



June 5, 2024

Chair Delgado & Members of the Board  
Governing Board  
South Coast Air Quality Management District (South Coast AQMD)  
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**RE: Agenda Item 26: Rule 1146.2 – Strong Support for Passing Life-Saving Regulation**

Dear Chair Delgado and Members of the Governing Board:

It is with great pleasure that the undersigned organizations write regarding Proposed Amended Rule (PAR) 1146.2. Many of our organizations have participated in good faith throughout this rulemaking process, and it is good to see the hard work coming to a close with rule adoption.

These rule amendments are coming to the Governing Board at an opportune time. A little over a month ago, the South Coast region suffered its first of many dirty air days of the year for ozone.<sup>1</sup> This begins the several months of the year when blankets of smog will make it unsafe for kids to breathe outside in many parts of the region. The Air District desperately needs further reductions of NO<sub>x</sub> emissions to address this extreme nonattainment for ozone and the serious nonattainment with federal ambient air quality standards for fine particulate matter (PM<sub>2.5</sub>).

It is against this backdrop that the Governing Board will be weighing PAR 1146.2, which will achieve more Nitrogen Oxide (NO<sub>x</sub>) emission reductions than any regulation passed by this body since 2021. Indeed, it appears that these rule amendments will achieve the second most emission reductions of NO<sub>x</sub> compared to any South Coast regulation passed in the last decade. This proposal also marks a significant milestone in that the Air District includes zero-emission standards for all equipment covered under the rule, per the direction that culminated from the multi-year adoption process of the 2022 Air Quality Management Plan (AQMP). As PAR 1146.2 covers close to 10% of the NO<sub>x</sub> emissions from all stationary sources in the region, it is critical that the Air District take swift action to lay out the pathway to zero-emissions in this sector.

## **I. The South Coast Air District Must Pass This Regulation**

The South Coast Air Basin suffers from among the most polluted air in the country, with some of the worst rankings for ozone (smog) and particle pollution in the nation. This poor air quality impacts approximately 17 million residents, a large percentage of which reside in environmental justice communities where the disproportionate burdens of pollution significantly heighten health risks. The NO<sub>x</sub> emission reductions achieved by these rule amendments will help the Air District make progress on attainment for both pollutants, resulting in significant health benefits for residents.

In addition to critical air quality and public health improvements, timely adoption of this regulation will maximize lead time for market and complementary policy development and allow staff to move onto other life-saving rules that are sorely needed.<sup>2</sup> The agency also needs to send market development signals that gives manufacturers, distributors, and installers; labor organizations; workforce training programs; and many other actors certainty about the direction of water heating in this region. The 2022 AQMP sought to achieve emissions reductions through advancement of zero-emission technologies wherever feasible. The Air District can implement the AQMP by adopting PAR 1146.2 and continuing on to the next zero-emission regulation. Timely adoption of these standards is crucial for the South Coast region's quest to meet clean air standards.

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<sup>1</sup> See generally California Air Resources Board, "[Latest Year's \(Annual\) Ozone Summaries for Selected Regions \(PST\)](#)," May 2024.

<sup>2</sup> South Coast Air Quality Management District, 2022 Air Quality Management Plan, [Executive Summary, December 2022](#).

## **II. Recent Accommodations and Exemptions Should Be Accompanied by Oversight**

Governing Board members should reject cynical requests for indefinite delays from entities that barely participated in the year-long public working group process. Air District staff has bent over backwards to accommodate requests from regulated entities, and several changes to rule timelines, provisions, and compliance have already been adopted. In addition to exemptions, South Coast AQMD staff accommodated these requests, many of them not arising until the 11<sup>th</sup> hour, after more than year of public meetings had already concluded.

These rule amendments have already been delayed by more than seven months, and there is no more time for further delays. And as dangerous smog and deadly particulate matter once more starts to invade the lungs of the South Coast Air Basin's residents, passage of this rule marks an important signal of the Governing Board's commitment to clean air.

Thank you for considering these comments. We look forward to the adoption of these rule amendments and to getting one step closer to the healthy air the region desperately needs.

Sincerely,

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Earthjustice

David Diaz, MPH  
Active San Gabriel Valley

Jane Williams  
California Communities Against Toxics

Robina Suwol  
California Safe Schools

Marven Norman  
Center for Community Action & Environmental Justice

Lexi Hernandez  
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San Pedro & Peninsula Homeowners Coalition

Kim Orbe  
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