

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Preliminary Draft Staff Report

Proposed Amended Rule 1302 – Definitions

May 2026

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EXECUTIVE SUMMARY

California Senate Bill 1383 (SB 1383) requires organic waste diversion from landfills. The legislature recognized that significant investment is required to develop organics recycling capacity and local funding mechanisms are needed to support the expansion of organics recycling capacity. The law aims to reduce methane emissions by reducing organic waste in landfills. It mandates statewide residential and commercial organic waste collection to compost or recycle food scraps, yard waste, and paper. These materials would otherwise continue to be deposited in landfills ultimately generating methane which is a greenhouse gas.

Rule 1302 – Definitions defines terms used in Regulation XIII – New Source Review (NSR). The purpose of Proposed Amended Rule 1302 (PAR 1302) is to update the definition of Essential Public Service to include composting operations vented to emission control systems that reduce emissions by 80 percent or greater by weight that are subject to Rule 1133.3 – Emission Reductions from Composting Operations (Rule 1133.3). The proposed amendment addresses composting operations impacted by increased organic waste diversion away from landfills as required by SB 1383. South Coast AQMD is identifying composting operations as Essential Public Services, granting access to emission offsets in the Priority Reserve.

PAR 1302 will allow composting operations which meet emission reduction requirements to access offsets from the Priority Reserve, which could lead to emission reductions when compared to an emission baseline of windrow composting. PAR 1302 will not require the use of aerations systems or enhanced emission controls and therefore, there will be no additional costs from the adoption of PAR 1302. However, PAR 1302 will eliminate offset costs for facilities opting to use aerations systems or enhanced emission controls.

PAR 1302 was developed through a public process. One Working Group meeting was held on February 25, 2025. A Public Workshop will be held on June 2, 2026.

CHAPTER 1: BACKGROUND

INTRODUCTION

BACKGROUND

REGULATORY BACKGROUND

AFFECTED FACILITIES AND EQUIPMENT

PUBLIC PROCESS

INTRODUCTION

Rule 1302 – Definitions defines terms used in Regulation XIII – New Source Review (NSR). The purpose of PAR 1302 is to expand the definition of Essential Public Service to include composting operations vented to emission control systems that reduce emissions by 80 percent or greater. The proposed amendment is needed to address composting operations impacted by increased organic waste diversion away from landfills as required by SB 1383¹. SB 1383 states that the California Legislature finds and declares significant investment is required to develop organics recycling capacity and local funding mechanisms are needed to support the expansion of organics recycling capacity. South Coast AQMD is identifying composting operations as Essential Public Services, granting access to emission offsets in the Priority Reserve.

BACKGROUND

California Senate Bill 1383 requires organic waste diversion from landfills. The law aims to reduce methane emissions by reducing organic waste in landfills by 75 percent². It mandates statewide residential and commercial organic waste collection to compost or recycle food scraps, yard waste, and paper. These materials would otherwise continue to be deposited in landfills ultimately generating methane which is a greenhouse gas.



Figure 1-1: Organic Waste Diversion

Composting is the aerobic decomposition of organic, carbon-based wastes and other feedstocks to produce a biologically-stable nutrient-rich soil amendment and usable byproducts. Common feedstocks for composting include:



Figure 1-2: Windrow Composting

chipped and ground greenwaste; chipped and ground woodwaste and associated byproduct sawdust; and chipped and ground foodwaste. Under favorable biological conditions with consideration for temperature, moisture, oxygen levels, and pile shape, naturally-occurring bacteria, archaea, and other organisms consume the wastes and its byproducts for energy and reproduction³. The elevated temperatures of composting also reduce pathogens like *E. coli* and other coliform bacteria and destroy weed seeds⁴. Some specialized organisms consume VOC

and ammonia as energy sources, such as the nitrifying bacteria *Nitrosomonas*. Composting and stockpiling prior to composting are associated with VOC and ammonia emissions⁵.

¹ CalRecycle: <https://calrecycle.ca.gov/Organics/SLCP/collection/>

² CalRecycle: <https://calrecycle.ca.gov/organics/slcp/> SB 1383 also has provisions to address livestock and dairy manure management operations, but there are not any demonstrated issues or concerns for consideration of those operations to be in the scope of PAR 1302.

³ U.S. EPA: <https://www.epa.gov/sustainable-management-food/approaches-composting>

⁴ Composting Magazine: <https://www.compostmagazine.com/compost-pathogen-elimination/>

⁵ Environmental Science and Technology: <https://pubs.acs.org/doi/pdf/10.1021/acs.est.2c05846>

Composting operations are subject to Rule 1133.3. Facilities may windrow compost with best management practices including a six-inch-thick cover of finished compost or compost overs and adequately wetting the piles prior to turning. Rule 1133.3 best management practices reduce VOC emissions by 40% and ammonia emissions by 20%⁶. Alternatively, facilities can compost utilizing aeration systems that ventilate compost piles, accelerating decomposition, albeit with higher initial capital costs. Rule 1133.3 aeration systems are required to be vented to emission control systems that reduce VOC and ammonia emissions by 80 percent or greater by weight. Benefits of controlled aeration systems, as compared to windrow composting, include reduced VOC and ammonia emissions, less handling, smaller area required to compost similar tonnage, and a faster composting process; composting with aeration systems is roughly twice as fast as windrow composting⁷. This process differs from co-composting where the feedstock includes at least 20% bio-solids and is subject to Rule 1133.2 – Emission Reductions from Co-Composting Operations.



Figure 1-3: Aeration System Composting

Some composting facilities are seeking to change their windrow composting operations to aeration systems to increase throughput while not having to increase acreage. On a facility basis, doing so will likely result in similar or reduced VOC and ammonia emissions. Emissions of short-lived climate pollutants such as methane are expected to decrease. Windrow composting operations are not “equipment” and thus do not require a permit with South Coast AQMD pursuant to Rule 203 – Permit to Operate. Sources of pollution that are associated with equipment (i.e. aeration systems) and equipment that controls air pollution equipment require air permits to ensure emission reductions are occurring.

REGULATORY BACKGROUND

NSR is a regulatory program required by the federal and state Clean Air Acts that is designed to protect air quality as new or modified sources (equipment or processes) are permitted. Before a permit is issued, NSR ensures that the new or modified source meets Best Available Control Technology (BACT) at the time of permitting and an emission increase is offset by emission reductions from other existing sources. The purpose of NSR is to ensure that emission increases from new and modified sources do not interfere with the progress towards meeting the National Ambient Air Quality Standards (NAAQS) and state ambient air quality standards, while ensuring that future economic growth and facility modernization are not unnecessarily restricted.

South Coast AQMD Regulation XIII – New Source Review (Regulation XIII), sets forth the federal and state mandated pre-construction review program for new, modified, or relocated sources in the South Coast AQMD jurisdiction. Under Regulation XIII, a permit action that results

⁶ South Coast AQMD Final Staff Report for Proposed Amended Rule 1133 Series – Composting, Chipping and Grinding, and Related Operations https://www.aqmd.gov/docs/default-source/agendas/governing-board/2025/2025-sep5-031.pdf?sfvrsn=86dc6d7e_6

⁷ Approaches to Composting, U.S. EPA <https://www.epa.gov/sustainable-management-food/approaches-composting>

in an emission increase of any nonattainment air contaminant⁸ generally must install Best Available Control Technology⁹, conduct a modeling analysis¹⁰, and offset emission increases.

Regulation XIII requires offsets for any permitting action that results in an emission increase of greater than or equal to one pound per day of any nonattainment air contaminant. Most organic waste is sent to landfills where construction and operation of a landfill gas control or processing facility qualifies as an Essential Public Service. Windrow composting does not require an air permit, NSR is not triggered, therefore offset requirements of NSR no offsets are not triggered. However, because aeration systems and associated controls require an air permit, permits are subject to NSR, therefore offsets are required.

Regulation XIII establishes applicability requirements and provisions for generating and using emission offsets. Under Regulation XIII there are two types of offsets: Open Market and the Internal Account. The Open Market allows individual entities to hold, buy, sell, and transfer Emission Reduction Credits (ERCs) that can be used for offsetting requirements for new and modified sources. Quantification of ERCs is specified under Rule 1306 – Emission Calculations and the process to generate an ERC is established in Rule 1309 – Emission Reduction Credits and Short Term Credits. Use of the Internal Account is specified under Rule 1315 – Federal New Source Review Tracking System.

The Internal Account is funded primarily by facility shutdowns. Offsets from the Internal Account are available to sources that are exempted from South Coast AQMD offset requirements including federal nonattainment NSR sources pursuant to Rule 1315. Sources with a Potential to Emit less than four tons per year utilize offset exemptions pursuant to Rule 1304 – Exemptions. Rule 1309.1 – Priority Reserve allocates offsets for Essential Public Services. Through the Internal Account, South Coast AQMD provides the NSR required offsets rather than the individual entity. There is no fee for using the Internal Account.

Rule 1302 defines Essential Public Service as applicable operations by type. Listed operations are the following:

- Sewage treatment facilities, which are publicly owned or operated, and consistent with an approved regional growth plan
- Prisons
- Police facilities
- Fire fighting facilities
- Schools
- Hospitals
- Construction and operation of a landfill gas control or processing facility
- Water delivery operation
- Public transit

⁸ Based on National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) attainment status

⁹ Regulation XIII also requires BACT for emission increases of ammonia and Ozone Depleting Compounds (ODCs)

¹⁰ Regulation XIII does not require modeling for VOC and SO_x

Most operations are listed with no qualifiers on type of activity (i.e. schools and hospitals), except for sewage treatment plants and certain landfill operations. Composting operations switching from windrows to aeration systems are requesting to be defined as an Essential Public Service to avoid the need to purchase ERCs to implement certain SB 1383 projects.

AFFECTED FACILITIES AND EQUIPMENT

PAR 1302 affects approximately 53 composting facilities within South Coast AQMD's jurisdiction based on Rule 1133 registrations and CalRecycle Solid Waste Information System (SWIS)¹¹. Three of the 53 facilities already utilize aeration systems and are not expected to modify their operations. Of the remaining 50 facilities, 19 emit less than four tons of VOC per year, nine emit more than four tons of VOC per year but less than ten tons of VOC per year, and 22 emit more than ten tons of VOC per year. Almost two-thirds of the facilities are located in Riverside and San Bernardino Counties.

PUBLIC PROCESS

The development of PAR 1302 was conducted through a public process. One Working Group meeting was held on February 25, 2026. The Working Group is composed of representatives from public agencies, consultants, equipment providers, environmental and community representatives, and other interested parties. The purpose of the Working Group meetings is to discuss details of the proposed rule and to listen to concerns with the objective to build consensus and resolve key issues. Additionally, a Public Workshop will be held on June 2, 2026. The purpose of the Public Workshop is to present the proposed rule language to stakeholders and to solicit comment. Staff also conducted multiple site visits as part of this rulemaking process.

¹¹ CalRecycle SWIS Facility/Site Search <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>

CHAPTER 2: PROPOSED AMENDED RULE 1302

INTRODUCTION PROPOSED AMENDED RULE 1302

INTRODUCTION

Rule 1302 defines terms used in Regulation XIII. PAR 1302 will amend the definition of Essential Public Service to include composting operations which meet the specified emission reduction requirement.

PROPOSED AMENDED RULE 1302

Subdivision (m) – Essential Public Service

The purpose of this amendment is to include composting operations vented to an emission control system that reduce emissions by 80 percent or greater as specified in Rule 1133.3 as an Essential Public Service. This will allow facilities that utilize an aeration system with emission controls or another composting process with equal or better emission reductions qualified to draw from a pool of credits established every quarter pursuant to Rule 1309.1 (a).

Rule 1133.3 defines Composting Operations and includes provisions on how to determine control efficiency for composting operations. Rule 1133.3 is to be utilized when determining applicability for Rule 1302. Rule 1133.3 subparagraph (d)(3)(A) – Aeration System Vented to Control System delineates the methodology which allows facilities to 1) compare inlet and outlet concentrations of VOC and ammonia; 2) utilize standard baseline emission factors; or 3) derive operation-specific baseline emission factors approved by the Executive Officer. Co-composting operations subject to Rule 1133.2 are not included in this definition.

However, the proposed amendment should not be construed to be limited to aeration systems with emission controls. Further improvements and efficiencies of composting operations are expected and any technology that can demonstrate a control efficiency of 80 percent or greater by weight utilizing one of the methodologies above are defined as an Essential Public Service.

Two major considerations were evaluated when determining if composting operations should be included as an Essential Public Service. First is if the service provided to the public is a critical infrastructure needed to maintain health, safety, and societal function. While this could be interpreted broadly, South Coast AQMD has limited the list to core services that provide public health and emergency services (hospital, police, fire fighting, prison), public transit, water supply, schools, and waste management (sewage treatment and landfill gas control). Inclusion of composting operations is consistent with South Coast AQMD's earlier designation of landfill gas control or processing as an Essential Public Service. Increased composting is directly associated with organic waste diversion mandated by California Senate Bill 1383. Without organic waste diversion, the organic waste would have been deposited in a landfill and the emissions would have been generated at landfill gas control or processing facility.

The second major consideration was the availability of sufficient offsets when expanding the definition of Essential Public Service. The funding of the Priority Reserve offsets is made on a quarterly basis as noted in Table 2-1 below:

Table 2-1: Quarterly Allocation of Priority Reserve¹²

Air Contaminant	Quarterly Allocation (pounds per day)	Quarterly Allocation (tons per day)
VOC	500	0.25
NOx	250	0.13
SOx	60	0.03
PM10	125	0.06

Over time, the offset balance in the Priority Reserve has grown. Current Priority Reserve offset balance is provided in Table 2-2 below.

Table 2-2: Current Priority Reserve Offset Balance (Dec 2025)

Air Contaminant	Current Balance (tons per day)
VOC	31.36
NOx	9.63
SOx	0.92
PM10	5.24

The current emission inventory from all composting operations in the South Coast Air Basin is 2.0 tons of VOC per day based on emission reporting and emission estimates from Rule 1133.3¹³. Three of the 53 existing composting operation already utilize aeration systems. The remaining 50 composting operations currently utilize windrow composting in the South Coast Air Basin have an annual throughput of 540,000 tons per year. At an emission rate of 2.55 pounds of VOC per ton of compost, current emissions from windrow composting are 1.9 tons per day. As noted earlier, switching to an aeration system would roughly double throughput to approximately 1.1 million tons per year. The emission rate for composting with an aeration system is 0.85 pounds of VOC per ton of compost. Thus, doubling the throughput by use of aeration systems would result in 1.3 tons of VOC emissions per day of VOC emissions, a decrease of 0.6 tons per day. However, because these operations would now require air permits and need offsets pursuant to Regulation XIII, 1.6 tons per day of VOC offsets would be necessary. The estimated cost to purchase the offsets on the Open Market would be \$11.2 million based on an Open Market VOC ERC price of \$7,200,000 per ton per day (\$20,000 per ton) of VOC offset¹⁴.

In a worst-case scenario, an additional 2.6 million tons of waste per year could be composted if all organic waste occurring in the South Coast Air Basin was diverted to composting operations for a total of 3.2 million tons processed. Assuming that 1.1 million tons of organic waste would be processed via aeration system by the 50 existing composting operations, emissions are estimated to be 1.3 tons of VOC per day. The remaining 2.1 million tons of additional organic waste composted via aeration system would result in an increased 2.4 tons of VOC emission per day. Approximately 3.7 tons per day of offsets would be required at a cost of \$31 million on the Open Market. Current Priority Reserve VOC balance is more than 31 tons per day and increasing due to

¹² South Coast AQMD Rule 1309.1 <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiii/rule-1309-1-priority-reserve.pdf?sfvrsn=4>

¹³ South Coast AQMD, PAR 1133 Series Final Staff Report https://www.aqmd.gov/docs/default-source/agendas/governing-board/2025/2025-sep5-031.pdf?sfvrsn=86dc6d7e_6

¹⁴ <https://www.aqmd.gov/home/research/documents-reports/erc-transaction-report-archive>

current low demand. The addition of composting operations to the Essential Public Service definition could be adsorbed by the Priority Reserve without jeopardizing the availability, even in the worst-case scenario.

Under the same worst-case scenario, the associated VOC offset demand would also remain below the cumulative net emission increase threshold established in Rule 1315 Table B – Cumulative Net Emission Increase Thresholds for the year 2026 (20.23 tons per day of VOC). With an estimated offset requirement of approximately 3.7 tons per day, the total would not approach the applicable annual cumulative threshold for VOC emissions, indicating that even under conservative assumptions, the demand for offsets from increased composting operations would not trigger the backstop provisions of Rule 1315¹⁵. Under the worst case scenario, the level of increased composting activity would remain consistent with South Coast AQMD’s NSR framework and should not constrain future permitting actions that rely on offsets from the Internal Account or the Priority Reserve.

It should be noted that worst case scenario is extremely unlikely. While the potential offset costs are sizable, the purchase cost of the land necessary to do the composting would easily dwarf the cost of the offsets. Decades ago, South Coast AQMD was home to a large agriculture and ranching industry that used finished compost as a soil amendment, such as the hay fields that supported the dairy industry in the Chino-Corona area, at one time the most productive source of fresh milk in the United States. However, in the 21st century, these areas formerly used for agriculture or ranching now support residential homes, warehousing, or other industries. The demand for finished compost within South Coast AQMD is low and local officials report issues with excess finished compost at their facilities. Staff understands that already organic waste is being diverted to areas outside of the South Coast Air Basin that have robust agriculture and ranching activity where the finished compost will be used.

¹⁵ South Coast AQMD Status Report on Regulation XIII – New Source Review: https://www.aqmd.gov/docs/default-source/agendas/governing-board/2025/2025-sep5-018.pdf?sfvrsn=80df6d7e_2

CHAPTER 3: IMPACT ASSESSMENTS

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EMISSION REDUCTIONS

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ANALYSIS

DRAFT FINDINGS UNDER HEALTH AND SAFETY

CODE SECTION 40727

COMPARATIVE ANALYSIS

INTRODUCTION

Impact assessments were conducted as part of PAR 1302 rule development to assess the environmental and socioeconomic implications. These impact assessments include costs, emission reductions, socioeconomic impacts, and a California Environmental Quality Act (CEQA) analysis. Staff prepared draft findings and a comparative analysis pursuant to Health and Safety Code Sections 40727 and 40727.2, respectively.

EMISSION REDUCTIONS

The proposed amendment to Rule 1302 does not impose a new or more stringent emissions limit or standard. PAR 1302 will allow composting operations which meet emission reduction requirements to access offsets from the Priority Reserve, which could lead to emission reductions when compared to an emission baseline of windrow composting. However, PAR 1302 does not mandate the use of aerations systems or enhanced emission controls.

COSTS

PAR 1302 will not require the use of aerations systems or enhanced emission controls and therefore, there will be no additional costs from the adoption of PAR 1302. However, PAR 1302 will eliminate offset costs for facilities opting to use aerations systems or enhanced emission controls.

SOCIOECONOMIC IMPACT ASSESSMENT

A socioeconomic impact assessment, to be included in the Draft Staff Report, will be prepared and released for public review and comment at least 30 days prior to the South Coast AQMD Governing Board Hearing for PAR 1302, which is scheduled for August 7, 2026 (subject to change).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) and South Coast AQMD's certified regulatory program (Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(1); codified in South Coast AQMD Rule 110), the South Coast AQMD, as lead agency is currently reviewing the proposed project (PAR 1302) to determine if it will result in any potential adverse environmental impacts. Appropriate CEQA documentation will be prepared based on the analysis.

DRAFT FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 40727

Requirements to Make Findings

Health and Safety Code Section 40727 requires that the Governing Board make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report. In order to determine compliance

with Health and Safety Code Section 40727, Health and Safety Code Section 40727.2 requires a written analysis comparing the proposed amended rule with existing regulations, if the rule meets certain requirements.

Necessity

A need exists to amend PAR 1302 to address composting operations impacted by increased organic waste diversion required by California Senate Bill 1383.

Authority

The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, and 41508.

Clarity

PAR 1302 is written or displayed so that its meaning can be easily understood by the persons directly affected by them.

Consistency

PAR 1302 is in harmony with and not in conflict with or contradictory to existing statutes, court decisions, or state or federal regulations.

Non-Duplication

PAR 1302 will not impose the same requirements as any existing state or federal regulations. The proposed rules are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference

In amending this rule, the following statutes which the South Coast AQMD hereby implements, interprets or makes specific are referenced: Health and Safety Code Sections 39002, 40001, 40406, 40702, 40440, and 40725 through 40728.5.

COMPARATIVE ANALYSIS

PAR 1302 does not impose a new or more stringent emissions limit or standard, or a new or more stringent monitoring, reporting, or recordkeeping requirement. Therefore, consistent with Health and Safety Code Section 40727.2 (g), no comparative analysis is required.