

NOTICE OF PUBLIC HEARING

PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS
OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AND PROPOSED SUBMISSION INTO THE STATE IMPLEMENTATION PLAN

RE: Proposed Amended Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters, Small Boilers and Process Heaters

*****THIS NOTICE SUPERSEDES THE NOTICE OF
PUBLIC HEARING FOR THIS RULEMAKING
ORIGINALLY SCHEDULED FOR A MAY 3, 2024 BOARD
MEETING*****

NOTICE IS HEREBY GIVEN that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (South Coast AQMD), or the amendments thereto, will be held on Friday, **June 7, 2024**, in the Dr. William A. Burke Auditorium at South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD Governing Board. The meeting will be conducted through a hybrid format of in-person and/or virtual attendance via videoconferencing and by telephone with opportunities for public comment. Please refer to the instructions on South Coast AQMD's website for details on how to participate: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

NOTICE IS FURTHER GIVEN that the South Coast AQMD is considering the adoption of Proposed Amended Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters, Small Boilers and Process Heaters (PAR 1146.2). The objective of PAR 1146.2 is to implement the 2022 Air Quality Management Plan (AQMP) Control Measure C-CMB-01 – Emission Reductions from Replacement with Zero-Emission or Low NO_x Appliances – Commercial Water Heating. PAR 1146.2 establishes zero-emission NO_x limits for water heaters, boilers, and process heaters subject to the rule based on future effective dates that reflect the commercial availability and building readiness to transition to zero-emission technologies and requires existing units to transition to zero-emission at the end of unit age. PAR 1146.2 also provides alternative compliance options and a low-use exemption to address challenges of transitioning to zero-emission technologies.

NOTICE IS FURTHER GIVEN that PAR 1146.2 will be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion into the State Implementation Plan.

NOTICE IS FURTHER GIVEN that PAR 1146.2 implements Sections 110, 172, and 182(e) of the Clean Air Act.

NOTICE IS FURTHER GIVEN that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing state and federal air pollution control requirements, all existing and proposed South Coast AQMD rules and regulations, and all pollution control requirements and guidelines that apply to the same equipment or source type as PAR 1146.2.

NOTICE IS FURTHER GIVEN that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168 (e), PAR 1146.2 is a later activity within the scope of the program approved earlier for the 2022 AQMP, and the Final Program Environmental Impact Report for the 2022 AQMP adequately describes the activity for the purposes of CEQA such that no new environmental document will be required.

NOTICE IS FURTHER GIVEN that the South Coast AQMD staff has prepared documents, for consideration by the South Coast AQMD Governing Board, including:

- Draft PAR 1146.2
- Draft Staff Report for PAR 1146.2
- Comparative Analysis for PAR 1146.2, included in the Draft Staff Report
- Draft Socioeconomic Impact Assessment for PAR 1146.2

NOTICE IS FURTHER GIVEN that the above documents may be obtained on or before May 7, 2024, from the South Coast AQMD website at <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-1146-2>, or by calling the Public Information Center at (909) 396-2001, or from: Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, PublicAdvisor@aqmd.gov.

NOTICE IS FURTHER GIVEN that at the conclusion of the public hearing, consistent with Health and Safety Code Section 40726, the South Coast AQMD Governing Board may make other modifications to PAR 1146.2, which are justified by the evidence presented, or may decline to adopt some or all of the proposed amendments.

Please direct questions, comments, or requests for clarification regarding PAR 1146.2 to Emily Yen, eyen@aqmd.gov, (909) 396-3206. Please direct CEQA inquiries to Farzaneh Khalaj, Ph.D., fkhalaj@aqmd.gov, (909) 396-3022, and Socioeconomic Impact Assessment inquiries to Xian-Liang (Tony) Tian, Ph.D., ttian@aqmd.gov, (909) 396-2323. Comments and inquiries can also be submitted to the attention of the above person(s) to Planning, Rule Development, and Implementation, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Interested persons may provide oral statements at the Public Hearing. Ten (10) copies of all hard copy written materials must be submitted to the Clerk of the Boards. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Boards, 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 Tuesday, June 4, 2024.

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, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov.

DATED: April 2, 2024

FAYE THOMAS
Clerk of the Boards