



June 14, 2023

Submitted via email at: mkrause@aqmd.gov

Michael Krause
Assistant Deputy Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

RE: SCAQMD Proposed Amended Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens

Dear Mr. Krause and Members of the SCAQMD Stationary Source Committee:

The California Manufacturers & Technology Association (CMTA) and the organizations listed appreciate the opportunity to comment on the consideration of SCAQMD's proposed amendments to Rule 1153.1 – Emissions of Oxides of Nitrogen from Commercial Food Ovens. We appreciate the continued engagement and dialogue with SCAQMD staff throughout the eight working group meetings and public workshops. As the regulated parties to these air quality considerations and others, California industry continues our endeavor to implement air quality improvement technologies, accelerate deployment of air emission controls, and the education of staff on the challenges facing our collective hard-to-electrify industries.

Concerning Proposed Amended Rule 1153.1 (PAR 1153.1), implementation will be challenging. The challenges that exist are not limited to industry but are also beyond our ability to control. The staff presentation correctly identifies several key issues that will continue to define California's challenges of a zero-emission or fully electrified economy.

These issues include:

- The commercial availability and cost-effectiveness of zero-emission technologies.
- Local, regional, and statewide electrical grid impacts from increased energy demands.

The zero-emission or fully electrified option is often presented as the panacea to mitigating the impacts of climate change. This transition is often lauded and compared to California's efforts to scale zero-emission energy development and advance zero-emission transportation. However, the benefits of what California is witnessing in these technologies have followed nearly two decades of research, development, and an influx of federal and state funds to support. As such,

industry-wide electrification pathways have been largely ignored, underfunded, and slow to develop.

To inform an appropriate pathway, California law requires that Best Available Retrofit Control Technology (BARCT) rules, like PAR 1153.1, be technically feasible **AND** cost-effective. The most recent version of the proposed regulation is a fair balance that advances the SCAQMD Board's long-term objectives within these obligations. As currently drafted, the technical assessment fairly acknowledges that for some regulated entities operating the commercial food oven categories, no zero-emission option exists in the market. Further, the revised staff analysis also better reflects the costs incurred for electrifying these categories.

Ultimately, the proposal is fair and equitable, given the current state of technology and cost considerations. SCAQMD staff are also proposing a technology assessment to occur in 2026, which would inform further adjustments to the regulation. Evaluating technological feasibility and availability is an appropriate approach that we support.

We appreciate the opportunity to provide these comments for consideration and look forward to continued collaboration on this rulemaking and others that may be considered in the future.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Spiegel". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert Spiegel
Senior Policy Director, Government Relations

On behalf of:

California Business Roundtable
California Chamber of Commerce
California League of Food Producers
California Restaurant Association
Industrial Environmental Association

Cc: Catherine Rodriguez, SCAQMD – crodriguez@aqmd.gov