BOARD MEETING DATE: December 4, 2026 AGENDA NO. 2

PROPOSAL: Set Public Hearings January 8, 2027 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:

A. Determine That Proposed Amended Rule 401 – Visible Emissions, Is Exempt from CEQA; and Amend Rule 401

Proposed Amended Rule 401 will establish specific requirements for smoke tests conducted at petroleum refineries and facilities with related operations to petroleum refineries, exempt smoke tests required by South Coast AQMD from visible emissions requirements, and exempt fog generating equipment, that meets specific criteria, from visible emissions requirements. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 401 – Visible Emissions, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 401. (Reviewed: Stationary Source Committee, November 20, 2026)

B. Determine That Proposed Amendments to Regulation XXX – Title V Permits, Are Exempt from CEQA; Amend Regulation XXX; and Submit as Program Revision to Title V Program

Regulation XXX – Title V Permits, establishes provisions for Title V facilities including obtaining a Title V permit and complying with the conditions of the permit. To be consistent with a decision made in 2025 by the U.S. Court of Appeals for the District of Columbia Circuit to reverse U.S. EPA's 2023 Affirmative Defense Rule, Proposed Amended Regulation XXX will restore the emergency affirmative defense provisions and associated rule references. This action is to adopt the Resolution: 1) Determining that the proposed amendments to Regulation XXX – Title V Permits, which includes Proposed Amended Rule 3002 – Requirements and Proposed Amended Rule 3004 – Permit Types and Content, are exempt from the requirements of the California Environmental Quality Act; 2) Amending Regulation XXX – Title V Permits, which includes Proposed Amended Rules 3002 and 3004; and 3) Directing staff to submit the proposed amendments to Regulation XXX – Title V Permits, which

includes Proposed Amended Rules 3002 and 3004, to CARB and U.S. EPA as a program revision to the Title V program. (Reviewed: Stationary Source Committee, November 20, 2026)

The complete text of the proposed amended rules, and other supporting documents will be made available from the South Coast AQMD's Public Information Center at (909) 396-2001, or Lisa Tanaka – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-3327, publicadvisor@aqmd.gov and on the Internet (www.aqmd.gov) as of December 8, 2026.

RECOMMENDED ACTIONS:
Set Public Hearings January 8, 2027 to: 1) Determine that Proposed Amended Rule 401 is exempt from CEQA and amend Rule 401; and 2) Determine that proposed amendments to Regulation XXX are exempt from CEQA, amend Regulation XXX, and submit as a program revision to the Title V Program.

Wayne Nastri
Executive Officer

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