adjourned at 12:09 p.m.

### **Attachments**

1. Attendance Record
2. Monthly Update of Staff's Work with U.S. EPA and CARB on New Source Review Issues for the Transition of RECLAIM Facilities to a Command-and-Control Regulatory Program
3. Notice of Violation Penalty Summary

**ATTACHMENT 1**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
STATIONARY SOURCE COMMITTEE**

**Attendance –September 15, 2023**

Councilmember Michael A. Cacciotti .....	South Coast AQMD Board Member
Mayor Larry McCallon .....	South Coast AQMD Board Member
Supervisor Holly J. Mitchell .....	South Coast AQMD Board Member
Board Member Veronica Padilla-Campos.....	South Coast AQMD Board Member
William Kelly .....	Board Consultant (Cacciotti)
Debra Mendelsohn.....	Board Consultant (McCallon)
Uduak-Joe Ntuk.....	Board Consultant (Solache)
Marisela Santana.....	Board Consultant (Solache)
Mark Abramowitz .....	Community Environmental Services
Chris Chavez.....	Coalition for Clean Air
Cindy.....	East Yard Communities for Environmental Justice
Curtis Coleman.....	Southern California Air Quality Alliance
Ramine Cromartie.....	WSPA
Harvey Eder.....	Public Solar Power Coalition
Maya Lopez Grasse.....	Alston & Bird
Joe Hower.....	Ramboll
Dan McGivney.....	SoCalGas
Bethmarie Quiambao.....	Southern California Edison
Bill Quinn.....	CCEEB
Scott Weaver.....	Ramboll
Jason Aspell .....	South Coast AQMD staff
Bhaskar Chandan.....	South Coast AQMD staff
Kalam Cheung.....	South Coast AQMD staff
Heather Farr.....	South Coast AQMD staff
Bayron Gilchrist.....	South Coast AQMD staff
Kathryn Higgins.....	South Coast AQMD staff
Sheri Hanizavareh.....	South Coast AQMD staff
Mark Henninger.....	South Coast AQMD staff
Aaron Katzenstein.....	South Coast AQMD staff
Michael Krause.....	South Coast AQMD staff
Howard Lee.....	South Coast AQMD staff
Jason Low.....	South Coast AQMD staff
Ian MacMillan.....	South Coast AQMD staff
Terrance Mann.....	South Coast AQMD staff
Michael Morris .....	South Coast AQMD staff
Ron Moskowitz.....	South Coast AQMD staff
Wayne Nastri.....	South Coast AQMD staff
Andrea Polidori.....	South Coast AQMD staff
Sarah Rees.....	South Coast AQMD staff
Catherine Rodriguez.....	South Coast AQMD staff
Lisa Tanaka O’Malley.....	South Coast AQMD staff
Mae Wang.....	South Coast AQMD staff
Jillian Wong .....	South Coast AQMD staff
Paul Wright.....	South Coast AQMD staff
Victor Yip .....	South Coast AQMD staff

## **September 2023 Update on Work with U.S. EPA and CARB on New Source Review Issues for the RECLAIM Transition**

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

- Provided NSR Equivalency Program summary to CARB
- RECLAIM/NSR Working Group meeting was not held in September
- Next presentation to the Stationary Source Committee is scheduled for October 20, 2023
- Next meeting scheduled for November 9, 2023 to discuss the latest considerations for proposed amendments to Regulation XIII and XX

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

**Settlement Penalty Report (08/01/2023 - 08/31/2023)**

**Total Penalties**

Civil Settlement: \$138,075.00  
Hearing Board Settlement: \$2,000.00  
MSPAP Settlement: \$78,684.00

**Total Cash Settlements: \$218,759.00**

**Fiscal Year through 08/31/2023 Cash Total: \$813,730.00**

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Civil</b>						
115394	AES ALAMITOS, LLC	2004, 3002	08/04/2023	KCM	P66892	\$2,850.00
115389	AES HUNTINGTON BEACH, LLC	2004, 2012 Appendix A	08/04/2023	KCM	P66881, P66889	\$4,400.00
185801	BERRY PETROLEUM COMPANY, LLC	2004, 3002	08/09/2023	JL	P66548, P68323, P69282	\$24,591.00
190249	CAREY HELLMAN	40 CFR 61.145, 1403	08/23/2023	SP	P67512	\$35,000.00
162551	CE ALLENCOMPANY, INC. DBA ALLENCO	203, 463, 1148.1	08/23/2023	SH	P66538, P66539, P66541, P73323, P75509, P75513	\$10,000.00
90739	COUNTY OF RIVERSIDE FLEET SRVCS DEPT.	461	08/02/2023	RL	P75218, P75224, P75226, P75227, P75228, P75229, P75230, P77901, P77902, P77903, P77904, P77905	\$7,500.00
7417	EASTERN MUNICIPAL WATER DISTRICT	203, 3002	08/16/2023	SP	P67448, P73506, P75854	\$7,500.00
1703	EASTERN MUNICIPAL WATER DISTRICT	203, 431.1, 3002, 3004	08/16/2023	SP	P61124, P67447, P72926, P73504, P75853	\$7,500.00
52835	G&M OIL CO., LLC #30	203	08/23/2023	EC	P70496, P70500	\$8,485.00
119218	G&M OIL CO., LLC #81	203, 461	08/23/2023	EC	P70484	\$2,342.00
145969	G&M OIL CO., #139	203	08/23/2023	EC	P70499	\$2,342.00
179126	SO CAL REMEDIATION, INC.	1403	08/03/2023	ND	P70507, P67485, P74592, P74585	\$7,500.00
191387	SUPERIOR CARPET & DESIGN CENTER	40 CFR 61.145, 1403	08/22/2023	RM	P74222	\$500.00
146612	US HENDY OIL, INC.	203, 461	08/04/2023	ND	P66036, P70067, P72201, P74829	\$17,565.00
<b>Total Civil Settlements: \$138,075.00</b>						

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
<b>Hearing Board</b>						
112573	FREUND BAKING COMPANY	1153.1	08/16/2023	JL	6226-1	\$2,000.00
<b>Total Hearing Board Settlements: \$2,000.00</b>						
<b>MSPAP</b>						
198679	2619 WILSHIRE BLVD ASSOCIATES, LLC	203, 222	08/25/2023	CL	P76540	\$2,927.00
179806	5201 W CENTURY BLVD, INC.	203, 461, H&S 41960	08/11/2023	CL	P75724	\$2,552.00
176080	BARJA, INC. - DBA A1 SHELL	461, H&S 41960	08/04/2023	CL	P75719	\$1,756.00
5023	CAL ST UNIV LONG BEACH - EH&S	461	08/11/2023	CL	P76259	\$2,677.00
83386	CALIFORNIA HIGHWAY PATROL	203, 461	08/04/2023	CL	P67742	\$2,442.00
174184	CANOGA PARK SHELL	461	08/25/2023	VA	P77729	\$1,343.00
169951	CHEVRON GAS & FOOD STORE	461	08/25/2023	VA	P68165	\$1,494.00
179152	FLYERS ENERGY, LLC.	461	08/04/2023	CL	P73117	\$2,427.00
119218	G&M OIL CO., LLC #81	203	08/04/2023	CL	P78666	\$1,171.00
182163	GM&J LASER CUTTING	201, 203	08/11/2023	CL	P75424	\$3,063.00
187918	HM COLLISION	109	08/25/2023	CL	P67746	\$2,142.00
97020	HONDA R&D NORTH AMERICAS, INC.	203, 461	08/25/2023	CL	P78311	\$6,126.00
167482	HOUSE OF CLEANERS	203	08/04/2023	CL	P73239	\$1,021.00
191302	INLAND CENTER SHELL	203	08/25/2023	CL	P76175	\$1,121.00
131628	KINDRED HOSPITAL OF LOS ANGELES	222, 1415	08/09/2023	CL	P78410	\$2,042.00
127621	LA COUNTY FIRE DEPT #187	461	08/04/2023	CL	P73166	\$1,300.00
27024	LA COUNTY SHERIFF'S DEPT.	461	08/11/2023	CL	P76262	\$887.00
184839	M2 UNITED, INC.	461	08/25/2023	CL	P69885	\$1,301.00
20280	METAL SURFACES INTERNATIONAL, LLC	203, 1469	08/04/2023	CL	P74790	\$5,764.00
199080	NATIONAL CORE	403	08/11/2023	CL	P76261	\$6,447.00
193896	NCK INDUSTRIES	203	08/04/2023	CL	P74560	\$1,071.00
177169	PACIFIC ENVIRONMENTAL & ABATEMENT	1403	08/25/2023	CL	P76223	\$1,942.00
127546	PMM, INC.	461, H&S 41960.2	08/25/2023	CL	P78678	\$1,305.00
174589	RISSER SURGERY CENTER	203	08/25/2023	CL	P78005	\$971.00
182291	RIVER ROAD X_PRESS CAR WASH	203, 461	08/25/2023	CL	P69900, P78753	\$7,500.00
142730	SANG HAN ENTERPRISE, INC.	203, 461	08/04/2023	VA	P75710	\$1,343.00
110467	LEON'S UNOCAL	203, 461, H&S 41960.2	08/04/2023	CL	P76167	\$3,276.00
177508	VEN TERRA ENVIRONMENTAL, INC.	1403	08/23/2023	CL	P74562	\$7,389.00
179162	VICTORY VALERO - HASSAKE ENT, INC.	203, 461	08/25/2023	CL	P74827, P75458	\$3,884.00
<b>Total MSPAP Settlements: \$78,684.00</b>						

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR AUGUST 2023 PENALTY REPORT**

**REGULATION I - GENERAL PROVISIONS**

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II - PERMITS**

Rule 201 Permit to Construct

Rule 203 Permit to Operate

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

**REGULATION IV - PROHIBITIONS**

Rule 403 Fugitive Dust- Pertains to solid particulate matter emitted from man-made activities

Rule 431.1 Sulfur Content of Gaseous Fuels

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Storage of Organic Liquids

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1148.1 Oil and Gas Production Wells

Rule 1153.1 Emissions of Oxides of Nitrogen from Commercial Food Ovens

**REGULATION XIV - TOXICS**

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems

Rule 1466 Control of Particulate Emissions from Soils with Toxic Air Contaminants

Rule 1469 Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations

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

Rule 2004 Requirements

Rule 2012 Appendix A

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

**REGULATION XXX- TITLE V PERMITS**

Rule 3002 Requirements

Rule 3004 Permit Types and Content

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX  
FOR AUGUST 2023 PENALTY REPORT**

**CODE OF FEDERAL REGULATIONS**

40 CFR 61.145 Standard for Demolition and Renovation

**CALIFORNIA HEALTH AND SAFETY CODE**

41960 Certification of Gasoline Vapor Recovery System

41960.2 Gasoline Vapor Recovery

42402 Violation of Emission Limitations – Civil Penalty

[↑ Back to Agenda](#)

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 22

REPORT: Technology Committee

SYNOPSIS: The Technology Committee held a hybrid meeting on Friday, September 15, 2023. The following is a summary of the meeting.

RECOMMENDED ACTION:  
Receive and file.

Carlos Rodriguez, Chair  
Technology Committee

AK:psc

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### **Committee Members**

Present: Councilmember Carlos Rodriguez, Committee Chair  
Supervisor Curt Hagman  
Board Member Veronica Padilla-Campos

Absent: Supervisor Andrew Do  
Mayor Patricia Lock Dawson  
Mayor Larry McCallon

### **Call to Order**

Committee Chair Carlos Rodriguez called the meeting to order at 12:10 p.m.

For additional details of the Technology Committee Meeting, please refer to the [Webcast](#).

### **ACTION ITEMS:**

#### **1. Execute Contract for Development and Demonstration of Electric-Powered Trailer for Heavy-Duty Vehicles**

Range Energy is proposing to develop and demonstrate battery electric-powered trailers that can integrate with existing diesel and zero-emission trucks to provide propulsion assistance and regenerative braking. This project will demonstrate emission benefits of electric-powered trailers. The University of California,

Riverside College of Engineering - Center for Environmental Research & Technology (UCR/CE-CERT) will assist Range Energy with data collection and quantifying emission benefits. This action is to execute contracts with 1) Range Energy in an amount not to exceed \$500,000; and 2) UCR/CE-CERT in an amount not to exceed \$50,000 from the Clean Fuels Program Fund (31).

Board Member Padilla-Campos inquired about the plan following the conclusion of the one-month demonstration of the electric-powered trailer project. Seungbum Ha, Program Supervisor/Technology Advancement Office, responded that the trailer would remain in active use, and will explore potential applications for its next phase, including its deployment as a Transportation Refrigeration Unit. For additional details, please refer to the [Webcast](#) beginning at 4:15.

Moved by Hagman; seconded by Padilla-Campos; unanimously approved.

Ayes: Hagman, Padilla-Campos, Rodriguez

Noes: None

Abstain: None

Absent: Do, Lock Dawson, McCallon

**2. Issue RFP for Technical Assistance to Support South Coast AQMD's Technology Advancement Office Activities and Implementation Efforts**

South Coast AQMD administers and implements incentive programs as well as pre-commercial research, development, demonstration, and deployment of low- and zero-emission technologies. These actions are to: 1) issue an RFP to solicit proposals from qualified consultants and consulting firms with relevant technical expertise and experience to assist with the implementation of incentive programs and development of technology demonstration project proposals; and 2) authorize the Executive Officer to execute or amend contract(s) with the selected consultant(s) or firm(s) in an amount not to exceed \$600,000 using up to \$300,000 in administrative funds from the Carl Moyer Program Fund (32), Community Air Protection Program Fund (77) and Proposition 1B Goods Movement Fund (81); and up to \$300,000 from the Clean Fuels Program Fund (31).

Board Member Padilla-Campos inquired if the contracts for the selected consultants will be for one year. Tom Lee, Program Supervisor/Technology Advancement Office explained that the contracts will be for at least two years or until funds are exhausted. The last RFP for consultants was issued two years ago and funds for the incentive contracts are nearly exhausted.

Harvey Eder, Public Solar Power Coalition, expressed support for the RFP.

Councilmember Rodriguez asked for the range of grants that staff is anticipating. Aaron Katzenstein, Deputy Executive Officer/Technology Advancement Office, explained that an U.S. EPA grant will be released in December or January for up to \$3 billion where South Coast AQMD is planning on submitting proposals for Port projects. For additional details, please refer to the [Webcast](#) beginning at 11:23.

Moved by Hagman; seconded by Padilla-Campos; unanimously approved.

Ayes: Hagman, Padilla-Campos, Rodriguez  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, McCallon

**3. Execute Contract to Develop and Demonstrate a Portable Liquid Hydrogen Fueling System for Medium- and Heavy-Duty Equipment Applications**

Large equipment with high power demands used in long range applications requires high-capacity hydrogen power systems when converted to zero-emission. Gaseous hydrogen fuel storage is not technically viable to meet power demands. Liquid hydrogen storage has a higher energy density and is needed to meet higher power demands. Zero Emission Industries, Inc. (ZEI) will design, build, and demonstrate a portable and rapidly deployable liquid hydrogen fueling system for marine or locomotive applications. This action is to execute a contract with ZEI to develop a portable liquid hydrogen fueling system in an amount not to exceed \$1,175,000 from the Clean Fuels Program Fund (31).

Board Member Padilla-Campos commented that she will vote for the item, but she is still learning about hydrogen.

Ranji George, public member, inquired about the proposals submitted and how was ZEI selected. For additional details, please refer to the [Webcast](#) beginning at 23:05.

Moved by Hagman; seconded by Padilla-Campos; unanimously approved.

Ayes: Hagman, Padilla-Campos, Rodriguez  
Noes: None

Abstain: None

Absent: Do, Lock Dawson, McCallon

**4. Amend Contract with Coachella Valley Association of Governments**

In January 2013, the Board approved contracts for emission reduction projects in the Coachella Valley from the AB 1318 Mitigation Fees Fund (58) for numerous projects. The Coachella Valley Association of Governments (CVAG) received \$17,400,000 for constructing a 46-mile corridor for neighborhood electric vehicles, bicycles and pedestrians, known as “CV Link” that will extend from Palm Springs to Coachella. In January 2021, the Board approved amending the CVAG contract with \$1,469,680 in accrued interest. As portions of the CV Link have been completed and in anticipation of the next construction phase, CVAG is requesting accrued interest funds from their award balance, as included in their contract. This action is to amend the contract with CVAG to augment the existing funding by \$255,923 from the AB 1318 Mitigation Fees Fund (58).

Board Member Padilla-Campos asked if there were any community groups involved in the project and the partnership structure of the project. Mr. Katzenstein replied that South Coast AQMD is not involved in the construction of the project and would need to ask CVAG. For additional details, please refer to the [Webcast](#) beginning at 28:42.

Moved by Hagman; seconded by Padilla-Campos; unanimously approved.

Ayes: Hagman, Padilla-Campos, Rodriguez  
Noes: None  
Abstain: None  
Absent: Do, Lock Dawson, McCallon

**INFORMATIONAL ITEM:**

**5. Clean Buses in the Valley - Hydrogen-Fueled Buses Overview**

An overview of Sunline Transit Agency's operation and their long activities in developing hydrogen fueling infrastructure and deploying hydrogen fuel cell and battery electric transit buses will be presented. In addition, a summary of transit agencies such as Sunline Transit Agency's feedback on deploying the zero-emissions technologies within their fleets will be discussed.

Board Member Padilla-Campos inquired about Sunline Transit Agency (Sunline) ridership estimate and the cost per rider. Rudy Le Flore, Sunline Transit Agency, responded that he does not have the current ridership counts, but the number has dropped by nearly 40 percent during and post-COVID. The general rider cost is one dollar, and is half price for seniors and residents with disabilities.



Supervisor Hagman stated that there are several pathways for hydrogen production and inquired about the types of Sunline hydrogen production pathways to fuel its fleets. Mr. Le Flore responded that Sunline has an onsite hydrogen electrolyzer and plans to construct a liquid hydrogen station to improve reliability and provide fuel to their fleets.

Councilmember Rodriguez inquired about the philosophy behind the ratio of battery electric and hydrogen fuel cell vehicles within the Sunline fleet. Mr. Le Flore explained that in order to meet the CARB ACT regulation, Sunline has put together a plan to move towards full transition to zero-emissions fleets by 2035 and that battery electric buses can serve local/shorter routes compared to hydrogen fuel cell vehicles that can serve regional/longer routes due to their extended mileage range. On that basis, he stated that hydrogen fuel cell vehicles could replace CNG buses on a 1-to-1 ratio, while battery electric buses could replace CNG buses on a 2-to-1 ratio. As such, Sunline is invested in purchasing more hydrogen fuel cell electric buses since they offer longer routes. He also stated that, due to heat and other environmental conditions in the valley, battery electric buses offer limited mileage range which is not equivalent to the existing CNG buses' mileage range currently in use. Councilmember Rodriguez emphasized that using battery electric vehicles can cost more for Sunline's plan to achieve 100 percent zero-emissions by 2035. Mr. Le Flore mentioned that driver scheduling and operational needs can change with battery electric buses due to the limited mileage range. Councilmember Rodriguez inquired about the reduction of emissions by replacing 30 percent of Sunline fleets with zero-emission buses. Mr. Le Flore emphasized that all the CNG buses removed from service are replaced with zero-emission buses, which can reduce criteria pollutant and GHG emissions. For additional details, please refer to the [Webcast](#) beginning at 33:28.

### **OTHER MATTERS:**

#### **6. Other Business**

There was no other business to report.

#### **Public Comment Period**

There was no public comment to report.

#### **7. Next Meeting Date**

The next regular Technology Committee meeting is scheduled for Friday, October 20, 2023, at noon.

#### **Adjournment**

The meeting adjourned at 1:10 p.m.

#### **Attachment**

Attendance Record

**ATTACHMENT**

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
TECHNOLOGY COMMITTEE MEETING  
Attendance Record – September 15, 2023**

Supervisor Curt Hagman.....	South Coast AQMD Board Member
Board Member Veronica Padilla-Campos .....	South Coast AQMD Board Member
Councilmember Carlos Rodriguez.....	South Coast AQMD Board Member
Debra Mendelsohn.....	Board Consultant (McCallon)
Mark Abramowitz.....	Community Environmental Services
Harvey Eder.....	Public Solar Power Coalition
Ranji George.....	Public Member
Alex Hall.....	UCLA
Rudy LeFlore.....	Sunline Transit
Fred Minassian.....	Public Member
Debra Ashby.....	South Coast AQMD Staff
Lara Brown.....	South Coast AQMD Staff
Laurence Brown.....	South Coast AQMD Staff
Phillip Crabbe III.....	South Coast AQMD Staff
Scott Gallegos.....	South Coast AQMD Staff
De Groeneveld.....	South Coast AQMD Staff
Seung Ha.....	South Coast AQMD Staff
Maryam Hajbabaei.....	South Coast AQMD Staff
Lauren Henninger.....	South Coast AQMD Staff
Gillian Kass.....	South Coast AQMD Staff
Aaron Katzenstein.....	South Coast AQMD Staff
Angela Kim .....	South Coast AQMD Staff
Ruby Laity.....	South Coast AQMD Staff
Tom Lee .....	South Coast AQMD Staff
Ron Moskowitz.....	South Coast AQMD Staff
Susan Nakamura.....	South Coast AQMD Staff
Wayne Nastro.....	South Coast AQMD Staff
Vasileios Papapostolou .....	South Coast AQMD Staff
Sarah Rees.....	South Coast AQMD Staff
Penny Shaw Cedillo.....	South Coast AQMD Staff
Walter Shen.....	South Coast AQMD Staff
Lisa Tanaka O’Malley.....	South Coast AQMD Staff
Carolina Vargas .....	South Coast AQMD Staff
Mei Wang.....	South Coast AQMD Staff
Paul Wright.....	South Coast AQMD Staff

BOARD MEETING DATE: October 6, 2023

AGENDA NO. 23

REPORT: California Air Resources Board Monthly Meeting

SYNOPSIS: The California Air Resources Board held public meetings on September 14 and September 28, 2023. The following is a summary of the meetings.

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 public meetings on September 14, 2023 and September 28, 2023 in Sacramento, California at the California Environmental Protection Agency Headquarters Building. The key items presented are summarized below.

### September 14, 2023

#### **Joint Meeting of the California Air Resources Board and the Assembly Bill 32 Environmental Justice Advisory Committee**

Assembly Bill 32 (AB 32) directed CARB to convene an Environmental Justice Advisory Committee (EJAC) to advise the Board in developing the Scoping Plan and any other pertinent matters related to implementation of AB 32 such as the Low Carbon Fuel Standard (LCFS). The EJAC is comprised of environmental justice and community leaders from throughout the state and plays a critical role in addressing concerns of residents from the state's most pollution burdened communities. The Board and the EJAC heard a CARB staff presentation on LCFS regulation updates and the program's achievements. The Board also heard EJAC recommendations on the LCFS regulation updates.

September 28, 2023

**DISCUSSION ITEM MS**

**23-8-1: Public Meeting to Hear an Update on the Low Carbon Fuel Standard**

The Board heard an update from CARB staff on major concepts under consideration for an upcoming Low Carbon Fuel Standard (LCFS) rulemaking. The LCFS regulation, first adopted in 2009, was developed to reduce the carbon intensity (CI) of transportation fuels used in California, and currently requires a 20% statewide reduction in CI from 2010 levels by 2030. The LCFS program supports the transition away from petroleum fuels by displacing fossil fuels with low-carbon alternatives in legacy internal combustion engine vehicles and supporting growth in zero-carbon fuels. Since the beginning of the program, California has nearly tripled the quantity of low-carbon fuels used in transportation. CARB staff is developing regulatory changes to the LCFS program to increase stringency in response to recent climate legislation and the 2022 Scoping Plan Update. CARB anticipates Board consideration of the proposed amendments to the LCFS program in the first quarter of 2024.

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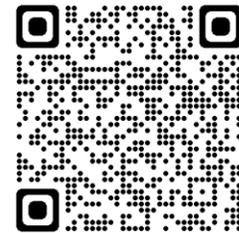
**Attachment**

CARB September 14, 2023 and September 28, 2023 Meeting Agendas

# Public Meeting Agenda for the Joint Meeting of the California Air Resources Board and the Assembly Bill 32 Environmental Justice Advisory Committee

*Thursday, September 14, 2023*

Zoom Webinar: [Register](#)  
Phone Number: (669) 900-6833  
Webinar ID: 834 7431 1538



[arb.ca.gov/ma091423](http://arb.ca.gov/ma091423)

## **California Environmental Protection Agency**

1001 I Street, Sacramento, California 95814  
Coastal Hearing Room, 2nd Floor  
[Webcast](#) (Livestream/Watch Only)

## **Additional Teleconference Locations**

Gateway Cities Council of Governments  
16401 Paramount Boulevard  
Paramount, CA 90723

78015 Main Street, Suite 205  
La Quinta, CA 92253

The September 14, 2023, joint meeting of the California Air Resources Board (CARB or Board) and the Assembly Bill 32 Environmental Justice Advisory Committee (EJAC) will be held at 1001 I Street in Sacramento, with remote participation available to the public. Some EJAC members may also attend remotely, in accordance with [Gov. Code 11123.5](#). Due to limited seating capacity in the Coastal Hearing Room, remote participation is highly encouraged for members of the public. 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](#)

There will be a two-minute time limit on verbal comments; however, the amount of time could change at the Chair's discretion.

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

The Chair may close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

## **Spanish interpretation will be available for the September 14, Joint Meeting.**

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

## **Thursday, September 14, 2023 @ 4:00 p.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.

### **Joint Discussion of Implementation of California Air Resources Board's Assembly Bill 32 Climate Programs**

The California Air Resources Board (CARB or Board) and the Assembly Bill 32 Environmental Justice Advisory Committee (EJAC) will hear an introduction from CARB staff on coordination with the EJAC. CARB staff will provide a presentation on the Low Carbon Fuel Standard (LCFS). The Board and EJAC will discuss the presentation and implementation of CARB climate programs, including EJAC recommendations to the Board on LCFS regulation updates. The Board and EJAC may also discuss Cap-and-Trade Program Regulation updates, Senate Bill 905 carbon capture utilization and sequestration requirements, and natural and working lands.

- [More Information](#)
- [CARB Staff Introductory Presentation](#)
- [CARB Staff LCFS Presentation](#)
- [EJAC LCFS Presentation](#)
  - [EJAC Invited Speaker Presentation - Michael Wara](#)
- [EJAC LCFS Recommendations](#)
- [EJAC Presentation on Cap-and-Trade Regulation Amendments and Senate Bill 905](#)
- [Submit Written Comments](#)
- [View Public Comments](#)

### **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

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# Public Meeting Agenda

*Thursday, September 28, 2023*

## California Environmental Protection Agency

1001 I Street, Sacramento, California 95814

Byron Sher Auditorium, 2nd Floor

*Webcast* (Livestream/Watch Only)

Zoom Webinar: [Register](#)

Phone Number: (669) 900-6833

Webinar ID: 850 6342 6625



[arb.ca.gov/ma092823](http://arb.ca.gov/ma092823)

The September 28, 2023, 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. 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](#)

The Board will set a two-minute time limit on verbal comments; however, the amount of time could change at the Chair's discretion.

In-person speakers signed up to comment will be called upon first, followed by public Zoom and phone participants wishing to comment.

The Chair may close speaker sign-ups 30 minutes after the public comment portion of an item has begun.

## Spanish interpretation will be available for the September 28, Board Meeting.

- [Agenda de la Reunión Pública](#)
- [Spanish Webcast](#)

Thursday, September 28, 2023 @ 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.

### 23-8-1: Public Meeting to Hear an Update on the Low Carbon Fuel Standard

The Board will hear an update on the Low Carbon Fuel Standard, which is a regulation that decreases the carbon intensity of California's transportation fuel, reduces petroleum fuel use, and improves air quality. The update will focus on major concepts under consideration for an upcoming Low Carbon Fuel Standard rulemaking. This is a non-voting meeting.

- [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(a)(1), and 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:

*Association of American Railroads et al. v. Randolph et al.* United States District Court, Eastern District of California, Sacramento, Case No. 2:23-cv-01154-JAM-JDP.

*Bobby Harris v. Nissan North America, Inc.* (U.S. District Court, Central District of California, Case No. 2:20 cv 06021 CJC GJS.)

*California Air Resources Board v. Best Energy Solutions & Technology Corp.* Los Angeles Superior Court, Case No. 22STCV32487.

*California Air Resources Board v. Daimler AG and Mercedes-Benz USA, LLC.* (United States District Court, District of Columbia, Civil Action No. 1:20 cv 2565.)

*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.



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Yana Garcia, CalEPA Secretary  
Liane M. Randolph, Chair

*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, and consolidated cases *State of California v. Wheeler, et al.*, No. 20-1167, and Nos. 20 1168, 20-1169, 20-1173, 20-1174, 20-1176, and 20-1177.

*East Yard Communities for Environmental Justice, et al. v. South Coast Air Quality Management District, et al.* U.S. District Court, Central District of California, Los Angeles, Case 2:23-cv-06682.

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

Federal Energy Regulatory Commission Order 719, Docket No. RM21-14-000.

*Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.* (San Luis Obispo County Superior Court, Case No. 17CV-0576) and *Friends of Oceano Dunes, Inc. v. California Air Resources Board, et al.*, U.S. District Court for the Central District of California, Case No. 2:17-cv-0-8733.

*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.

*People v. Southern California Gas Company.* (Los Angeles Superior Court, Case No. BC602973.)

*South Coast Air Quality Management District v. City of Los Angeles, et al.*, Los Angeles County Superior Court, Case No. 20STCP02985; transferred to San Diego County Superior Court, Case No. 37-2021-00023385-CU-TT-CTL.

Possible litigation challenging U.S. Environmental Protection Agency's grant of waivers of preemption under the Clean Air Act to the California Air Resources Board.

*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.



Gavin Newsom, Governor  
Yana Garcia, CalEPA Secretary  
Liane M. Randolph, Chair

*State of California v. Andrew Wheeler, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 20-1167.

*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. 21-1034, consolidated with *California Communities Against Toxics et al. v. EPA*, 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 California, et al. v. United States Environmental Protection Agency*, United States Court of Appeals, District of Columbia Circuit, Case No. 23-1020.

*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-RBW.

*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. 2:16-cv-00285-SWS.



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Yana Garcia, CalEPA Secretary  
Liane M. Randolph, Chair

*The Two Hundred for Homeownership, et al. v. California Air Resources Board, et al.* United States District Court, Eastern District of California, Fresno, Case No. 1:22 cv 01474-ADA-BAM.

*The Two Hundred, et al. v. California Air Resources Board, et al.*, Fresno County Superior Court, Case No. 18CECG1494.

*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.

*Western States Petroleum Association v. California Air Resources Board*, Fresno County Superior Court, Case No. 23CECG02976.

*Western States Trucking Association, Inc. v. California Air Resources Board*, Fresno County Superior Court, Case No. 23CECG02964.

*Western States Trucking Association, Inc., et al. v. United States Environmental Protection Agency, et al.*, United States Court of Appeals, District of Columbia Circuit, Case No. 23-1148.

*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 two 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.



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Yana Garcia, CalEPA Secretary  
Liane M. Randolph, Chair

## 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.

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# Overview of the Proposed Multiple Air Toxics Exposure Study VI

Board Meeting  
October 6, 2023

# MATES Program Overview

- Board Environmental Justice Initiative
- Focuses on regional air toxics impacts

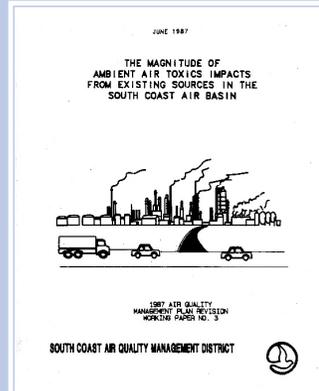
## Goals:

- Provide public information about air toxics and associated health risks throughout the region
- Evaluate progress in reducing air toxics exposure
- Provide direction to future toxics control programs



# Previous MATES Campaigns

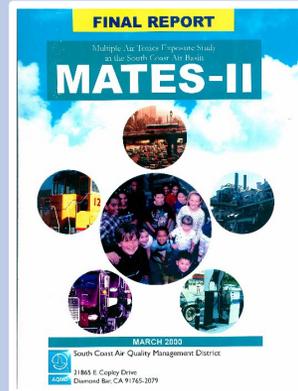
1986-1987



## MATES I

Limited  
Measurements  
Impacts of  
benzene and  
Cr6

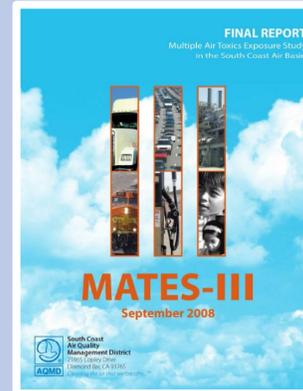
1998-1999



## MATES II

Downward  
trend for  
certain air  
toxics  
Diesel exhaust  
accounted for  
71% of cancer  
risk from air  
toxics

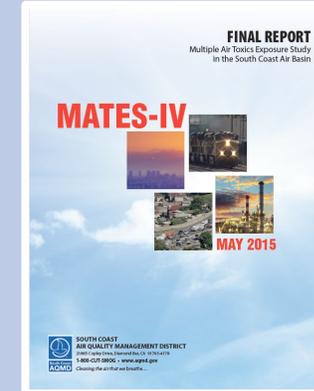
2004-2006



## MATES III

Continuing  
downward  
trends, other  
than Diesel PM  
Increased  
Diesel PM risk  
near ports  
Cr6 traced to  
cement plant  
emissions

2012-2013



## MATES IV

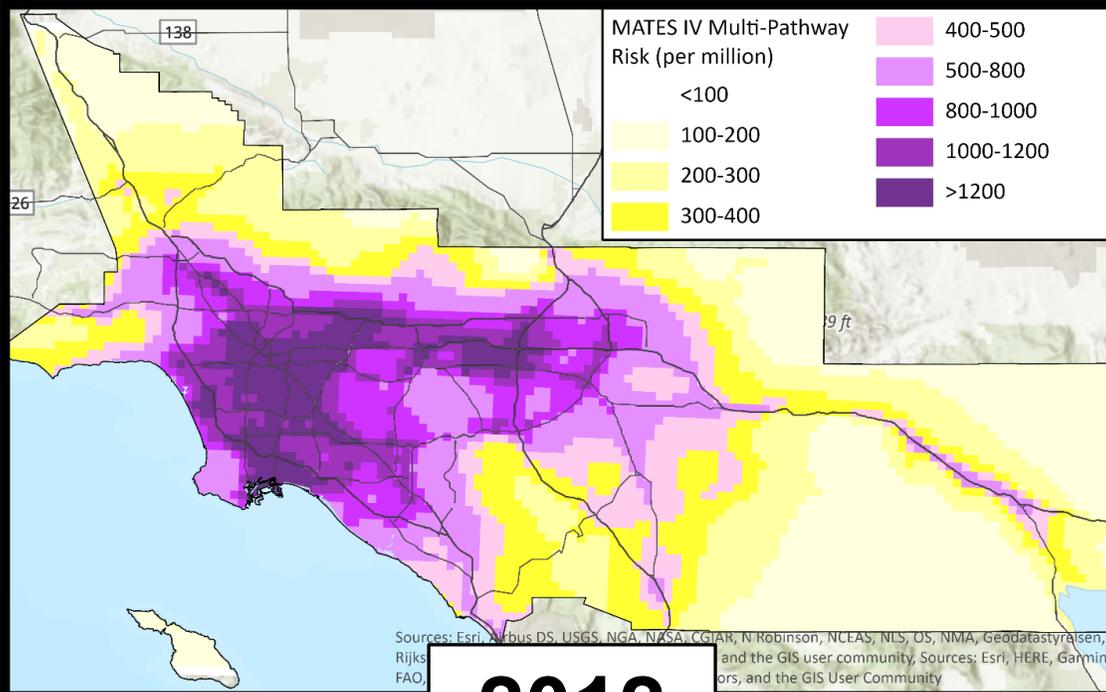
>50%  
decrease in air  
toxic cancer  
risk since  
MATES III  
2/3 of air toxics  
cancer risk  
from Diesel  
PM  
Continuous  
UFP and BC  
measurements



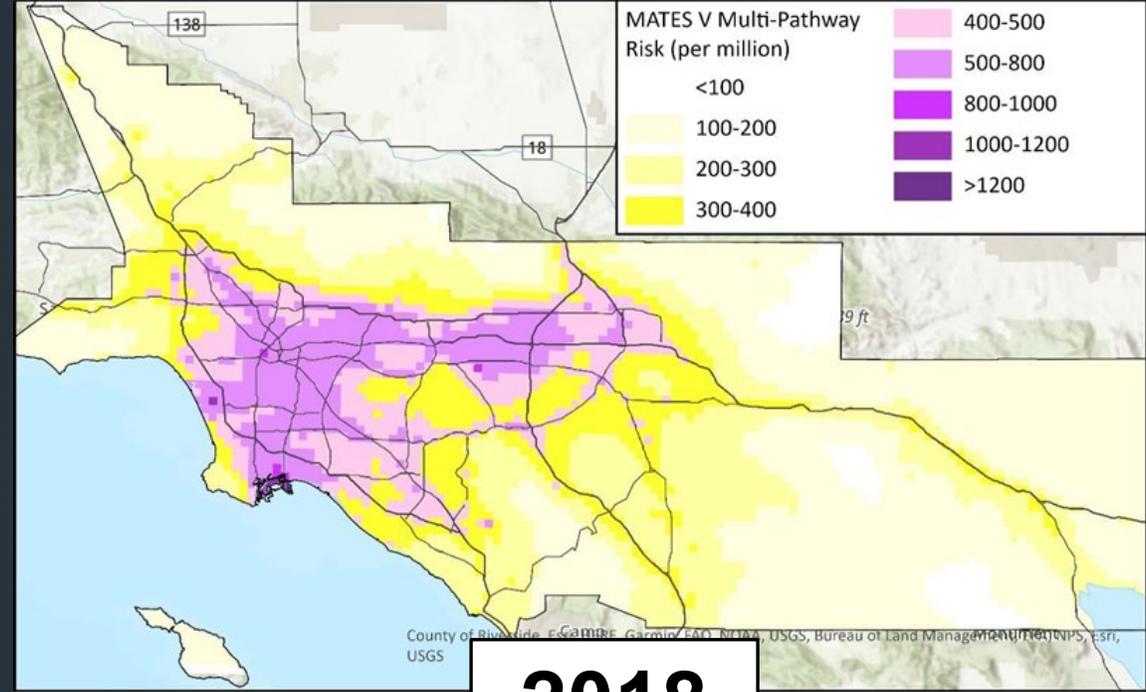
# Air Toxics Cancer Risk – Modeling Data

**MATES IV (population-weighted):**  
 South Coast Air Basin: **997-in-a-million**  
 Coachella Valley: **357-in-a-million**

**MATES V (population-weighted):**  
 South Coast Air Basin: **455-in-a-million**  
 Coachella Valley: **250-in-a-million**



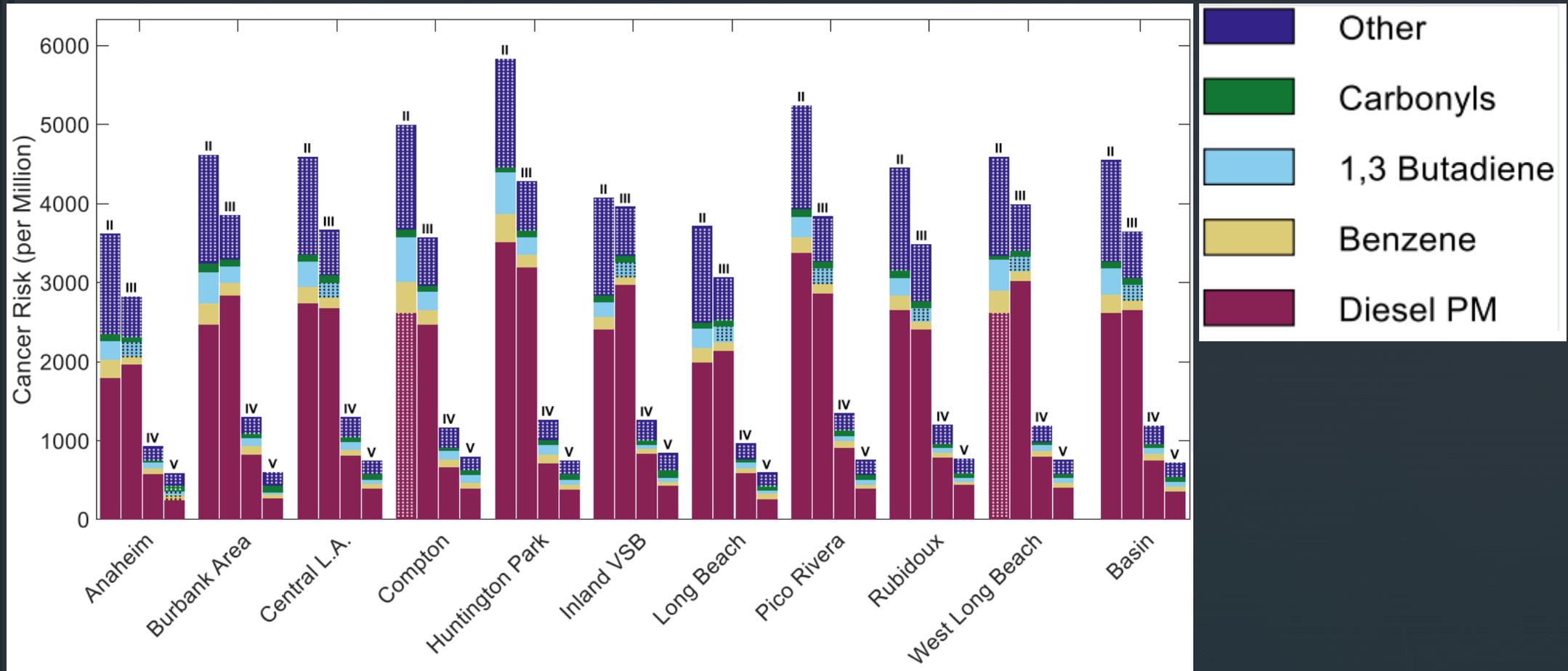
**2012**



**2018**

# MATES V Cancer Risk Trends

(based on monitoring data)



# MATES VI Approach



Solicit Feedback from 20 Member Technical Advisory Group



Air Monitoring Campaign at 10 Locations

- South Coast Air Basin and Coachella Valley
- Two Near-Road Sites
- One Year



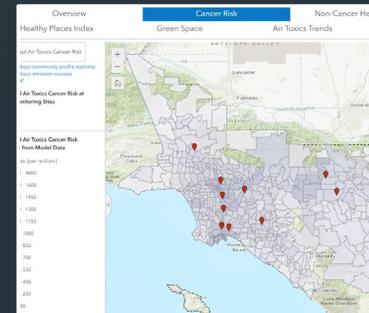
Comprehensive Modeling Analysis of Air Toxics Cancer Risk with Updated Emission Inventory



Analysis of Trends in Concentrations and Health Risk Over Past MATES Studies

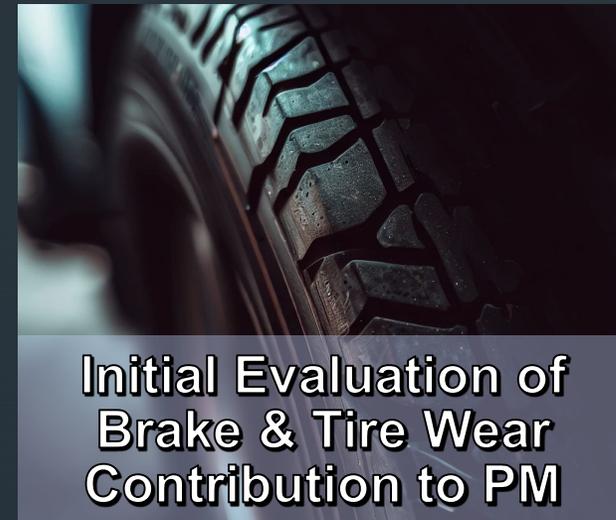
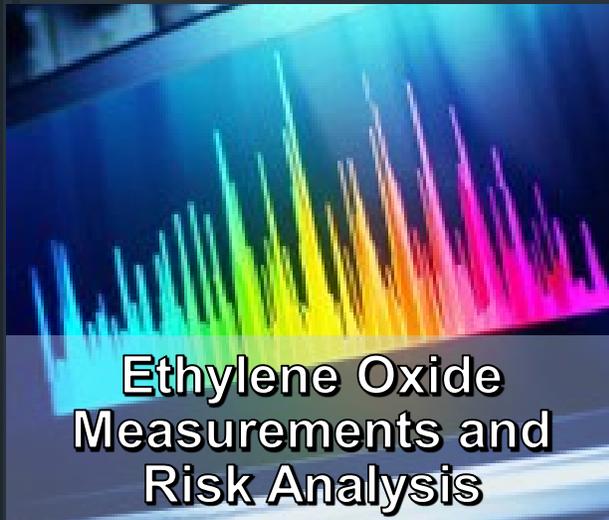


Cancer Risk and Chronic Non-Cancer Health Impacts Determined with Measurement Data

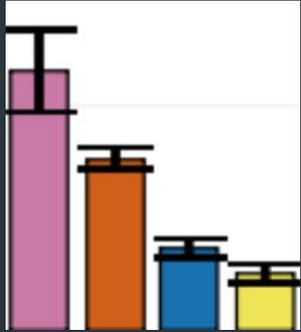


Online Interactive Data Display to Visualize Risk and Concentration Data

# What's New for MATES VI?

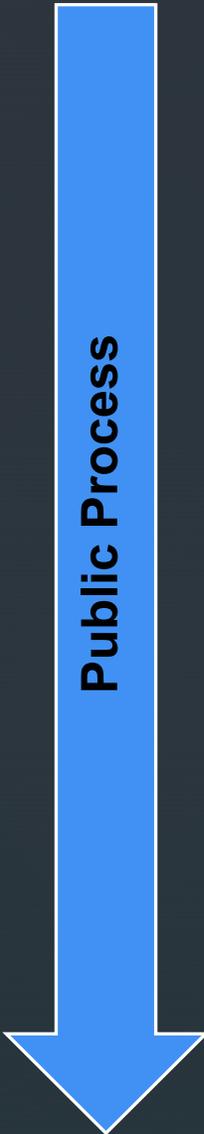
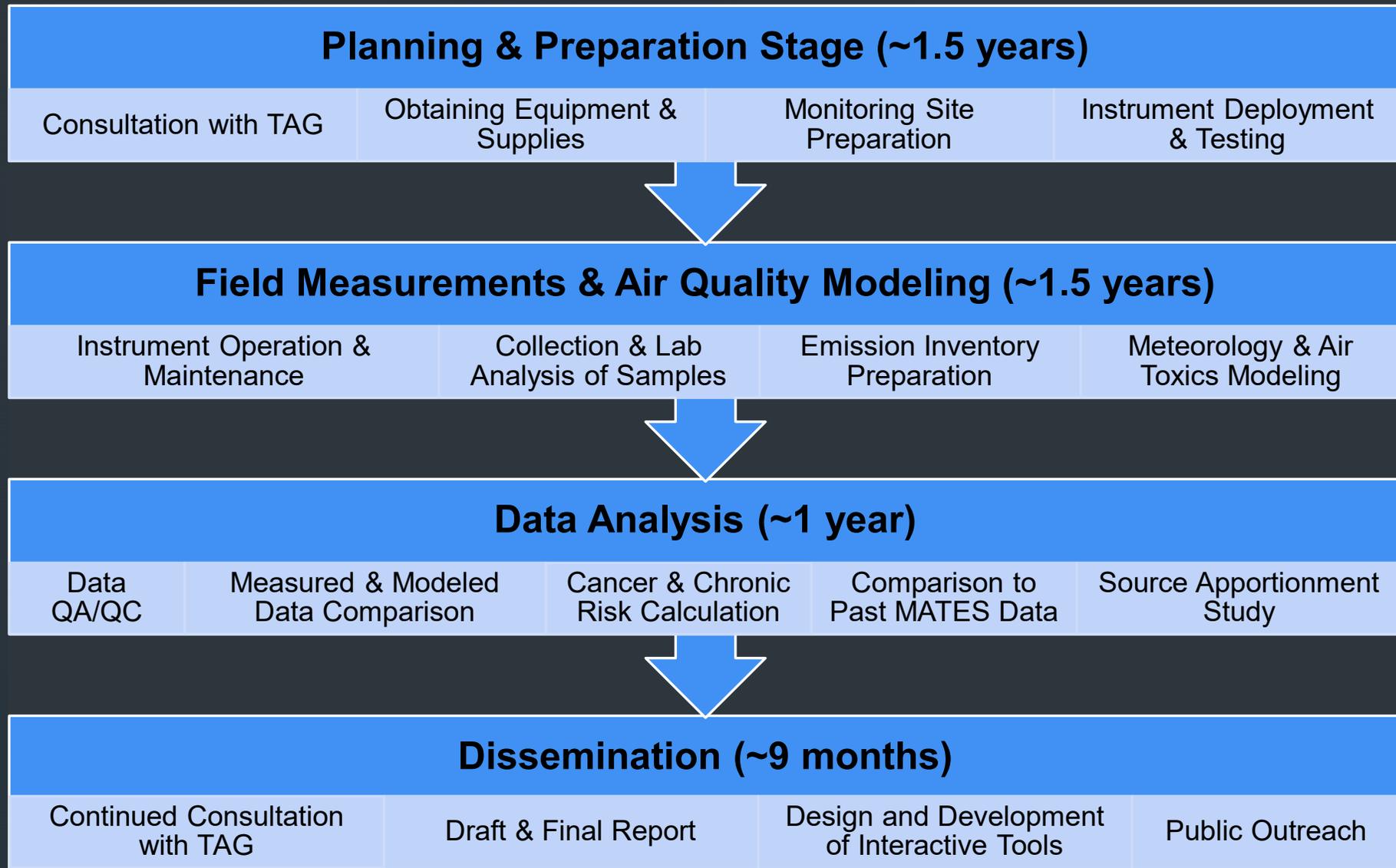


# How are MATES Results Used?



- Evaluate progress of air toxic control programs
- Help prioritize policy-making by determining major contributors to toxic risk
- Help interpret data from special air toxics monitoring studies and community air monitoring projects
- Identify unknown air toxics sources
- Help address public inquiries related to air toxics impacts

# MATES VI Process



# Why is MATES Conducted at Long Intervals?

- Multi-year process to prepare a MATES analysis and report
  - Much of the work must be done sequentially
- Very complex analysis – only agency in the nation that conducts a regional air toxics analysis of this scale (>60 staff involved in MATES V)
  - Extensive input from and coordination between field staff, laboratory staff, modeling staff, air quality assessment staff, and advanced monitoring staff
- Some modeling inputs are based on AQMP (e.g., vehicle activity)
- Trends are difficult to observe on short intervals

# Resource Requirements



## Infrastructure

- 10 Fixed monitoring stations
- Expansion of Near Road sites to accommodate additional equipment
- Computational resources and storage



## Air Monitoring Equipment, Maintenance, and Supplies

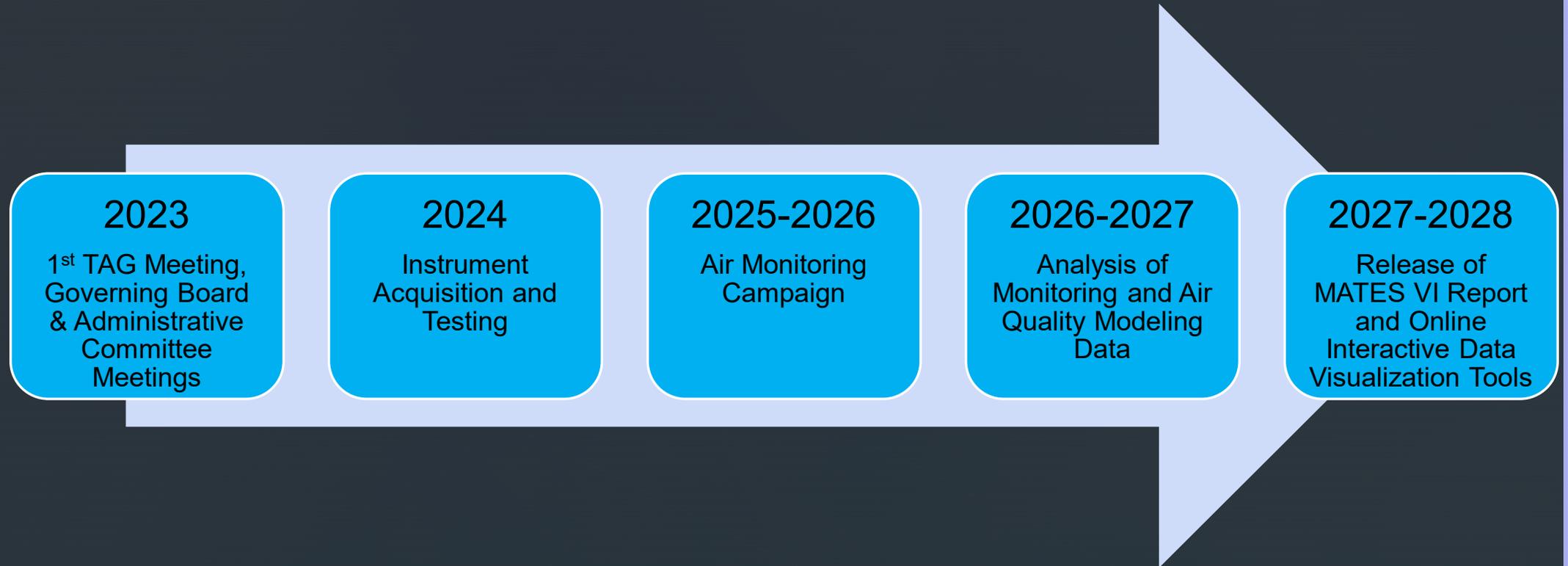
- Real-time and time-integrated measurements
- Over 50 real-time monitors, samplers, and meteorology stations
- Weekly visits to all sites for the operation and maintenance of the monitoring equipment and sample collection



## Laboratory Equipment, Maintenance, and Supplies

- Over 2500 samples to be collected and analyzed in the lab
- Replacement and maintenance of laboratory VOC analysis equipment
- Contract lab analyses for specific pollutants

# Tentative Timeline\* & Next Steps



- November 9<sup>th</sup> Administrative Committee Meeting
- December 1<sup>st</sup> Governing Board Meeting
- MATES VI homepage: [www.aqmd.gov/MATES6](http://www.aqmd.gov/MATES6).

\* Schedule subject to change

[↑ Back to Agenda](#)



# UPDATE ON RAIL YARD FACILITY BASED MOBILE SOURCE MEASURES

OCTOBER 6, 2023 BOARD MEETING

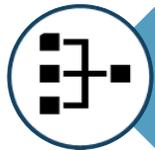
# OVERVIEW



Update on New Rail Yard



Preliminary Concepts of Potential MOU



Preliminary Concepts of Proposed ISRs



Preliminary Estimates of Emission Reductions

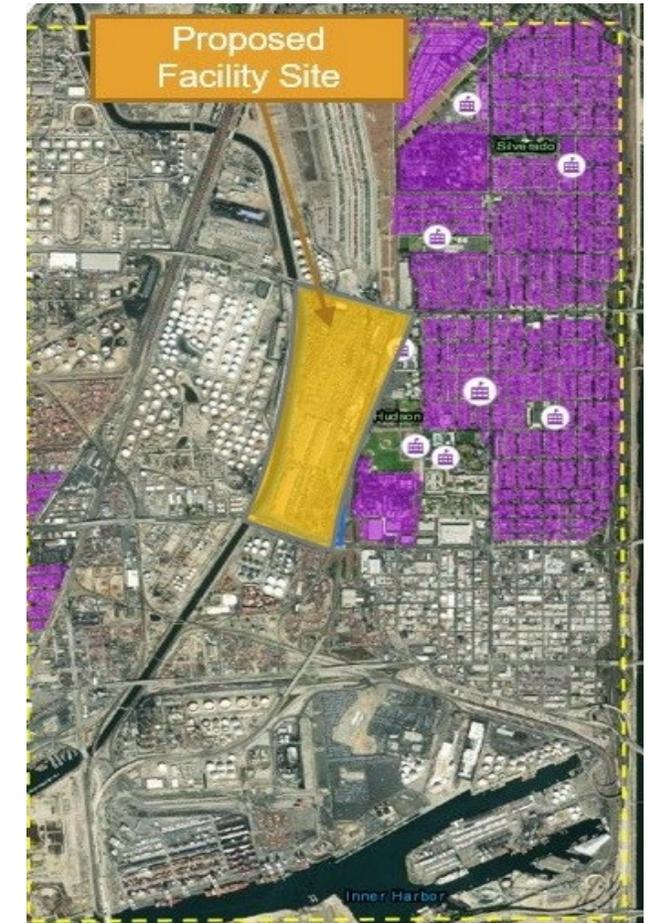


Next Steps

*MOU = Memorandum of Understanding*  
*ISR = Indirect Source Rule*

# UPDATE ON SOUTHERN CALIFORNIA INTERNATIONAL GATEWAY

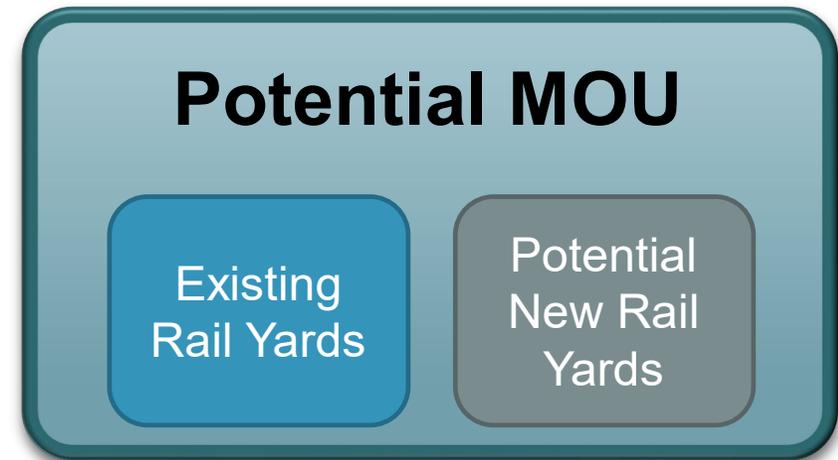
- The Southern California International Gateway (SCIG) is a near-dock intermodal rail yard facility proposed by BNSF
  - On land owned primarily by Port of Los Angeles
- 2012 Final Environmental Impact Report (EIR) was set aside after successful lawsuit filed by South Coast AQMD and others\*
  - Port of LA released Revised Draft EIR in 2021
- BNSF indicated at a recent U.S. EPA community meeting, that SCIG remains under consideration



\*Petitioners include: (1) Fast Lane Transportation, Inc.; (2) City of Long Beach, (3) Coalition for a Safe Environment, Apostolic Faith Center, Community Dreams, and California Kids IAQ; (4) East Yard Communities for Environmental Justice, Coalition for Clean Air, Century Villages at Cabrillo, Elena Rodriguez, Evelyn Deloris Knight, and Natural Resources Defense Council, Inc.; (5) Long Beach Unified School District; (6) South Coast Air Quality Management District; and (7) California Cartage Company, Inc., Three Rivers Trucking, Inc., and San Pedro Forklift

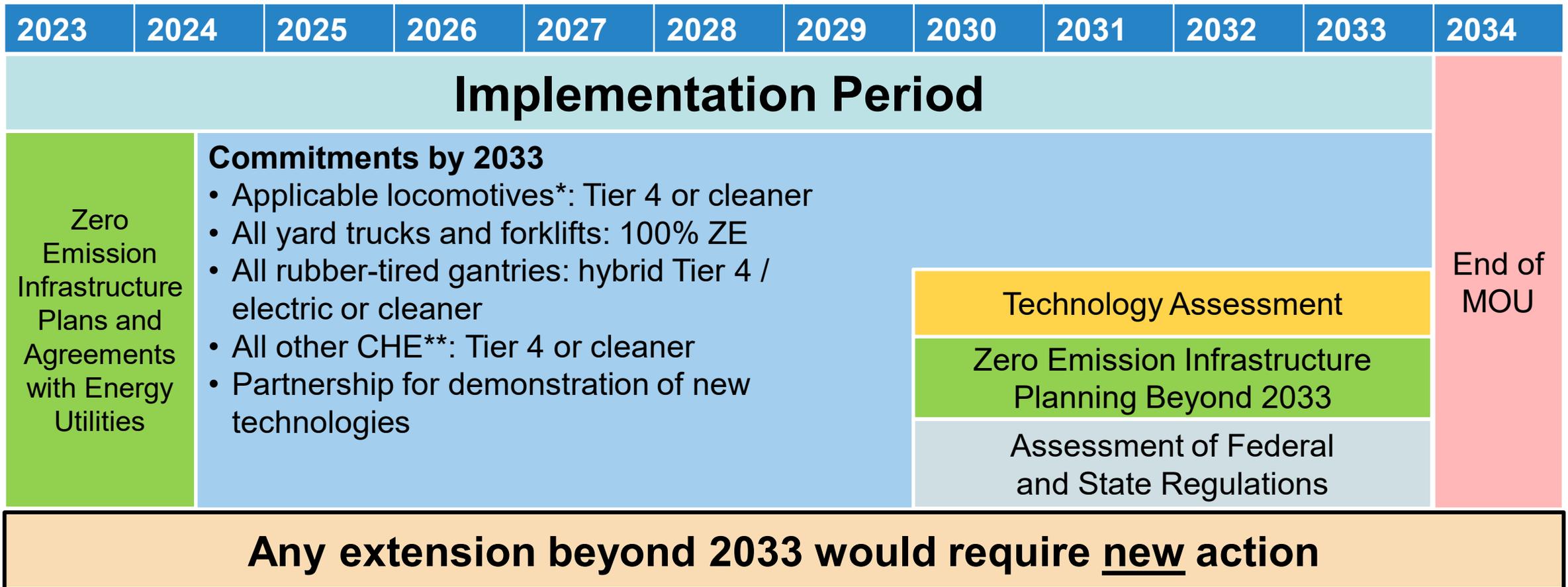
# SCOPE OF POTENTIAL MOU

- The MOU aims to reduce air quality impacts from **existing** and **new** rail yards by reducing emissions from:
  - ❖ Applicable Locomotives\*
  - ❖ Yard Trucks and Forklifts
  - ❖ Rubber Tired Gantry Cranes (RTG)
  - ❖ All Other Cargo Handling Equipment (CHE)
- Potentially additional community benefits



\* Locomotives staying within the South Coast AQMD during normal business operations

# PRELIMINARY CONCEPTS ON MOU TIMELINE



\* Locomotives staying within the South Coast AQMD during normal business operations

\*\* CHE = cargo-handling equipment

# CONSIDERATIONS FOR INTERIM MILESTONES

2023



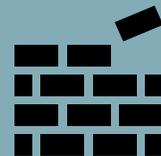
2033

Staff and Railroads agree  
**interim milestones of emission reductions**  
are necessary and will consider factors such as:

Continual emission  
reduction progress



Deployment of feasible  
ZE technologies



Transparency and  
accountability



# PRELIMINARY ENFORCEABILITY CONCEPTS



Enforce on committed actions to reduce rail emissions, implement ZE infrastructure, etc.



Dispute resolution part of the enforcement process



Enforceable by U.S. EPA and citizen suit



\*SIP = State Implementation Plan

# PRELIMINARY CONCEPTS OF RAIL YARD ISRs

## Proposed Rule 2306 – New Rail Yard Indirect Source Rule

### Initial Preliminary Draft Rule (Jan 2023):

- Establish a facility-based mass emissions limit that will decline over time
- Submit periodic reporting to demonstrate compliance with emission limit
- Submit zero emission infrastructure plan and progress report

## Proposed Rule 2306.1 – Existing Rail Yard Indirect Source Rule

### Initial Concepts (Nov 2019):

- Reduce exposures from locomotive maintenance emissions
- Establish an incentive program focused on cleanest locomotive use
- Require engineering plans for zero emissions operations
- Evaluate new monitoring approaches for in-use locomotives

# APPLICABILITY FOR PROPOSED RULES, MOU, CARB'S IN-USE LOCOMOTIVE REGULATION

	<b>PR 2306</b> <i>(Jan 2023 Concepts)</i>	<b>PR 2306.1</b> <i>(Nov 2019 Concepts)</i>	<b>Proposed MOU</b>	<b>CARB In-Use Locomotive Regulation</b>
New/Existing Rail Yards	New	Existing	New and Existing	New and Existing
Locomotives	Yes, consistent with CARB Regulation	No, except locomotive maintenance	Yes, 100% Tier 4 or cleaner by 2033 for in-basin locomotives*	Yes, allows alternative compliance option
Cargo Handling Equipment (CHE)	Not yet determined	Not contemplated	Yes, cleaner than currently required**	No
Zero-Emission Infrastructure	Plans	Plans	Plans and agreements with electric utilities	May be funded by spending account

\* Including both switching and line-haul locomotives performing only in-basin activities.

\*\*Currently subject to the existing statewide CHE Regulation.

# PRELIMINARY ESTIMATES OF EMISSION REDUCTIONS

## Preliminary NOx Reductions Between Now and 2033 (*tons per day*)

	PR 2306* (Jan 2023 Concepts)	PR 2306.1 (Nov 2019 Concepts)	Proposed MOU**	CARB In-Use Locomotive Regulation***
<b>Locomotives</b>	?	<0.1  <i>Assuming reduced maintenance emissions</i>	~2.4  <i>Commitment of 100% Tier 4 in- basin line-haul and switchers</i>	Up to 8.2  <i>Assuming maximal purchase of:</i> <ul style="list-style-type: none"> <li>• Tier 4 line-haul, and</li> <li>• Tier 4 and ZE switchers</li> </ul>
<b>Cargo Handling Equipment****</b>	?	0	~0.1	0

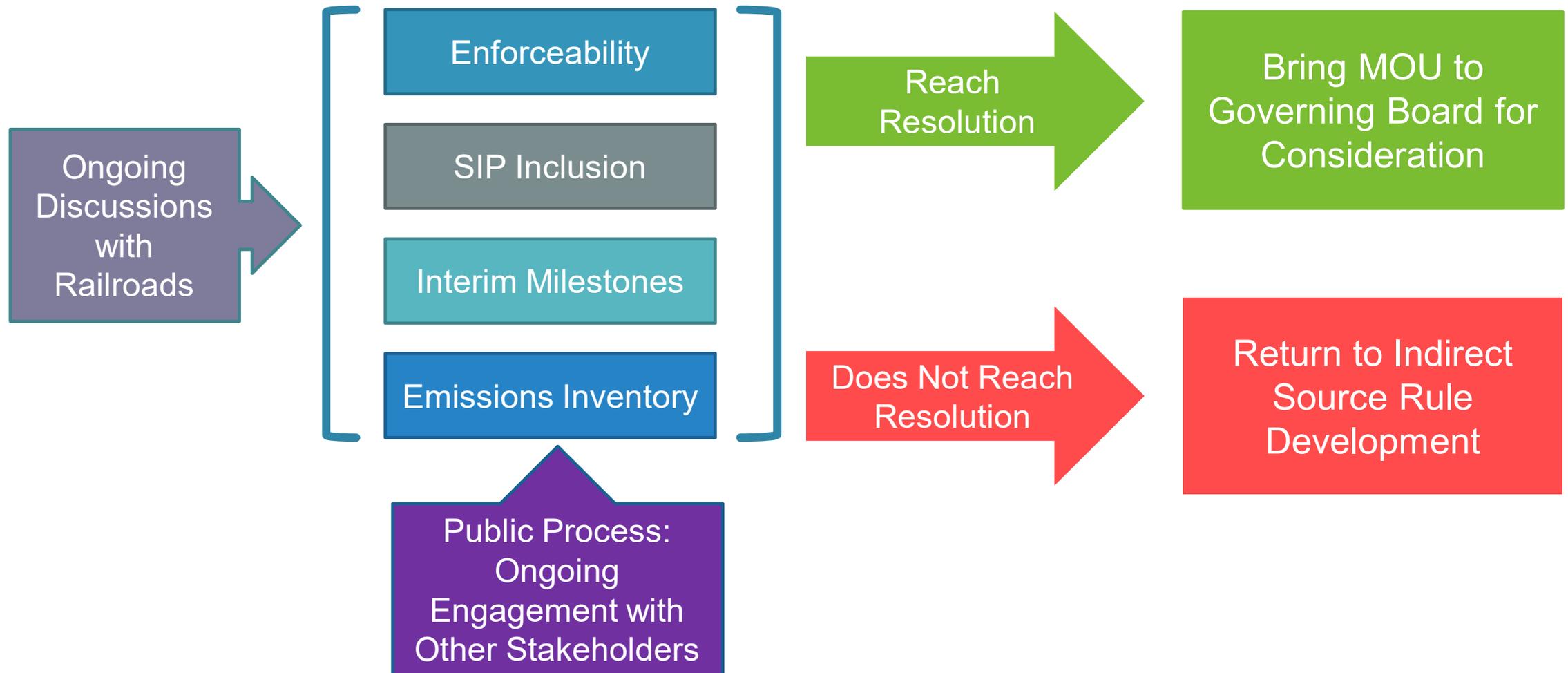
\* Emission reductions from PR 2306 concepts are undetermined due to proposed new intermodal rail yards with uncertain futures.

\*\* Preliminary estimates were based on existing rail yards only while the proposed MOU will cover new rail yards as well. Further refinements are underway.

\*\*\* 2022 State Implementation Plan emissions inventory for Class 1 switching and line haul activities in South Coast Air Basin: CY 2022 vs. CY 2033.

\*\*\*\* Estimated reductions for Cargo Handling Equipment under the proposed MOU are in excess of the existing CARB CHE regulation.

# DECISION PATHWAY FOR MOU DEVELOPMENT



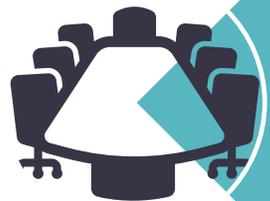
# UPCOMING ACTIVITIES



Status Updates to  
Mobile Source Committee in October



Community Meetings Anticipated in  
Late October



Board Consideration of MOU in  
January