South Coast Air Quality Management District

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

AGENDA

HYBRID GOVERNING BOARD MEETING NOVEMBER 1, 2024

A meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, November 1, 2024 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone. Please follow the instructions below to join the meeting remotely.

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

Electronic Participation Information (Instructions provided	Join Zoom Meeting - from PC, Laptop or Phone <u>https://scaqmd.zoom.us/i/93128605044</u> Meeting ID: 931 2860 5044 (applies to all) Teleconference Dial In +1 669 900 6833 or +1 253 215 8782 One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044# Spanish Language Only Audience (telephone)		
at the bottom of the agenda)	Número Telefónico para la Audiencia que Habla Español Teleconference Dial In/Numero para llamar: +1 669 900 6833 Meeting ID/Identificación de la reunión: 932 0955 9643 One tap mobile: +16699006833,,93209559643		
Public Comment Will Still Be Taken	Audience will be allowed to provide public comment in person and through Zoom connection or telephone. Comments are limited to three (3) minutes per person for all items on the Consent and Board Calendars and may be further limited by the Chair to ensure all can be heard.		
	Phone controls for participants: The following commands can be used on your phone's dial pad while in meeting: *6 (Toggle mute/unmute); *9 - Raise hand		
Questions About an	The name and telephone number of the appropriate staff person to call		
Agenda Item	for additional information or to resolve concerns is listed for each agenda item.		
	 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. 		

Meeting Procedures	•	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> .
	•	After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at www.aqmd.gov)

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.

A webcast of the meeting is available for viewing at: http://www.agmd.gov/home/news-events/webcast

CALL TO ORDER

- Pledge of Allegiance
- Roll Call
- Swearing in of Newly-Appointed Board Member Donald P. Wagner
- 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 19)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 20.

<u>Item 1 through 3 – Action Items/No Fiscal Impact</u>

- 1. Approve Minutes of October 4, 2024
- Set Public Hearings December 6, 2024 to Consider Nastri/3131
 Adoption of and/or Amendments to South Coast AQMD Rules and Regulations:
 - A. Certify Final Subsequent Environmental Assessment for Proposed Amended Rule 1111– Reduction of NOx Emissions from Natural Gas-Fired Furnaces and Proposed Amended Rule 1121 – Reduction of NOx Emissions from Small Natural Gas-Fired Water Heaters; and Amend Rule 1111 and Rule 1121

Proposed Amended Rule 1111 (PAR 1111) and Proposed Amended Rule 1121 (PAR 1121) propose to require zeroemission NOx limits for new installations of applicable residential and small commercial furnaces and water heaters based on future effective dates. The rules provide alternative compliance options for emergency replacement and certain construction activities. In addition, PAR 1111 and PAR 1121 clarify and update rule language. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Amended Rule 1111– Reduction of NOx Emissions from Natural Gas-Fired Furnaces and Proposed Amended Rule 1121 - Reduction of NOx Emissions from Small Natural Gas-Fired Water Heaters; and 2) Amending Rule 1111 and Rule 1121. (Reviewed: Stationary Source Committee, October 18, 2024)

Thomas/3268

Krause/2706

	В.	Determine that Proposed Rule 1159.1 – Control of NOx Emissions from Nitric Acid Tanks, is Exempt from CEQA and Adopt Rule 1159.1	Krause/2706
		Proposed Rule 1159.1 will establish BARCT emission limits for NOx for nitric acid tanks at RECLAIM, former RECLAIM, and non-RECLAIM facilities. The proposed rule includes requirements for installation of controls, parametric monitoring, source testing, and recordkeeping. This action is to adopt the Resolution: 1) Determining that Proposed Rule 1159.1 – Control of NOx Emissions from Nitric Acid Tanks, is exempt from the requirements of the California Environmental Quality Act, and 2) Adopting Rule 1159.1 – Control of NOx Emissions from Nitric Acid Tanks. (To Be Reviewed: Stationary Source Committee, November 15, 2024)	
3.	Es	tablish Board Meeting Schedule for Calendar Year 2025	Nastri/3131
	is s the mo info	e proposed Board Meeting Schedule for Calendar Year 2025 submitted for Board consideration. The meeting schedule for Administrative Committee meeting, (second Friday of the onth), as well as the other standing committees is included for prmation only. (Reviewed: Administrative Committee, October 2024; Recommended for Approval)	
		<u>Items 4 through 6 – Budget/Fiscal Impact</u>	
4.	Me an	ecute Contracts to Develop Data-Based Planning Tool for edium- and Heavy-Duty Truck Charging Networks, Fleets, d Power Grid Systems and to Investigate Benefits of ectric Vehicle-to-Home Technology on Air Quality	Katzenstein/2219
	Ecc pro cha dep and Ca AP tec hor 1) pla	April 2024, the University of California, Riverside's Energy, onomics and Environment Research Center (UCR/E3) posed to develop a planning tool to assist fleet owners, arging infrastructure developers, and other stakeholders to oloy medium- and heavy-duty (MD/HD) battery electric trucks d charging infrastructure. Also, in August 2024, the University of lifornia, Irvine Advanced Power and Energy Program (UCI EP) proposed to investigate electric vehicle-to-home (V2H) hnology that enables electric vehicles to transfer energy to mes and estimated emission reductions. These actions are to: execute a contract with UCR/E3 to develop a data-based nning tool for the deployment of MD/HD trucks and charging rastructure in Southern California in an amount not to exceed	

 Expand Purpose of LADWP Settlement Projects Fund, Recognize Funds, Execute Contracts for Electrification Projects at Los Angeles Zoo, and Reimburse General Fund for Project Administrative Costs

On October 19, 2023, a Settlement Agreement was entered between the City of Los Angeles, the Los Angeles Department of Water and Power (LADWP), and South Coast AQMD. As a result of the settlement, LADWP paid \$450,000 plus a 6.25 percent administrative fee of \$28,125, for a total of \$478,125, to South Coast AQMD to be used for supplemental environmental project(s) that reduce emissions. These actions are to: 1) Expand the purpose of the LADWP Settlement Projects Fund (38); 2) Recognize \$478,125 into the LADWP Settlement Projects Fund (38); 3) Execute agreements not to exceed a combined total of \$450,000 from LADWP Settlement Projects Fund (38) with SSA Group, LLC (SSA) to purchase four electric passenger trams with a five-year maintenance contract, and with American Green Zone Alliance (AGZA) to purchase electric lawn and garden equipment and two electric utility maintenance vehicles; and 4) Reimburse the General Fund up to \$28,125 for project administrative costs. (Reviewed: Technology Committee, October 18, 2024; Recommended for Approval)

6. Adopt Resolution and Recognize Revenue for Continued AB 617 Implementation

South Coast AQMD was approved to receive a \$22,213,333 grant from the CARB AB 617 Community Air Protection Program. In May 2024, the Board recognized \$20,336,700 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 and recognize an additional \$1,876,633 from CARB into the General Fund for AB 617. (Reviewed: Administrative Committee, October 11, 2024; Recommended for Approval)

Items 7 through 13 – Information Only/Receive and File

This report highlights the September 2024 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)

7. Legislative, Public Affairs and Media Report

8. Hearing Board Report

This reports the actions taken by the Hearing Board during the period of September 1 through September 30, 2024. (No Committee Review)

Jain/2804

Alatorre/3122

Katzenstein/2219

Ali

Gilchrist/3459		Civil Filings and Civil Penalties Report	9.
	1, 2024 through AQMD Rules is	This report summarizes monthly penalties and by the General Counsel's Office from Septembe September 30, 2024. An Index of South Coas attached with the penalty report. (Reviewed: S Committee, October 18, 2024)	
Krause /2706	Documents and	Intergovernmental Review of Environmental CEQA Lead Agency Projects	10.
	uth Coast AQMD 30, 2024, and is acting as lead	This report provides a listing of environmental doe by other public agencies seeking review by So between September 1, 2024 and Septembe proposed projects for which South Coast AQME agency pursuant to CEQA. (Reviewed: Mobile S October 18, 2024)	
Rees/2856		Rule and Control Measure Forecast	11.
		This report highlights South Coast AQMD rulema and public hearings scheduled for 2024 and a te for portions of 2025. (No Committee Review)	
leard-Johnson/3428	mbly Bill 617 H	2024 Annual Progress Report for Asse Community Emission Reductions Plans	12.
	zes the progress ves implemented th Coast AQMD	The 2024 Annual Progress Report for As Community Emission Reductions Plans summar of Community Emission Reductions Plans object from September 2019 to June 2024 in six Son Assembly Bill 617 designated communities. Review)	
Moskowitz/3329	ng Projects for	Status Report on Major Ongoing and Upcom Information Management	13.
	Coast AQMD status report on	Information Management is responsible for management services in support of all South operations. This action is to provide the monthly major automation contracts and planned proje Administrative Committee, October 11, 2024)	
	ommittees and CARB	Items 14 through 19 Reports for (
		The October 17, 2024 MSRC meeting was cancell scheduled meeting of the MSRC will be held on	
Nastri/3131	Chair: Delgado	Administrative Committee (Receive & File)	14.
Alatorre/3122	Chair: Cacciotti	Legislative Committee (Receive & File)	15.
Rees/2856	Chair: Kracov	Mobile Source Committee (Receive & File)	16.
Aspell/2491	Chair: McCallon	Stationary Source Committee (Receive & File)	17.
Katzenstein/2219	Chair: Rodriguez	Technology Committee (Receive & File)	18.

Board Rep.: Kracov

- 19. California Air Resources Board Monthly Report (Receive & File)
- 20. Items Deferred from Consent and Board Calendar

PUBLIC HEARINGS

 Determine That Proposed Amended Rule 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations Does Not Require New Environmental Document; and Amend Rule 1151

In 2018 and 2020, the California Office of Environmental Health Hazard Assessment's analysis determined that two compounds used in coatings and solvents, para-Chlorobenzotrifluoride (pCBtF) and tert-Butyl Acetate (t-BAc), have carcinogenic health effects. pCBtF and t-BAc are used in coatings and solvents that are regulated under Rule 1151. Proposed Amended Rule 1151 (PAR 1151) will phase out pCBtF and t-BAc, temporarily allow higher VOC limits while coatings are being reformulated, include reporting requirements, and allow alternative VOC limits for certain coating and solvent categories to provide compliance flexibility. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations is a later activity within the scope of the Final Program Environmental Impact Report for the 2022 AQMP such that no new environmental document is required; and 2) Amending Rule 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations. (Reviewed: Stationary Source Committee, October 18, 2024)

 Determine That Proposed Amended Rule 1173 – Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants, Is Exempt from CEQA; and Amend Rule 1173

Rule 1173 applies to refineries, chemical plants, oil and gas production fields, and others. Proposed Amended Rule 1173 (PAR 1173) establishes enhanced leak detection using optical gas imaging and more stringent control requirements including lower leak standards. PAR 1173 will address Community Emission Reduction Plan objectives from the AB 617 community Wilmington, Carson, West Long Beach. PAR 1173 also refines repair schedules and includes contingency measures to fulfill federal requirements. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1173 – Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants, is exempt from the requirements of the California Environmental Quality Act, and 2) Amending Rule 1173. (Reviewed: Stationary Source Committee, August 16, 2024)

Krause/2706

Krause/2706

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;
- <u>South Coast Air Quality Management District, et al. v. NHTSA, EPA, et al.</u>, United States Court of Appeals, D.C. Circuit, Case No. 20-1173 (consolidated with <u>Competitive Enterprise Institute, et al. v. NHTSA</u>, No. 20-1145);
- <u>Natural Resources Defense Council, et al. v. City of Los Angeles, et al.</u>, 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;
- 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);
- <u>South Coast Air Quality Management District v. EPA</u>, U.S. District Court for the Central District of California, Case No. 2:23-cv-02646; and
- <u>Western States Trucking Association, Inc. v. EPA, et al., Unites States Court of Appeals</u>, D.C. Circuit, Case No. 23-1143 (amicus brief).

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Also, it is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the 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: Executive Officer, General Counsel, 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 Dialin/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, <u>http://www.aqmd.gov/home/news-events/meeting-agendas-minutes</u>, 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, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

ACRONYMS

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

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 928-3000-3925
- 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 928-3000-3925
- Si desea hacer un comentario público, marque *9 en su teclado para indicar que desea comentar.