

Antelope Valley Air Quality Management District Governing Board Regular Meeting

Agenda

PURSUANT TO GOVERNOR'S ORDER

N-29-20

TUESDAY, JULY 21, 2020

10:00 A.M.

BOARD MEMBERS

Marvin Crist, Chair, City of Lancaster
Austin Bishop, Vice Chair, City of Palmdale
Ron Hawkins, Los Angeles County
Howard Harris, Los Angeles County
Ken Mann, City of Lancaster
Steven Hofbauer, City of Palmdale
Newton Chelette, Public Member

THIS MEETING IS BEING HELD IN ACCORDANCE WITH THE BROWN ACT AS CURRENTLY IN EFFECT UNDER THE STATE EMERGENCY SERVICES ACT, THE GOVERNOR'S EMERGENCY DECLARATIONS RELATED TO COVID-19, AND THE GOVERNOR'S EXECUTIVE ORDER N-29-20 ISSUED ON MARCH 17, 2020 THAT ALLOWS ATTENDANCE BY MEMBERS OF THE DISTRICT, DISTRICT STAFF, AND THE PUBLIC TO PARTICIPATE AND CONDUCT THE MEETING BY TELECONFERENCE, VIDEOCONFERENCE, OR BOTH.

JOIN BY PHONE, DIAL US: +1.701.802.5348; ENTER ACCESS CODE: 5765772

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE LISTED PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE GOVERNING BOARD TELEPHONICALLY OR OTHERWISE ELECTRONICALLY AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO PROVIDE PUBLIC COMMENTS, PUBLIC COMMENTS ARE LIMITED TO FIVE MINUTES PER COMMENT.

PLEASE NOTE THAT THE BOARD MAY ADDRESS ITEMS IN THE AGENDA IN A DIFFERENT ORDER THAN THE ORDER IN WHICH THE ITEM HAS BEEN POSTED.

PUBLIC COMMENTS ON ANY AGENDA ITEM WILL BE HEARD AT THE TIME OF DISCUSSION OF THE AGENDA ITEM. PUBLIC COMMENTS NOT PERTAINING TO AGENDA ITEMS WILL BE HEARD DURING THE PUBLIC COMMENT PERIOD BELOW.

PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE SUBMITTED VIA EMAIL TO PUBLICCOMMENT@AVAQMD.CA.GOV AT LEAST TWO HOURS PRIOR TO THE START OF THE MEETING.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call

Items with potential Conflict of Interests — If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel.

PUBLIC COMMENT

CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial and will be acted upon by the Board at one time without discussion unless a Board Member requests an item be held for discussion under DEFERRED ITEMS.

1. [Approve Minutes from Regular Governing Board Meeting of June 16, 2020.](#)
2. [Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
3. [Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
4. [1\) Authorize \\$20,000 in Mobile Emission Reductions Program \(AB 2766\) funds to the Alternative Fuel Vehicle Program; and 2\) Authorize the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan. Presenter: Julie McKeehan, Grants Analyst.](#)
5. [1\) Authorize the acceptance of Community Air Protection \(CAP\) Funds; 2\) Accept the terms and conditions for the funds; and 3\) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects. Presenter: Bret Banks, Executive Director/APCO.](#)
6. [Approve payments to MDAQMD in the amount of \\$127,684.91 for May 2020. Presenter: Bret Banks, Executive Director/APCO.](#)
7. [Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at May 31, 2020. The Financial Reports for April provide financial and budget performance information for the District for the period referenced. Presenter: Bret Banks, Executive Director/APCO.](#)

ITEMS FOR DISCUSSION

DEFERRED ITEMS

NEW BUSINESS

8. [Conduct a public hearing to consider the adoption of the 70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations](#)

and Emission Statement Certification (70 ppb O3 Evaluation): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the 70 ppb O3 Evaluation and directing staff action. Presenter: Barbara Lods, Operations Manager.

9. 1) Award an amount not to exceed \$57,070 in District grant funds to I.M. Masonry Construction for the replacement of an older diesel forklift with new, cleaner technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement, approved as to legal form by the Office of District Counsel. Presenter: Julie McKeehan, Grants Analyst.
10. 1) Award \$146,252 in Mobile Source Emission Reductions Program (AB 923) funds to Pacific Coast Auto Recycling Center (PARC) toward the development of compressed natural gas (CNG) infrastructure; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel. Presenter: Julie McKeehan, Grants Analyst.
11. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
12. Board Member Reports and Suggestions for Future Agenda Items.
13. Adjourn to Regular Governing Board Meeting of Tuesday, August 18, 2020.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board Meeting, please contact the Executive Director during regular business hours at 661.723.8070 x22. Notification received 48 hours prior to the meeting will enable the District to make reasonable accommodations. All accommodation requests will be processed swiftly and resolving any doubt in favor of accessibility.

I hereby certify, under penalty of perjury, that this agenda has been posted 72 hours prior to the stated meeting in a place accessible to the public. Copies of this agenda and any or all additional materials relating thereto are available at www.avaqmd.ca.gov or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov.

Mailed & Posted on: Tuesday, July 14, 2020.

Deanna Hernandez

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of June 16, 2020.](#)

Please scroll down to view the backup material.

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, JUNE 16, 2020
ANTELOPE VALLEY DISTRICT OFFICE
LANCASTER, CA**

Draft Minutes

Board Members Present:

Marvin Crist, Chair, City of Lancaster
Austin Bishop, Vice Chair, City of Palmdale
Newton Chelette, Public Member
Ron Hawkins, Los Angeles County
Steven Hofbauer, City of Palmdale
Ken Mann, City of Lancaster

Board Members Absent:

Howard Harris, Los Angeles County

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:01 a.m. Chair **CRIST** waived the Pledge of Allegiance. Roll call was taken.

PUBLIC COMMENT

❖ None.

CONSENT CALENDAR

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of April 21, 2020.

Upon Motion by **MANN**, seconded by **CHELETTE**, and carried unanimously, the Board **Approved** Minutes from Regular Governing Board Meeting of May 19, 2020.

Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **MANN** seconded by **CHELETTE**, and carried unanimously, the Board **Received and Filed** Monthly Grand Funding Summary.

Agenda Item #3 – Monthly Activity Report. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **MANN**, seconded by **CHELETTE**, and carried unanimously, the Board **Received and Filed** Monthly Activity Report.

Agenda Item #4 – Approve payment to MDAQMD in the amounts of \$127,230.10 for April 2020.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **MANN**, seconded by **CHELETTE**, and carried unanimously, the Board, **approved** payment to MDAQMD in the amounts of \$127,230.10 for April 2020.

Agenda Item #5 – Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at April 30, 2020. The

Financial Reports for April provide financial and budget performance information for the District for the period referenced.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by MANN, seconded by CHELETTE, and carried unanimously, the Board, **received and filed** the Financial Report.

Agenda Item #6 – Extend the current engagement for audit services with Fedak & Brown, LLP, Riverside, for three fiscal years beginning FY20, and not to exceed \$40,000; and authorize the Executive Director, or designee, to execute the engagement agreement.

Presenter: Laquita Cole, Finance Manager.

Upon Motion by MANN, seconded by CHELETTE, and carried unanimously, the Board, **extended** the current engagement for audit services with Fedak & Brown, LLP, Riverside, for three fiscal years beginning FY20, and not to exceed \$40,000; and **authorized** the Executive Director, or designee, to execute the engagement agreement.

Agenda Item #7 – Reappoint Newton Chelette as the Public Member on the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) for a two-year term.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by MANN, seconded by CHELETTE, and carried unanimously, the Board, **reappointed** Newton Chelette as the Public Member on the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) for a two-year term.

Agenda Item #8 – 1) Authorize \$15,000 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; and 2) Authorize the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan.

Presenter: Julie McKeehan, Grants Analyst.

Upon Motion by MANN seconded by CHELETTE, and carried unanimously, the Board, 1) **Authorized** \$15,000 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; and 2) **Authorized** the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #9 – Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2020-21: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Adopt a resolution approving and adopting the budget for FY2020-21.

Presenter: Bret Banks, Executive Director/APCO.

Chair Crist opened the public hearing. Bret Banks, Executive Director/APCO, presented the staff report and answered questions from the Board. Chair Crist called for public comment, being none, Chair Crist closed the public hearing. After discussion and upon motion by CHELETTE, seconded by MANN, and carried with six **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTON CHELETTE, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, with Board Member **HOWARD HARRIS** absent, the Board **adopted** Resolution 20-07, “**A RESOLUTION OF THE GOVERNING BOARD OF THE**

ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT APPROVING AND ADOPTING THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2020-21.”

Agenda Item #10 – Reports.

Governing Board Counsel –

- No report.

Executive Director/APCO –

- Informed the Board that three electric buses have been delivered to the Antelope Valley School Transportation Agency by means of grant funds the Board had previously approved .

Staff –

- None.

Agenda Item #11 – Board Member Reports and Suggestions for Future Agenda Items.

- None.

Agenda Item #12 – Adjourn to Regular Governing Board Meeting of Tuesday, July 21 2020.

Being no further business, the meeting adjourned at 10:11 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, July 21, 2020.

The following page(s) contain the backup material for Agenda Item: [Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

Item #2 – Grant Funds Project Summary

June 2020

AB 2766 (\$4 DMV Fee)

\$599,000 Annually by Monthly Distribution

These fees fund the District’s Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used “to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988”.

Funding Limits: No surplus emission reductions or cost-effectiveness limit requirements.

Current Balance: \$ 20,720.00*

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
July-20	AFV Program Add'l Funds	20,000.00	pending
BALANCE PENDING APPROVAL		\$ 720.00	

- Status marked pending* are not included in the Balance Pending Approval

AB 2766 Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Feb-18	LBC – Bus Replacement Project #6 of 7	72,191.00	paid
Feb-18	LBC – Bus Replacement Project #7 of 7	96,000.00	pending*
Mar-18	Kyle & Kyle Ranches On-road Vehicle Project	31,984.00	paid
Mar-18	2018 Lawn Mower Exchange Program	10,000.00	paid
May-18	AFV Program Add'l Funds	15,000.00	paid
May-18	LBC – Bus Replacement Project #1 of 7	66,516.00	paid
Aug-18	AFV Program Add'l Funds	15,000.00	paid
Aug-18	Antelope Valley College - Student Pass Program	80,000.00	paid
Aug-18	Heritage Sign Company Vehicle Replacement Project	8,720.00	paid
Oct-18	LBC - Bus Replacement Project #1 of 7	5,332.00	paid
Oct-18	American Plumbing Services Vehicle Replacement	10,810.00	paid
Nov-18	UAV Vehicle Replacement Project	27,869.00	paid
Nov-18	AFV Program Add'l Funds	15,000.00	paid
Dec-18	AFV Program Add'l Funds	15,000.00	paid
Dec-18	Paraclete High School Vehicle Replacement Project	35,000.00	paid
Dec-18	LA County Sheriff's Palmdale Bio Diesel Truck Project	50,000.00	paid
Mar-19	AFV Program Add'l Funds	15,000.00	paid
Apr-19	AFV Program Add'l Funds	30,000.00	paid
Apr-19	Curb Crafters Vehicle Replacement	19,029.00	cancelled
July-19	AFV Program Add'l Funds	20,000.00	paid
Sept-19	AFV Program Add'l Funds	50,000.00	paid
Oct-19	Kyle & Kyle Ranches HD Truck Replacement Project	33,000.00	paid
Dec-19	Public Transit Programs-Member Agencies	25,000.00	paid
Jan-20	AFV Program Add'l Funds	50,000.00	paid
Feb-20	City of Palmdale – SAVES Project	78,000.00	pending
Apr-20	AFV Program Add'l Funds	11,500.00	paid
Apr-20	Jack O'Connor Construction	30,000.00	paid
Apr-20	AV Fair Assoc. – Implementation of MSERP	75,000.00	pending
June-20	AFV Program Add'l Funds	15,000.00	paid

AB 923 (\$2 DMV Fee)**\$609,500 Annually by Monthly Distribution**

These fees fund the District's Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used to remediate air pollution harms created by motor vehicles.

Funding Limits: Carl Moyer eligible projects; unregulated agriculture vehicles and equipment; school bus projects; light-duty vehicle retirement program; and alternative fuel and electric infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$502,700.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
July-20	Pacific Auto Recycling Center CNG Project	\$ 146,252.00	
BALANCE PENDING APPROVAL		\$ 356,448.00	

AB 923 Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Jan-18	Wilsona School District EV School Bus Charging Project	\$ 49,976.00	paid
Feb-18	Vehicle Retirement Program Add'l Funds	47,000.00	paid
Mar-18	2018 Lawn Mower Exchange Program	10,000.00	paid
Mar-18	Robertsons Palmdale Honda EV Charging Project	86,000.00	paid
May-18	Home2 Suites by Hilton Palmdale EV Charging Project	15,200.00	paid
May-18	Sierra Commons EV Charging Project	30,640.00	paid
Sep-18	AV Harley-Davidson EV Charging Project	20,000.00	paid
Nov-18	Vehicle Retirement Program Add'l Funds	50,000.00	paid
Dec-18	High Desert Dairy Equipment Replacement Project	54,918.00	paid
Dec-18	AVTA EV Charging Project	50,000.00	pending
Dec-18	AVSTA (3) New Electric School Buses	28,669.00	paid
June-19	Waste Management-AV CNG Station	279,515.00	cancelled
June-19	City of Lancaster EV Charging City-MOAH	10,000.00	pending
July-19	Waste Management-AV CNG Station add'l funds	70,000.00	cancelled
July-19	Learn 4 Life EV Charging Project	47,591.00	cancelled
Sept-19	AVSTA CNG Fueling Station Project	104,000.00	pending
Oct-19	XL Hybrid Plug-In Truck Pilot Project	164,694.00	paid
Nov-19	Truck and Bus Replacement Project	120,000.00	paid
Jan-20	City of Palmdale EV Charging Project	6,000.00	pending
Jan-20	Boething Treeland Farms ERP	138,418.00	paid
Feb-20	City of Palmdale - SAVES Project	30,000.00	pending
Feb-20	Lancaster School District - Electric Riding Mower	23,000.00	paid
Apr-20	Commercial Lawn and Garden Exchange Program	50,000.00	paid
Apr-20	City of Palmdale - SAVES Project add'l funds	5,799.00	pending
Apr-20	2020 Residential Lawn and Garden Exchange	24,934.00	paid
May-20	Jon Watson Loader Backhoe Services ERP	49,900.00	pending

Carl Moyer Program**\$701,500 Annually**

Carl Moyer Program (CMP) funds provide incentives to gain early or extra emission reductions by retrofitting, repowering, or replacing older more polluting engines with newer, cleaner engines including zero and near zero emission technologies. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$ 709,054.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
July-20	IM Masonry Forklift Replacement Project	57,070.00	
BALANCE PENDING APPROVAL		\$ 651,984.00	

Carl Moyer Program Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
Apr-18	McWhirter Steel Forklift Replacement Project	\$ 185,943.00	paid
May-18	McCarthy Steel Forklift Replacement Project	59,155.00	paid
June-18	Gall Brothers Engineering Equipment Replacement Proj.	94,211.00	paid
Jul-18	Fine Grade Equipment Replacement Project	240,850.00	paid
Aug-18	Heritage Sign Company Vehicle Replacement Project	23,545.00	paid
Oct-18	American Plumbing Service Vehicle Replacement Proj.	14,112.00	paid
Dec-18	Bills Landscaping Equipment Replacement Project	94,700.00	paid
Dec-18	High Desert Dairy Equipment Replacement Project	45,082.00	paid
Deposit	Carl Moyer Program Yr. 21 FY 18-19	661,741.00	received
Mar-19	Commercial Lawn and Garden Exchange Program	200,000.00	cancelled
Apr-19	AV Fair Assoc. ERP Aerial Lift Project 4	93,140.00	paid
Apr-19	Curb Crafters On-road Replacement Project	14,363.00	cancelled
June-19	Alameda Metals Corporation Equipment Replacement	214,111.00	paid
Deposit	Carl Moyer Program Interest FY 18-19	15,179.00	received
Oct-19	XL Plug-In Hybrid Truck Pilot Project	115,306.00	paid
Oct-19	Kyle & Kyle Ranches HD Truck Replacement Project	40,000.00	paid
Apr-20	Bills Landscaping Equipment Replacement Project	21,000.00	pending
Apr-20	California Compaction Equipment Replacement Project	110,165.00	paid
May-20	B Mos Tractors ERP	83,071.00	pending
Deposit	Carl Moyer Program Yr. 22 FY 19-20	708,927.00	received

AB 617 Community Air Protection (CAP) Implementation**\$48,588 FY 19/20 Allocation**

The purpose of AB 617 is to reduce emission sources in disadvantaged and low income communities by community-based air monitoring and local emission reduction programs. Funding is allocated to Air Districts to implement and administer all aspects of AB 617. These funds support community collaborative/community involved programs such as the deployment of air monitoring systems (i.e. Purple Air Sensors) and supporting local emission reductions programs. As a result, the AVAQMD is able to create new and enhance existing programs (i.e. lawn and garden equipment replacement, vehicle retirement, light-duty alternative fuel vehicle purchase incentive and residential electric vehicle charging) suggested by individual residents and group members as programs that best serve emission reductions within the community).

Current Balance: \$ 48,588.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
BALANCE PENDING APPROVAL		\$ 0.00	

AB 617 CAP Admin. Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
June-18	AB 617 CAP Implementation Funds FY 17-18 (Initial)	\$ 65,569.00	received
Oct-18	AB 617 CAP Implementation Funds FY 17-18 (Amend)	+ 75,000.00	received
Feb-19	Lawn Mower Exchange Events 2019	45,000.00	paid
Mar-19	Admin Support Costs	15,489.00	paid
Mar-19	Commercial Lawn and Garden Program	75,000.00	paid
Apr-19	Air Quality Sensors	4,440.00	paid
Deposit	AB 617 CAP Implementation Funds FY 18-19	+ 79,305.00	received
Aug-19	CAP AFV Incentive Program	75,000.00	cancelled
Oct-19	Admin Support Costs	11,140.00	paid
Apr-20	Admin Support Costs	20,247.00	paid
May-20	AB 617 Implementation Funds FY 19-20	+ 48,588.00	pending

AB 134 Community Air Protection (CAP) Projects**\$1,088,281 FY 19/20 Allocation**

The purpose of AB 134 funds is to implement projects under the Carl Moyer Program specifically for projects that meet the goals of AB 617. These funds are focused on replacing older polluting engines operating in disadvantaged and low-income communities with newer, cleaner engines prioritizing zero-emission projects. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$ 432,502.00

PROPOSED PROJECTS

<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
BALANCE PENDING APPROVAL		\$ 0.00	

AB 134 CAP Projects Approved Funding Awards			
<u>Action Date</u>	<u>Project Description</u>	<u>Grant Award</u>	<u>Status</u>
June-18	AB 134 CAP Funds Yr. 1 FY 2017-18	\$ 468,750.00	received
Dec-18	AVSTA (3) New Electric School Buses	468,750.00	paid
Deposit	CAP Interest FY 17/18	2581.00	received
Nov-19	AVSTA (3) New Electric School Buses	2581.00	paid
Nov-19	AB 134 CAP Funds Yr. 2 FY 2018-19	1,008,281.00	received
Feb-20	AVTA – Level III EV Charging Project	500,000.00	cancelled
Feb-20	Coast Auto Salvage – Forklift Replacement Project	76,264.00	pending
Apr-20	Waste Management CNG Fueling Station	349,515.00	pending
Apr-20	Lancaster Choice Energy – EV Charging Stations Project	150,000.00	pending
June-20	AB 134 CAP Funds Yr. 3 FY 2019-20	752,184.00	pending receipt

The following page(s) contain the backup material for Agenda Item: [Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

Item #3 Monthly Activity Report – June 2020

	<u>June 2020</u>	<u>June 2019</u>	<u>YTD (7/1/20)</u>
Complaints	2	0	13
Complaint Investigations	2	0	13
Asbestos Notifications	12	7	102
Asbestos Inspections	0	0	0
Permit Inspections	108	103	1,183
Permit Inspections in Compliance (%)	100	90	100
Notice of Violation (NOV)	0	4	5

***Outstanding NOVs**

- AV00000210, Issued 02/2018
- AV00000216, Issued 05/2019

Number of Active Companies: 276
Number of Active Facilities: 517
Number of Active Permits: 1,113
Permit Applications: 10

Project Comment Letters – June 2020

Attached

AVAQMD CEQA PROJECTS						
BOARD MEETING						
7/21/2020						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
6/4/2020	Palmdale	TTM 73158	Tentative Tract Map 73158 Time Extension Determination of Application Completeness/Condition Setting for a time extension to a previously approved Tentative Tract Map to subdivide 39.31 acres into 104 single-family lots with one detention basin lot to be located south of Avenue Q between 40th and 45th Streets East	No Comment	6/11/2020	6/5/2020
6/5/2020	Palmdale	SPR 20-009	Site Plan Review 20-009 Determination of Application Completeness/Condition Setting for the development of a 140.65 solar farm located at the northeast corner of Rancho Vista Boulevard and 10th Street East	DCP CARB Equip	6/16/2020	6/8/2020
6/11/2020	Palmdale	Pre-Application 20-008	Pre-Application 20-008, requesting to develop a .44-acre parcel into two buildings totaling 6.677 square feet for a multi-family use located at the northwest corner of Avenue Q and 15th Street East.	No Comment	6/30/2020	6/15/2020
6/24/2020	Palmdale	Pre-Application 20-009	Pre-Application 20-009 Conceptual Review, requesting to further subdivide Tentative Tract Map 73401 from 10 single-family lots to 13 single-family lots (only affecting lots six through 10) located at the southwest corner of Avenue Q-2 and 13th Street East	No Comment	6/30/2020	6/29/2020
6/24/2020	Palmdale	TTM 61940	Tentative Tract Map 61940 Time Extension No. 2 Determination of application Completeness/Condition Setting, requesting a time extension to a previously approved tract map to subdivide approximately five acres to construct 15 single-family residential lots and one detention basin lot to be located at the northeast corner of Avenue S-8 and 42nd Street East (APN 3052-080-001)	No Comment	7/1/2020	6/29/2020

AVAQMD CEQA PROJECTS						
BOARD MEETING						
7/21/2020						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
6/24/2020	Palmdale	TTM 61894	Tentative Tract Map 61894 Time Extension No. 2 Determination of application Completeness/Condition Setting, requesting a time extension to a previously approved tract map to subdivide 461.43 acres into 334 single-family lots, three detention basin lots and 29 open space lots to be located at the southwest corner of Avenue S and Parkwood Drive within the City Ranch Specific Plan	No Comment	7/6/2020	6/29/2020
6/24/2020	Palmdale	Wireless Telecommunication Facility	Conditional Use Permit 10-07 Time Extension No. 1, Determination of Application Completeness/Condition Setting requesting a time extension to a previously approved wireless telecommunication facility at 550 East Rancho Vista Boulevard (APN 3022-001-023)	Rule 403 Rule 219 CARB Equipment	7/6/2020	6/29/2020
6/22/2020	Lancaster	TTM 61248	TTM 61248 for a proposed project consisting of 165 single-family residential lots located at the southwest corner of 35th Street East and Avenue J (APNs: 3150-013-032, 3150-013-039) on approximately 40.98 acres	DCP CARB Equip	7/15/2020	7/1/2020

The following page(s) contain the backup material for Agenda Item: [1\) Authorize \\$20,000 in Mobile Emission Reductions Program \(AB 2766\) funds to the Alternative Fuel Vehicle Program; and 2\) Authorize the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan. Presenter: Julie McKeehan, Grants Analyst.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #4

DATE: July 21, 2020

RECOMMENDATION: 1) Authorize \$20,000 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; and 2) Authorize the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan.

SUMMARY: This item authorizes \$20,000 in Mobile Emission Reductions Program (AB 2766) funds to the District's ongoing grant program used to incentivize the purchase of light-duty alternative fuel vehicles.

BACKGROUND: In June 2006, the AVAQMD Board (the Board) established an incentive program to off-set the incremental cost associated with the purchase of natural gas-fueled vehicles and refueling units. In April 2011, the Board expanded the Alternative Fuel Vehicle (AFV) program to include all alternative fuel vehicles including electric and electric/hybrid vehicles. In March 2013, the Board approved new eligibility criteria limiting the District incentives to new AFV purchase or lease agreements made with local Dealerships, and one incentive per household. In September 2013, the Board approved to offer up to 50 percent of the current incentive to local residents who purchase or lease with Dealerships outside the District due to availability. In June 2014, the Board approved to continue the AFV program decreasing the incentive to \$1,000 and discontinuing the home refueling and charging incentives. In August 2019, the Board approved a pilot program to assist AV low-income residents in purchasing EVs new or pre-owned with an incentive up to \$2,500. Since inception, the AFV incentive program has provided incentives towards 799 vehicles and 139 home refueling/charging units totaling approx. \$1.7 million to local residents.

REASON FOR RECOMMENDATION: Governing Board authorization is needed to allocate Mobile Source Emission Reductions Program funds and/or changes to the guidelines.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns Special Counsel to the Governing Board as to legal form and by Bret Banks, Executive Director/APCO on or before June 29, 2020.

FINANCIAL DATA: Sufficient funds are available from the District's Mobile Source Emission Reductions (AB 2766) funds.

PRESENTER: Julie McKeehan, Grants Analyst

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

The following page(s) contain the backup material for Agenda Item: [1\) Authorize the acceptance of Community Air Protection \(CAP\) Funds; 2\) Accept the terms and conditions for the funds; and 3\) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects. Presenter: Bret Banks, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #5

DATE: July 21, 2020

RECOMMENDATION: 1) Authorize the acceptance of Community Air Protection (CAP) Funds; 2) Accept the terms and conditions for the funds; and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects.

SUMMARY: This action formally accepts the Community Air Protection Funding (CAP) Year 3 (Fiscal Year 19-20) in the amount of approximately \$1,146,186.00 allocated to the AVAQMD. The funding consists of approximately \$1,002,912.75 for projects and \$143,273.25 for administrative. This action also accepts the terms and conditions for the funds as appropriated, and authorizes staff to negotiate and execute project agreements consistent with the terms and conditions.

BACKGROUND: On September 16, 2017, the Governor approved AB 134 to amend the Budget Act of 2017. The amendment added appropriations to the Budget Act of 2017, taking effect immediately as a Budget Bill. Under Schedule 3 of this Bill, \$250 million was to be distributed by CARB to air districts for implementation of projects pursuant to the Carl Moyer Program. The purpose of the funds are to support Greenhouse Gas reductions and early actions that reduce emissions and improve public health in communities with high burdens of cumulative pollutant exposure, consistent with the goals of Assembly Bill (AB) 617 (Chapter 254, Statutes of 2017). Fiscal Year 18-19 CAP incentives will be used to reduce emissions in communities most heavily burdened by air pollution, in support of AB 617. The Air District will select projects eligible under the proposed 2019 Community Air Protection Incentives Guidelines and the Carl Moyer Program 2017 Guidelines focusing in particular on vehicles and equipment that operate in any AB 617 communities.

REASON FOR RECOMMENDATION: CARB requires the Governing Board formally approve District acceptance of the funds and participation in the program.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board as to legal form and by Bret Banks, Executive Director/APCO on or before June 29, 2020.

FINANCIAL DATA: Community Air Protection Funds are supplementary to the AVAQMD budget.

PRESENTER: Bret Banks, Executive Director/APCO

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

The following page(s) contain the backup material for Agenda Item: [Approve payments to MDAQMD in the amount of \\$127,684.91 for May 2020. Presenter: Bret Banks, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #6

DATE: July 21, 2020

RECOMMENDATION: Approve payments to MDAQMD in the amount of \$127,684.91 for May 2020.

SUMMARY: The District contracts for services with MDAQMD; invoices for services are presented for payment.

BACKGROUND: Key Expenses: Staffing costs \$111,500.00 per month.

REASON FOR RECOMMENDATION: The AVAQMD Governing Board must authorize all payments to the MDAQMD.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form, and by Bret Banks, Executive Director/APCO, on or before July 6, 2020.

FINANCIAL DATA: The contract and direct expenditure amounts are part of the approved District budget for FY20. No change in appropriations is anticipated as a result of the approval of this item.

PRESENTER: Bret Banks, Executive Director/APCO



Mojave Desert AQMD
 14306 Park Avenue
 Victorville, CA 92392
 760.245.1661

Due Date **DUE UPON RECEIPT**
 Invoice Date **5/31/2020**
 Invoice Number **42676**

INVOICE

Bill To :
ANTELOPE VALLEY AQMD 43301 DIVISION ST. SUITE 206 LANCASTER, CA 93535
Company ID 10193

FY20	Amount
Program Staff	111,500.00
Vehicles Expenses	494.93
Professional Services	9.38
Overhead	15,680.60
<p>TO INSURE PROPER CREDIT - PLEASE INCLUDE A COPY OF THE INVOICE WITH YOUR PAYMENT</p> <p>FOR CREDIT CARD PAYMENTS PLEASE VISIT www.mdaqmd.ca.gov</p>	
<p>MAKE CHECKS PAYABLE TO MOJAVE DESERT AQMD PLEASE INCLUDE THE INVOICE NUMBER ON THE CHECK</p>	<p>Invoice Total 127,684.91</p>
	<p>Amount Paid 0.00</p>
	<p>Balance Due 127,684.91</p>

The following page(s) contain the backup material for Agenda Item: [Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at May 31, 2020. The Financial Reports for April provide financial and budget performance information for the District for the period referenced. Presenter: Bret Banks, Executive Director/APCO.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #7

DATE: July 21, 2020

RECOMMENDATION: Receive and file.

SUMMARY: The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at May 31, 2020.

BACKGROUND: The Financial Reports for April provide financial and budget performance information for the District for the period referenced.

BALANCE SHEET. The balance sheet summarizes the District's financial position on May 31, 2020.

STATEMENT OF REVENUES & EXPENDITURES. A summary of all District revenue and related expenditures incurred in the day to day administration of District Operations.

STATEMENT OF ACTIVITY. The target variance for April is 91%.

District Wide reports details revenue and expenses for the District's operating account and grant funds. *Contracted Services* reports the expenses made by the (MDAQMD) and passed through to the District. *Report Recap* is consolidates both reports.

BANK REGISTERS. This report details the Districts bank activity.

DISTRICT CARDS. This report details purchases made using the District's credit cards.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form, and by Bret Banks, Executive Director/APCO on or about July 6, 2020.

PRESENTER: Bret Banks, Executive Director/APCO.

Antelope Valley AQMD
Balance Sheet - Governmental Funds
As of May 31, 2020

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions</u>	<u>AB923 Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Total</u>
Assets					
Current Assets					
Cash	2,384,905.05	302,721.10	1,179,736.11	408,860.79	4,276,223.05
Cash Held For Other Fund	42,394.18	6,737.06	(49,131.24)	0.00	0.00
Receivables	68,753.79	0.00	0.00	0.00	68,753.79
Pre-Paid	12,806.58	0.00	0.00	0.00	12,806.58
Total Current Assets	2,508,859.60	309,458.16	1,130,604.87	408,860.79	4,357,783.42
Total Assets	2,508,859.60	309,458.16	1,130,604.87	408,860.79	4,357,783.42
Liabilities and Net Position					
Current Liabilities					
Payables	383,864.72	0.00	23,000.00	0.00	406,864.72
Accruals	1,329.40	0.00	0.00	0.00	1,329.40
Due to Others	1,715.00	0.00	0.00	0.00	1,715.00
Unearned Revenue	0.00	0.00	0.00	334,583.98	334,583.98
Total Current Liabilities	386,909.12	0.00	23,000.00	334,583.98	744,493.10
Restricted Fund Balance	0.00	367,812.06	1,055,552.13	66,331.49	1,489,695.68
Cash Reserves	487,785.00	0.00	0.00	0.00	487,785.00
Unassigned Fund Balance	2,475,331.99	0.00	0.00	0.00	2,475,331.99
Pre-Paid	4,367.68	0.00	0.00	0.00	4,367.68
Change in Net Position	(845,534.19)	(58,353.90)	52,052.74	7,945.32	(843,890.03)
Total Liabilities & Net Position	2,508,859.60	309,458.16	1,130,604.87	408,860.79	4,357,783.42

Antelope Valley AQMD
Statement of Revenues & Expenditures
For the Period Ending May 31, 2020

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions Program</u>	<u>AB923 Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Total Governmental Funds</u>
Revenues					
Application and Permit Fees	57,817.09	0.00	0.00	0.00	57,817.09
AB 2766 and Other Program Revenues	51,590.68	51,505.22	51,505.22	110,365.00	264,966.12
Fines	1,267.20	0.00	0.00	0.00	1,267.20
Investment Earnings	0.00	0.00	0.00	0.00	0.00
Federal and State	0.00	0.00	0.00	0.00	0.00
Miscellaneous Income	0.00	0.00	0.00	0.00	0.00
Total Revenues	110,674.97	51,505.22	51,505.22	110,365.00	324,050.41
Expenditures					
Program Staff	111,500.00	0.00	0.00	0.00	111,500.00
Services and Supplies	40,253.59	30,000.00	28,930.00	110,365.00	209,548.59
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	151,753.59	30,000.00	28,930.00	110,365.00	321,048.59
Excess Revenue Over (Under) Expenditures	(41,078.62)	21,505.22	22,575.22	0.00	3,001.82

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 5/31/2020

00 District Wide

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	55,978.09	905,207.62	1,072,500.00	(0.84)
Programs	264,966.12	1,807,795.83	2,570,566.00	(0.70)
Revenue - Other	0.00	230.54	0.00	0.00
Application Fees	2,500.00	49,002.50	30,000.00	(1.63)
State Revenue	0.00	214,670.80	206,305.00	(1.04)
Fines & Penalties	606.20	35,586.26	9,000.00	(3.95)
Interest Earned	0.00	50,744.20	22,435.00	(2.26)
Adjustments to Revenue	0.00	(394,149.33)	0.00	0.00
Total Revenues	324,050.41	2,669,088.42	3,910,806.00	(0.68)
Expenses				
Office Expenses	5,192.97	78,303.79	102,575.00	0.76
Communications	1,227.52	15,725.94	20,500.00	0.77
Vehicles	0.00	1,992.20	10,000.00	0.20
Program Costs	185,895.19	1,937,408.50	2,060,266.00	0.94
Travel	0.00	7,159.72	10,150.00	0.71
Professional Services				
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	0.00	3,000.00	0.00
Stipends	700.00	6,200.00	8,400.00	0.74
Maintenance & Repairs	225.00	3,184.00	6,500.00	0.49
Non-Depreciable Inventory	48.00	(118.99)	10,000.00	(0.01)
Dues & Subscriptions	0.00	8,893.95	20,500.00	0.43
Legal	75.00	12,948.00	19,000.00	0.68
Miscellaneous Expense	0.00	769.59	915.00	0.84
Suspense	0.00	676.87	0.00	0.00
Capital Expenditures	0.00	21,164.83	95,000.00	0.22
Total Expenses	193,363.68	2,094,308.40	2,372,806.00	0.88
Program Staff				
Excess Revenue Over (Under) Expenditures	130,686.73	574,780.02	1,538,000.00	(0.37)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 5/31/2020

10 Contracted Services

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Expenses				
Office Expenses	0.00	500.00	0.00	0.00
Vehicles	494.93	5,336.02	0.00	0.00
Travel	0.00	2,412.92	0.00	0.00
Professional Services				
Payroll Contract	9.38	119.05	0.00	0.00
Financial Audit & Actuarial Svcs	15,680.60	181,537.64	200,000.00	0.91
Research Studies	0.00	500.00	0.00	0.00
Consulting Fees	0.00	1,640.88	0.00	0.00
Dues & Subscriptions	0.00	123.54	0.00	0.00
Total Expenses	16,184.91	192,170.05	200,000.00	0.96
Program Staff				
Program Staff	111,500.00	1,226,500.00	1,338,000.00	0.92
Total Program Staff	111,500.00	1,226,500.00	1,338,000.00	0.92
Excess Revenue Over (Under) Expenditures	(127,684.91)	(1,418,670.05)	(1,538,000.00)	(0.92)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 5/31/2020

Report Recap

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	55,978.09	905,207.62	1,072,500.00	(0.84)
Programs	264,966.12	1,807,795.83	2,570,566.00	(0.70)
Revenue - Other	0.00	230.54	0.00	0.00
Application Fees	2,500.00	49,002.50	30,000.00	(1.63)
State Revenue	0.00	214,670.80	206,305.00	(1.04)
Fines & Penalties	606.20	35,586.26	9,000.00	(3.95)
Interest Earned	0.00	50,744.20	22,435.00	(2.26)
Adjustments to Revenue	0.00	(394,149.33)	0.00	0.00
Total Revenues	324,050.41	2,669,088.42	3,910,806.00	(0.68)
Expenses				
Office Expenses	5,192.97	78,803.79	102,575.00	0.77
Communications	1,227.52	15,725.94	20,500.00	0.77
Vehicles	494.93	7,328.22	10,000.00	0.73
Program Costs	185,895.19	1,937,408.50	2,060,266.00	0.94
Travel	0.00	9,572.64	10,150.00	0.94
Professional Services				
Payroll Contract	9.38	119.05	0.00	0.00
Financial Audit & Actuarial Svcs	15,680.60	181,537.64	200,000.00	0.91
Research Studies	0.00	500.00	6,000.00	0.08
Consulting Fees	0.00	1,640.88	3,000.00	0.55
Stipends	700.00	6,200.00	8,400.00	0.74
Maintenance & Repairs	225.00	3,184.00	6,500.00	0.49
Non-Depreciable Inventory	48.00	(118.99)	10,000.00	(0.01)
Dues & Subscriptions	0.00	9,017.49	20,500.00	0.44
Legal	75.00	12,948.00	19,000.00	0.68
Miscellaneous Expense	0.00	769.59	915.00	0.84
Suspense	0.00	676.87	0.00	0.00
Capital Expenditures	0.00	21,164.83	95,000.00	0.22
Total Expenses	209,548.59	2,286,478.45	2,572,806.00	0.89
Program Staff				
Program Staff	111,500.00	1,226,500.00	1,338,000.00	0.92
Total Program Staff	111,500.00	1,226,500.00	1,338,000.00	0.92
Excess Revenue Over (Under) Expenditures	3,001.82	(843,890.03)	0.00	0.00

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000001	5/06/2020	Credit Card Transaction - Viking Environmental	0.00	1,242.00	773,274.55
0000001	5/07/2020	Credit Card Transaction - Deblauw Builders	0.00	690.00	773,964.55
0004142	5/07/2020	[01190] ANTELOPE VALLEY SCHOOLS TRANSPORTATION AGENCY-AB134 Grant	468,750.00	0.00	305,214.55
0004143	5/07/2020	[10958] DEBLAUW BUILDERS INC-Refund: Over payment of Dust Control Plan	29.00	0.00	305,185.55
0004144	5/07/2020	[10023] LOS ANGELES COUNTY CLERK-Adoption of 70ppb Ozone Implementation Plan NOE	75.00	0.00	305,110.55
0004145	5/07/2020	[10043] SOCALGAS-Gas Service	23.04	0.00	305,087.51
0004146	5/07/2020	[10039] SPARKLETTS-Water Delivery Service	19.87	0.00	305,067.64
0000001	5/11/2020	Credit Card Transaction - Level 3	0.00	481.82	305,549.46
0004147	5/14/2020	[10562] AGZA-AB617 Grant	396.52	0.00	305,152.94
0004148	5/14/2020	[10888] AMERICAN BUSINESS MACHINES-Shipping for toner	8.00	0.00	305,144.94
0004149	5/14/2020	[10076] ANTELOPE VALLEY AQMD-Bank Transfer - Credit Card A/R Receipts - April 2020	1,463.64	0.00	303,681.30
0004150	5/14/2020	[01148] ANTELOPE VALLEY PRESS-Legal notices	242.88	0.00	303,438.42
0004151	5/14/2020	[10006] BANK OF THE WEST-CC Charges	1,474.16	0.00	301,964.26
0004152	5/14/2020	[10260] QCS BUILDING SERVICES-Custodial Service	225.00	0.00	301,739.26
0004153	5/14/2020	[10071] QUADIENT LEASING-Postage meter lease	77.75	0.00	301,661.51
0004154	5/14/2020	[10455] STRADLING YOCCA CARLSON & RAUTH-Special Projects	2,316.90	0.00	299,344.61
0004155	5/14/2020	[10021] THE GREEN STATION-Invoices , ,	1,037.67	0.00	298,306.94
0004156	5/14/2020	[10045] VERIZON BUSINESS-VOIP	425.11	0.00	297,881.83
0004157	5/14/2020	[10046] VERIZON CALIFORNIA-Long Distance Charges	32.41	0.00	297,849.42
R20-31	5/14/2020	Op Fund Rep #24	0.00	6,383.31	304,232.73
0000001	5/18/2020	Credit Card Transaction - Hwy Fuel	0.00	1,818.60	306,051.33
0000001	5/20/2020	Credit Card Transaction - Executive Auto Body & Paint	0.00	500.00	306,551.33
0000001	5/21/2020	Credit Card Transactions - Boeing - Standard Industries	0.00	774.66	307,325.99
0000001	5/22/2020	Credit Card Transaction - Fox Field	0.00	481.82	307,807.81
0004155	5/26/2020	[10021] THE GREEN STATION-Void check 0004155	0.00	1,037.67	308,845.48
0000001	5/26/2020	Credit Card Transactions - FAA & United Rentals	0.00	1,120.00	309,965.48
0004158	5/28/2020	[10069] BRET BANKS-Reimbursement for the cost of KN95 masks for AVAQMD office and personnel.	48.00	0.00	309,917.48
0004159	5/28/2020	[10518] AUSTIN BISHOP-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,817.48
0004160	5/28/2020	[10405] CANON FINANCIAL SERVICES-Copier Lease	306.91	0.00	309,510.57
0004161	5/28/2020	[10055] NEWTON CHELETTE-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,410.57
0004162	5/28/2020	[10057] MARVIN CRIST-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,310.57
0004163	5/28/2020	[10599] HOWARD HARRIS-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,210.57
0004164	5/28/2020	[10058] RONALD HAWKINS-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,110.57
0004165	5/28/2020	[10503] STEVEN D HOFBAUER-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	309,010.57

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0004166	5/28/2020	[10054] KENNETH MANN-Attendance Governing Board Meeting Tuesday, May 19, 2020.	100.00	0.00	308,910.57
0004167	5/28/2020	[10026] MOJAVE DESERT AQMD-FY20	127,753.04	0.00	181,157.53
0004168	5/28/2020	[10036] SECURA COM-Qrtly Alarm Monitoring	116.85	0.00	181,040.68
0004169	5/28/2020	[10592] SPECTRUM BUSINESS-Internet Service	770.00	0.00	180,270.68
0004170	5/28/2020	[10021] THE GREEN STATION-Invoices , 3520a	15,735.00	0.00	164,535.68
0004171	5/28/2020	[10050] WOELFL FAMILY TRUST-Office Lease May 2020	4,613.71	0.00	159,921.97
Total for Report:			626,640.46	14,529.88	

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
LA County General Fund P6A

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
R20-30	5/08/2020	Transfer AB923 - March 2020	51,505.22	0.00	2,068,388.07
R20-29	5/08/2020	Transfer AB2766 - March 2020	51,505.22	0.00	2,016,882.85
0000370	5/11/2020	Daily Deposit	0.00	167,642.74	2,184,525.59
0000001	5/14/2020	Daily Deposit	0.00	19,461.78	2,203,987.37
R20-31	5/14/2020	Op Fund Rep #24	6,383.31	0.00	2,197,604.06
0000371	5/26/2020	Daily Deposit	0.00	18,344.35	2,215,948.41
Total for Report:			109,393.75	205,448.87	

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
WF AB2766

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
R20-29	5/08/2020	Transfer AB2766 - March 2020	0.00	51,505.22	344,221.10
0022068	5/14/2020	[10964] BLANCA PASTOR RAMOS ALCANTAR-AB2766 Grant	2,500.00	0.00	341,721.10
0022069	5/14/2020	[10963] LUIS MIGUEL DURAN-AB2766 Grant	2,000.00	0.00	339,721.10
0022070	5/14/2020	[10960] MELROY FERNANDES-AB2766 Grant	1,000.00	0.00	338,721.10
0022071	5/14/2020	[10966] WILLIAM D GUDMESTAD-AB2766 Grant	1,000.00	0.00	337,721.10
0022072	5/14/2020	[10959] JAZMIN PEREZ-AB2766 Grant	1,000.00	0.00	336,721.10
0022073	5/14/2020	[10965] MARIA ROMERO-AB2766 Gant	500.00	0.00	336,221.10
0022074	5/14/2020	[10961] KYUNGMOO RYU-AB2766 Grant	500.00	0.00	335,721.10
0022075	5/14/2020	[10962] CELIDA SCARF-AB2766 Grant	2,000.00	0.00	333,721.10
0022076	5/14/2020	[10967] LEONARDO SERRATO-AB2766 Grant	500.00	0.00	333,221.10
0022077	5/14/2020	[10968] DANIEL STRAUB-AB2766 Grant	500.00	0.00	332,721.10
0022078	5/28/2020	[10969] JACK O'CONNOR CONSTRUCTION-AB2766 Grant	30,000.00	0.00	302,721.10
Total for Report:			41,500.00	51,505.22	

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
WF AB923

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0001008	5/07/2020	[01190] ANTELOPE VALLEY SCHOOLS TRANSPORTATION AGENCY-AB923 Grant	31,250.00	0.00	1,149,318.89
0001009	5/07/2020	[10884] COAST AUTO SALVAGE-AB923 Grant	2,000.00	0.00	1,147,318.89
R20-30	5/08/2020	Transfer AB923 - March 2020	0.00	51,505.22	1,198,824.11
0001010	5/14/2020	[10957] ANTELOPE VALLEY CHEVROLET-AB923 Grant	13,158.00	0.00	1,185,666.11
0001011	5/14/2020	[10884] COAST AUTO SALVAGE-AB923 Grant	1,000.00	0.00	1,184,666.11
0001012	5/28/2020	[10021] THE GREEN STATION-AB923 Grant	4,930.00	0.00	1,179,736.11
Total for Report:			52,338.00	51,505.22	

Antelope Valley AQMD
Bank Register from 5/01/2020 to 5/31/2020
WF Carl Moyer

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0011003	5/14/2020	[10884] COAST AUTO SALVAGE-Invoices ,	600.00	0.00	519,025.79
0011004	5/21/2020	[10970] CALIFORNIA COMPACTION CORP-Moyer Grant	110,165.00	0.00	408,860.79
Total for Report:			110,765.00	0.00	

The following page(s) contain the backup material for Agenda Item: Conduct a public hearing to consider the adoption of the 70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations and Emission Statement Certification (70 ppb O3 Evaluation): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the 70 ppb O3 Evaluation and directing staff action. Presenter: Barbara Lods, Operations Manager.

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #8

DATE: July 21, 2020

RECOMMENDATION: Conduct a public hearing to consider the adoption of the *70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations and Emission Statement Certification (70 ppb O₃ Evaluation)*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the *70 ppb O₃ Evaluation* and directing staff actions.

SUMMARY: The *70 ppb O₃ Evaluation* is proposed for adoption because the AVAQMD have been designated as an ozone non-attainment area and classified Severe for the 0.070 ppm 8-hour ozone standard, and as a result the USEPA requires the AVAQMD to submit an updated RACT SIP analysis (including FNDs as needed), and certification of Emission Statements.

BACKGROUND: Effective October 26, 2015 (80 FR 65292), the United States Environmental Protection Agency (USEPA) lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (or, 70 parts per billion (ppb) for ease of reference). USEPA revised both the health-based and welfare-based standards for ozone. The final rule sets forth a range of nonattainment area State Implementation Plan (SIP) requirements for the 2015 ozone NAAQS. This final rule is largely an update to the implementing regulations previously promulgated for the 2008 ozone NAAQS, and USEPA is retaining without significant revision most of the provisions and applying them to the 2015 ozone NAAQS. The following elements are therefore required for District implementation of the 2015 ozone NAAQS: Reasonably Available Control Technology (RACT) SIP analysis (including Federal Negative Declarations (FND) as needed); and certification of Emission Statements.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #8

PAGE 2

precursors. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe for the 2015 8-hour ozone standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated RACT SIP Analysis to ensure that District Rules adequately address current RACT requirements. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a FND certifying that those sources are not present. These “Federal Negative Declarations” are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the USEPA that there are no stationary sources or emitting facilities in these categories located within the area designated as non-attainment for ozone within the AVAQMD. There are no emission reductions associated with this action because it does not change any existing rules or regulations.

Furthermore, FCAA §182(a)(3)(B) (42 U.S.C. §7511a) requires ozone nonattainment areas to mandate submittal of emission statement data from certain sources of VOC and NO_x. The 2015 eight-hour ozone standard implementation rule acknowledges that if an area has a previously approved emission statement rule in force for the former 2008 eight-hour, 1997 eight-hour, or 1979 one-hour ozone NAAQS, the existing rule is likely sufficient for meeting the emission statement requirement for the 2015 eight-hour ozone NAAQS. The District adopted Rule 107 – *Certification and Emission Statements* on May 15, 2012. Additionally, the implementation rule recommends that air districts review the existing rule to ensure adequacy in the form of a written statement to the USEPA.

Staff has developed the *70 ppb O₃ Evaluation* including the RACT SIP Analysis, Federal Negative Declarations, and Emission Statement Certification to satisfy the applicable FCAA requirements.

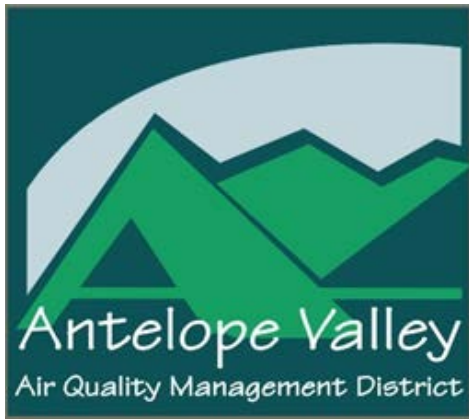
A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the adoption of the *70 ppb O₃ Evaluation* pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form, and by Bret Banks, Executive Director/APCO, on or about July 6, 2020.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Barbara Lods, Operation Manager



Draft
Staff Report
70 ppb Ozone Standard Implementation Evaluation:
RACT SIP Analysis;
Federal Negative Declarations;
And, Emission Statement Certification

For adoption on
July 21, 2020

**Antelope Valley Air Quality
Management District**

**43301 Division Street, Suite 206
Lancaster, CA 93535
(661) 723-8070**

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STAFF REPORT

70 ppb O₃ Evaluation

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Antelope Valley Air Quality Management District (AVAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations and, Emission Statement Certification (70 ppb O₃ Evaluation)*, and direct staff actions.

Effective October 26, 2015 (80 FR 65292), the United States Environmental Protection Agency (USEPA) lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (or, 70 parts per billion (ppb) for ease of reference). The Federal Clean Air Act (FCAA) requires newly designated ozone non-attainment areas to implement Reasonably Available Control Technology (RACT) on certain sources, including all major sources of ozone precursors. For the purposes of the FCAA, the District has been designated non-attainment for ozone. The Antelope Valley Air Quality Management District (AVAQMD) has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules satisfy RACT.

The FCAA also requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Techniques Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration certifying that those sources are not present. The AVAQMD has examined the list of CTGs to determine which do not have corresponding sources within the jurisdiction of the District (major or minor) that meet the CTG applicability threshold, and is updating existing Federal Negative Declarations (FND) and adopting one new FND applicable to the 2008 and 2015 standards for Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings: Miscellaneous Plastic Parts Coatings Table 4 - Automotive/Transportation and Business Machine Plastic Parts..

Additionally, the District must provide certification of their emission reporting program for VOC and NO_x sources. The District has evaluated and is certifying existing State Implementation Plan (SIP)-approved Rule 107 – *Certification of Submissions and Emission Statements* as meeting this requirement.

This document represents a current and complete 70 ppb Ozone Standard Implementation Evaluation (70 ppb O₃ Evaluation): RACT SIP Analysis; FNDs; and, Emission Statement Certification to satisfy the District’s obligation for the 2015 ozone standard.

Staff has developed the *70 ppb O₃ Evaluation* including the RACT SIP Analysis, Federal Negative Declarations, and Emission Statement Certification to satisfy the applicable FCAA requirements.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD or District) adopt the *70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations; and, Emission Statement Certification (70 ppb O₃ Evaluation)* and approve the appropriate California Environmental Quality Act (CEQA) documentation. This action is necessary to adopt the required elements for District implementation of the 2015 ozone NAAQS in the *70 ppb O₃ Evaluation*.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *70 ppb O₃ Evaluation*. Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

- Necessity
- Authority
- Clarity
- Consistency
- Nonduplication
- Reference
- Public Notice & Comment
- Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- Public Notice & Comment
- Availability of Document
- Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- Public Hearing
- Legal Authority to adopt and implement the document.
- Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

N/A Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- N/A Exemption
- Negative Declaration
- N/A Environmental Impact Report
- Appropriate findings, if necessary.
- Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- Written analysis of existing air pollution control requirements
- Economic Analysis
- Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed adoption of the *70 ppb O₃ Evaluation*. Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the District considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information, that must be provided in order to adopt this document in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the District Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Board in making these findings.

a. Necessity:

Adoption of the proposed *70 ppb O₃ Evaluation* is necessary because the AVAQMD has been designated as a federal ozone nonattainment area and classified Severe for the 0.070 ppm 8-hour ozone standard, and as a result the USEPA requires the AVAQMD to submit an updated RACT SIP analysis (including FNDs as needed) and certification of Emission Statements.

b. Authority:

The District has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations.

c. Clarity:

The proposed adoption of the *70 ppb O₃ Evaluation* is clear in that it is written so that the persons evaluating the analysis can easily understand the meaning.

d. Consistency:

Adoption of the proposed *70 ppb O₃ Evaluation* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions.

e. Nonduplication:

The proposed adoption does not impose the same requirements as any existing state or federal regulation because federal law requires either certification of RACT status or updating rules to current RACT (including FNDs as needed), certification of SIP approved Nonattainment New Source Review Program, and certification of Emission Statements.

f. Reference:

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed adoption of the *70 ppb O₃ Evaluation* will be published June 19, 2020. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying Federal law that requires the submittal. The information below indicates which elements are required for the proposed adoption of the *70 ppb O₃ Evaluation* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The adoption of the *70 ppb O₃ Evaluation* is subject to all the requirements for a SIP submittal because the *70 ppb O₃ Evaluation* is to be included in the AVAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment:

Notice for the public hearing for the proposed adoption of the *70 ppb O₃ Evaluation* will be published June 19, 2020. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

c. Availability of Document:

Copies of the proposed *70 ppb O₃ Evaluation* and the accompanying draft staff report were made available to the public on June 19, 2020.

d. Notice to Specified Entities:

Copies of the proposed *70 ppb O₃ Evaluation* and the accompanying draft staff report were sent to all affected agencies. The proposed amendments were sent to the California Air Resources Board (CARB) and USEPA on July 6, 2020.

e. Public Hearing:

A public hearing to consider the proposed adoption of the *70 ppb O₃ Evaluation* has been set for July 21, 2020.

f. Legal Authority to Adopt and Implement:

The District has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the District.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the CEQA.

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The proposed adoption of the *70 ppb O₃ Evaluation* is to ensure that District rules adequately address current nonattainment area SIP requirements for the 2015 ozone NAAQS. Therefore, the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not applicable in this staff report. The individual rule actions identified as a result of this analysis will be specifically evaluated to satisfy this requirement on a case-by-case basis through the rule amendment process.

C. ECONOMIC ANALYSIS

1. General

Adoption of the *70 ppb O₃ Evaluation* will affect those facilities subject to rules requiring adoption or amendment to meet RACT requirements. The *70 ppb O₃ Evaluation* identifies necessary rule actions. Cost analysis will be addressed on a rule specific basis for those actions identified in the *70 ppb O₃ Evaluation* through the rule amendment process.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur. The proposed adoption of the *70 ppb O₃ Evaluation* is not subject to incremental cost effectiveness calculations because this document does not impose BARCT or “all feasible measures.” Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the proposed adoption of the *70 ppb O₃ Evaluation* was determined.

1. The proposed adoption of the *70 ppb O₃ Evaluation* meets the CEQA definition of “project”. They are not “ministerial” actions.

2. The proposed adoption of the *70 ppb O₃ Evaluation* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable. Copies of the documents relating to CEQA can be found in Appendix “D.”

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the proposed adoption of the *70 ppb O₃ Evaluation*.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix “B”

VI. TECHNICAL DISCUSSION

The following elements are therefore required for District implementation of the 2015 ozone NAAQS: Reasonably Available Control Technology (RACT) SIP analysis (including Federal Negative Declarations (FND) as needed); certification of SIP approved Nonattainment New Source Review Program; and certification of Emission Statements.

A. RACT SIP ANALYSIS

The FCAA requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors. The *70 ppb O₃ Evaluation* document: (1) reviews all available instances of RACT for applicability to the AVAQMD; (2) reviews all AVAQMD major sources for RACT applicability; and (3) identifies any actions the AVAQMD must take to address applicable RACT requirements. This document satisfies 42 U.S.C. §§7511a (FCAA §182) regarding RACT requirements for the 2015 ozone NAAQS.

The AVAQMD has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules meet the definition of RACT. The AVAQMD identified certain rules for RACT analysis. A complete list is contained in Appendix A. The following rules have been identified as requiring additional analysis and potential amendment in the proposed adoption of the *70 ppb O₃ Evaluation*. Complete rule analysis is available in the *70 ppb O₃ Evaluation*, Appendix A.

Rule 1113 – Architectural Coatings

Rule 1113 - *Architectural Coatings* was most recently amended June 18, 2013. This rule was approved in to the SIP (80 FR 76222, December 08, 2015). In the 2015 rule evaluation USEPA indicated that the district has no obligation to satisfy RACT. USEPA evaluated the rule for RACT-level controls as well as against EPA’s National Volatile Organic Compound Emission Standard for Architectural Coatings (40 CFR Part 59 Subpart D), and CARB’s SCM for Architectural Coatings, which is the basis for most of the most stringent architectural coating requirements in California. In 2019 CARB updated the Suggested Control Measure for Architectural Coatings. The District will evaluate Rule 1113 for possible amendment to incorporate the provisions of the 2019 SCM. Upon next amendment, USEPA recommendations will be incorporated.

Rule 1124 – Aerospace Assembly and Component Manufacturing Operations

Rule 1124 – *Aerospace Assembly and Component Manufacturing Operations* was most recently amended 11/19/2013. This rule was approved in to the SIP (80 FR 60040, October 05, 2015) and determined to fulfill RACT. The District has examined similar

rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1124 and therefore may require further analysis. The TSD issued for Rule 1124 in October of 2015 (EPA-R09-OAR-2015-0510 as found at www.regulations.gov) identified no deficiencies sufficient for EPA to propose less than full approval at that time, but several items were recommended for consideration for the next rule revision. The District will evaluate these recommendations and review MDAQMD and SJVAPCD rule limits to determine if they affect current RACT. Rule 1124 may be amended to incorporate those provisions.

B. FEDERAL NEGATIVE DECLARATIONS

The FCAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. For those CTG source categories not represented within the area designated nonattainment for ozone, USEPA requires the submission of a FND certifying that those sources are not present. These “Federal Negative Declarations” are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the USEPA that there are no stationary sources or emitting facilities in these categories located within the area designated as nonattainment for ozone within the MDAQMD. There are no emission reductions associated with this action because it does not change any existing rules or regulations.

Current AVAQMD review has identified many CTG source categories that do not have corresponding sources (major or minor) within the jurisdiction of the AVAQMD. The District reviewed its permit files and the emission inventory for its Federal Clean Air Plan, and conducted SIC Code searches, the internet, yellow pages, and District inspectors and engineer’s knowledge, and has determined that there are no stationary sources or emitting facilities for the following CTG categories. The District also does not anticipate these sources in the future. For these source categories the AVAQMD is filing FNDs. FND actions are summarized Table 2 of the *70 ppb O₃ Evaluation*. In most cases, the FND is an update of an earlier FND. The District will be filing one new FND for the CTG titled *Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings (EPA 453/R-08-003 2008/09)*. This FND is being filed for both the 75 ppb and 70 ppb 8-hour ozone standards. In addition, the FND for the CTG titled *Control Techniques Guidelines for the Oil and Natural Gas Industry (EPA-453/B-16-001 2016/10)* was adopted on 01/21/2020 and submitted 02/06/2020. The current action reaffirms the adoption.

In every case, the District has reviewed CTG source categories for applicability within the entire nonattainment area under the jurisdiction of the AVAQMD.

C. CERTIFICATION OF EMISSION STATEMENTS

Federal Clean Air Act (FCAA) § 182(a)(3)(B) requires ozone nonattainment areas to mandate submittal of emission statement data from certain sources of VOC and NO_x. The 2015 ozone standard implementation rule acknowledges that if an area has a previously approved emission statement rule in force for the former 2008 eight-hour, 1997 eight-hour, or 1979 one-hour ozone NAAQS, the existing rule is likely sufficient for meeting the emission statement requirement for the 2015 eight-hour ozone NAAQS. The District adopted Rule 107 – *Certification of Submissions and Emission Statements* on May 15, 2012. Additionally, the implementation rule recommends that air districts review the existing rule to ensure adequacy in the form of a written statement to the USEPA. The written Emission Statement Certification to be presented to USEPA may be found in Chapter 4 of the accompanying *70 ppb O₃ Evaluation*.

A. SIP HISTORY

1. SIP History.

Prior to 1975 the original air district for the Antelope Valley region was the Los Angeles County Air Pollution Control District that had a jurisdiction covering the entire county of Los Angeles. In 1975, the Southern California APCD was created. It was a joint powers authority that had a jurisdiction covering all of the counties of Los Angeles, Orange, Riverside and San Bernardino. The SCAQMD came into existence pursuant to statute on February 1, 1976 and originally covered only the areas within the South Coast Air Basin (SCAB). The legislation was thereafter amended to allow non-SCAB areas to “opt in.” Los Angeles County exercised this option and thus the Antelope Valley became a part of SCAQMD. On July 1, 1997 the AVAPCD replaced the SCAQMD as the agency with jurisdiction over the Los Angeles County portion of the Mojave Desert Air Basin (MDAB). On January 1, 2002 the AVAPCD was replaced by the AVAQMD. Pursuant to both statutory changes, the rule and regulations of the predecessor district were retained until the Governing Board adopted, amended or rescinded them. At the first meeting of both the AVAPCD and the AVAQMD, the respective Governing Boards reaffirmed all the rules and regulations in effect at the time the agency changed.

The jurisdiction of the AVAPCD and the AVAQMD were specified in the statutes as the portion of the Los Angeles County contained within the MDAB. The MDAB was formerly known as the Southeast Desert Air Basin (SEDAB). In 1997 the SEDAB was split into the MDAB and the Salton Sea Air Basin. Descriptions of these air basins can be found in 17 Cal. Code Regs. §§60109 and 60144. Since USEPA adopts SIP revisions in California as effective within jurisdictional boundaries of local air districts, when the local air district boundaries change the SIP as approved by USEPA for that area up to the date of the change remains as the SIP in that particular area. Thus, upon creation of the AVAPCD on July 1, 1997 the AVAPCD acquired the SIP applicable to the Antelope Valley portion of the SCAQMD that was effective as of June 30, 1997.

Likewise, the AVAQMD acquired the SIP that was effective in the jurisdiction of the AVAPCD as of December 31, 2000. Therefore, the SIP history for this region is based upon the rules adopted, effective, and approved for the Antelope Valley by SCAQMD

2. SIP Analysis.

The District will request CARB to submit the proposed *70 ppb O₃ Evaluation* to the USEPA for inclusion into the SIP.

Appendix “A”

70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations; Certification of Nonattainment New Source Review Program; and, Emission Statement Certification

Please see the *70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations and, Emission Statement Certification (70 ppb O₃ Evaluation)* as contained in the July 21, 2020 adoption package.

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Appendix “B”
Public Notice Documents

1. Draft Proof of Publication – Antelope Valley Press, June 19, 2020

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NOTICE OF HEARING

NOTICE IS HEARBY GIVEN that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on July 21, 2020 at 10:00 A.M. to consider the proposed adoption of the *70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis; Federal Negative Declarations and, Emission Statement Certification (70 ppb O3 Evaluation)*.

SAID HEARING may be conducted, in the interest of public health and safety and in accordance with the guidelines set forth in the Governor's Order N-29-20 of March 17, 2020, via alternative means. Please see the applicable Governing Board Meeting Agenda at <https://avaqmd.ca.gov/governing-board> or call (661) 723-8070 x 23 for participation information. If said Governor's Order has been lifted, the meeting will be conducted in the Governing Board Chambers located at the AVAQMD offices, 43301 Division Street, Suite 206, Lancaster, CA 93535-4649 where all interested persons may be present and be heard. Copies of the proposed *70 ppb O3 Evaluation* and the Staff Report are on file and may be requested via email at blods@avaqmd.ca.gov or by calling (661) 723-8070 x 23. Written comments may be submitted to Bret Banks, Executive Officer/APCO at the above office address, and should be received no later than May 18, 2020 to be considered. If you have any questions, you may contact Barbara Lods at (661) 723-8070 x23 or via E-mail at blods@avaqmd.ca.gov for further information. Traducción esta disponible por solicitud.

Effective October 26, 2015 (80 FR 65292), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (70 ppb). The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. For purposes of the FCAA, the District have been designated non-attainment for ozone and classified as Severe for the new 8-hour ozone standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt the following elements required for District implementation of the 2015 ozone NAAQS: Reasonably Available Control Technology (RACT) SIP analysis (including Federal Negative Declarations) and certification of Emission Statement. The *70 ppb O3 Evaluation* presents the AVAQMD's commitment to adopt the required elements in the *Implementation of the 2015 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements*.

Pursuant to the California Environmental Quality Act (CEQA) the AVAQMD has determined that a Categorical Exemption (Class 8 – 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Appendix “C”
Public Comments and Responses

1. CARB Email Comments, May 15, 2020
2. EPA Email Comments, May 15, 2020

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1. CARB Email Comment, May 15, 2020

Barbara Lods

From: Fideldy, Ariel@ARB <ariel.fideldy@arb.ca.gov>
Sent: Friday, May 15, 2020 2:18 PM
To: Barbara Lods
Cc: Bret Banks; Sutkus, Carol@ARB; Hicks, Austin@ARB; ARB District Rules; LEVIN, NANCY (Levin.Nancy@epa.gov)
Subject: RE: AVAQMD 70 ppb Ozone Standard Evaluation

Hi Barbara,

I'm sorry for the delayed response, but I was only able to review your draft this week. I have reviewed your District's draft RACT SIP Analysis (2020 AV 70 ppb Ozone Standard Evaluation May 2020) and have the following questions/ notes:

1. → 1. In comparison to U.S. EPA's list of CTGs/categories, there are 2 CTGs that did not appear to be addressed in your draft: EPA-450/R-75-102 (Design Criteria for Stage I Vapor Control – Gasoline Service Stations), and EPA-450/2-77-037 (Cutback Asphalt)
2. → 2. In Chapter 4, Emission Statement Certification, Table of Requirements
 - a. In 3rd row of table, please include exact rule text in right column
 - b. In 4th row of table, §(c) is referenced, but Rule 107 has no §(c) – should this be §(B)(2)? Also, please include exact rule text
3. Appendix A
- 3a. → a. Rule 1107 – Applicable CTG EPA 453/R-08-003 Table 2; this CTG/Table also include in table of Negative Declarations
 - Was Rule 1107 amended on 4/21/2020? If so, consider updating to say amended and is now at RACT levels
- 3b. → b. Rule 1130 – Applicable CTG EPA-450/2-77-008: Which table/category?
 - Reference to EPA-453/R-07-003, possible typo within title: “CTG for Paper, Film, and Foil Coatings”
- 3c. → c. Rule 1151 – Applicable CTG EPA-450/2-77-008: Which table/category?
 - 3c.1 → • List of CTGs goes from #2 to #4 – is there supposed to be an additional CTG listed as #3 here?
 - 3c.2 → • Applicable CTG EPA-453/R-08-003 says “(FND Table 6)” – Is this intended as a Negative Declaration, rather than stating that CTG is applicable to this rule? If so, why is it not listed in Table 2? Please clarify
 - 3c.3 → • Applicable CTG EPA-453/R-08-006 says “(FND)” – Is this intended as another Negative Declaration rather than stating that CTG is applicable to this rule? If so, why is it not listed in Table 2? Please clarify
- 3d. → d. Rule 1151.1 – Possible typo: “TSD issued for Rule 1151.1 in February 2018 ~~2012~~...”
- 3e. → e. Rule 1171 – What is the version/date referenced in “SIP Approved Version – April 23, 2018”? Elsewhere it says most recently amended 8/21/18, and approved on 7/2/19. Please clarify/correct 4/23/18 date

Let me know if you have any questions on these. We understand that you are scheduled to go to your Board on Tuesday, so if you would like to have a call sometime prior to then, let me know and we will find a time to talk over MS Teams or something of that nature.

Thanks,

1. District response to CARB Email Comment, May 15, 2020

1. Rule evaluations for CTG EPA-450/R-75-102 (Design Criteria for Stage I Vapor Control-Gasoline Service Stations) and CTG EPA-450-/2-77-037 (Cutback Asphalt) have been added to Appendix A.
2. Requested verbiage for Emission Statement Certification Table of Requirements in row 3 and row 4 have been added on Page 24 and 25 of 70 ppb O₃ Evaluation.
- 3a Rule 1107 evaluation incorrectly listed CTG EPA 453/R-08-003 Table 2. This reference has been removed from the evaluation. Rule 1107 was amended on 4/21/2020 and updated on the rule evaluation table.
- 3b. Rule 1130 evaluation takes into consideration the categories of Paper and Films. Verbiage was added to the evaluation summary. Typo was corrected.
- 3c. Rule 1151 numbering of the CTG list was corrected. FND designation was incorrectly noted for CTGs EPA-453/R-08-003 and EPA -453/R-008-006 and removed.
- 3d. Incorrect date removed.
- 3e. Date corrected.

2. EPA Email Comment, May 15, 2020

From: [Levin, Nancy](#)
To: [Barbara Lods](#)
Cc: [Lo, Doris](#); [Bret Banks](#); [Fidely, Ariel@ARB](#)
Subject: RE: AVAQMD 70 ppb Ozone Standard Evaluation
Date: Friday, May 15, 2020 4:37:56 PM

Dear Barbara:

Thank you for the opportunity to comment on the AVAQMD 70 ppb Ozone Standard Implementation Evaluation: RACT SIP Analysis, FNDs and Emission Statement Certification. Our comments are as follows:

1. The Major Source table lists two major sources subject to RACT, each subject to District Rules 1124 and 1146. While the document provides an RACT analysis of Rule 1124, it does not appear to include a RACT analysis of Rule 1146. We recommend including an analysis of Rule 1146 in Appendix A, with the other rules the District is relying on to demonstrate RACT for the 2015 ozone standard.
2. The RACT SIP does not appear to address two CTGs - [Design Criteria for Stage I Vapor Control – Gasoline Service Stations \(EPA-450/R-75-102\)](#) and [Control of Volatile Organic Compounds from Use of Cutback Asphalt \(EPA-450/2-77-037\)](#).
3. Appendix A, Rule 1107 – One of the applicable CTGs listed is the 2008 Miscellaneous Metal and Plastic Parts Coatings CTG (MMPP), Table 2; but the MMPP Table 2 is also listed as a negative declaration. Please clarify whether the District is submitting the negative declaration or Rule 1107 to fulfill RACT requirements for 2008 MMPP CTG, Table 2.
4. Appendix A, Rule 1130 – The analysis lists five applicable CTGs, which have multiple categories. Please specify the categories of the applicable CTGs for which Rule 1130 represents RACT.
5. Appendix A, Rule 1145 – Please specify the category of the 2008 MMPP CTG for which this rule represents RACT.
6. Appendix A, Rule 1151 – It appears that the applicable CTGs include the 2008 MMPP CTG, Table 6. However, the document includes “(FND Table 6)” after the listing of the 2008 MMPP CTG. We assume that there is no FND for Table 6, so suggest deleting “FND.” Also, please check if other instances of “FND” in this list are appropriate.
7. Emission Statement Certification: The document provides a table intended to demonstrate that the requirements of Clean Air Act section 182(a)(3)(B) “Emissions Statements” (left-hand column) are met by District Rule 107 (right-hand column). For clarity, we recommend that the right-hand column include the actual text of Rule 107 provisions to correspond with each of the Emissions Statements requirements in the left-hand column.
8. Negative Declarations, page 14. There appears to be a missing word(s) in second sentence.

I apologize for not getting you feedback sooner, Barbara. Please let me know if you have any questions or concerns. Thank you.

Nancy Levin | 415-972-3848 | Rules and Planning
Air Division | Region IX | U.S. Environmental Protection Agency

2. District Response to EPA Email Comment, May 15, 2015

1. RACT analysis for Rule 1146 was added.
2. Rule evaluations for CTG EPA-450/R-75-102 (Design Criteria for Stage I Vapor Control-Gasoline Service Stations) and CTG EPA-450-/2-77-037 (Cutback Asphalt) have been added to Appendix A.
3. Rule 1107 evaluation incorrectly listed CTG EPA 453/R-08-003 Table 2. This reference has been removed from the evaluation. Rule 1107 was amended on 4/21/2020 and updated on the rule evaluation table.
4. Rule 1130 evaluation takes into consideration the categories of Paper and Films. Verbiage was added to the evaluation summary.
5. This evaluation covers the CTG for Table 3 – Plastic Parts. This is stated in the summary box for clarification.
6. FND designation was incorrectly noted for CTGs EPA-453/R-08-003 and EPA -453/R-008-006 and removed.
7. Requested verbiage for Emission Statement Certification Table of Requirements in row 3 and row 4 have been added on Page 24 and 25 of 70 ppb O₃ Evaluation.
8. Negative Declarations, page 14, second sentence, has been revised.

Appendix “D”
California Environmental Quality Act
Documentation

1. Draft Notice of Exemption – Los Angeles County

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NOTICE OF EXEMPTION

TO: Los Angeles County Clerk
12400 E. Imperial Hwy, #1001
Norwalk, CA 90650

FROM: Antelope Valley
Air Quality Management District
43301 Division Street, Suite 206
Lancaster, CA 93535-4649

PROJECT TITLE: Adoption of the AVAQMD 70 ppb Ozone Standard Implementation Evaluation

PROJECT LOCATION – SPECIFIC: Los Angeles County portion of the Mojave Desert Air Basin.

PROJECT LOCATION – COUNTY: Los Angeles County

DESCRIPTION OF PROJECT: Effective October 26, 2015 (80 FR 65292), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (70 ppb). The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe for the new 2015 ozone standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt the following elements required for District implementation of the 2015 ozone NAAQS: Reasonably Available Control Technology (RACT) SIP analysis (including Federal Negative Declarations) and certification of Emission Statement. The *70 ppb Ozone Standard Implementation Evaluation (70 ppb O3 Evaluation)* presents the AVAQMD’s commitment to adopt the required elements in *the Implementation of the 2015 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements*.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Antelope Valley AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Antelope Valley AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed adoption of the *70 ppb O3 Evaluation* is exempt from CEQA review because it will not create any adverse impacts on the environment. Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies

LEAD AGENCY CONTACT PERSON: Bret Banks **PHONE:** (661) 723-8070

SIGNATURE: _____

TITLE: Executive Director **DATE:** 07/21/2020

DATE RECEIVED FOR FILING:

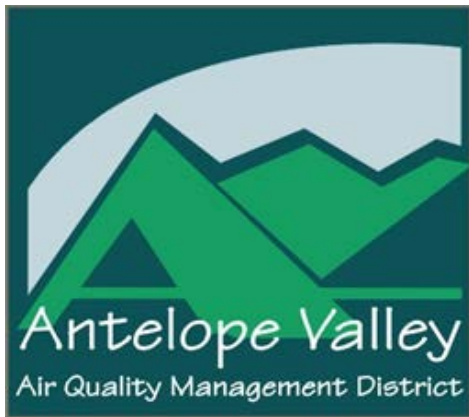
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Appendix “E” Bibliography

The following documents were consulted in the preparation of this staff report.

1. 80 FR 65292, October 26, 2015
2. *Implementation of the 2015 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements* (83 FR 62998, December 6, 2018)

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70 ppb Ozone Standard Implementation Evaluation
(70 ppb O₃ Evaluation):
RACT SIP Analysis;
Federal Negative Declarations; and
Emission Statement Certification

July 21, 2020

**Antelope Valley Air Quality
Management District**

**43301 Division Street, Suite 206
Lancaster, CA 93535
(661) 723-8070**

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Executive Summary

Effective October 26, 2015 (80 FR 65292), the United States Environmental Protection Agency (USEPA) lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (or, 70 parts per billion (ppb) for ease of reference). The Federal Clean Air Act (FCAA) requires newly designated ozone non-attainment areas to implement Reasonably Available Control Technology (RACT) on certain sources, including all major sources of ozone precursors. For the purposes of the FCAA, portions of the District have been designated non-attainment for ozone. The Antelope Valley Air Quality Management District (AVAQMD) has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules satisfy RACT.

The FCAA also requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Techniques Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration certifying that those sources are not present. The AVAQMD has examined the list of CTGs to determine which do not have corresponding sources within the jurisdiction of the District (major or minor) that meet the CTG applicability threshold, and is updating existing Federal Negative Declarations (FND) and adopting one new FND applicable to the 2008 and 2015 standards for Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings: Miscellaneous Plastic Parts Coatings Table 4 - Automotive/Transportation and Business Machine Plastic Parts.

Additionally, the District must provide certification of their emission reporting program for VOC and NO_x sources. The District has evaluated and is certifying existing State Implementation Plan (SIP)-approved Rule 107 – *Certification of Submissions and Emission Statements* as meeting this requirement.

This document represents a current and complete 70 ppb Ozone Standard Implementation Evaluation (70 ppb O₃ Evaluation): RACT SIP Analysis; FNDs; and, Emission Statement Certification to satisfy the District’s obligation for the 2015 ozone standard.

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CHAPTER 1 - Introduction and Background

Purpose

Regulatory History

Federal Legal Requirements

Pollutant Descriptions

Setting

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INTRODUCTION

Purpose

The FCAA requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors. This document: (1) reviews all available instances of RACT for applicability to the AVAQMD; (2) reviews all AVAQMD major sources for RACT applicability; and (3) identifies any actions the AVAQMD must take to address applicable RACT requirements. This document satisfies 42 U.S.C. §§7511a (FCAA §182) regarding RACT requirements for the 2015 ozone NAAQS.

BACKGROUND

Regulatory History

The USEPA designated the northern desert part of Los Angeles County as nonattainment and classified it as Severe for the 2015 8-hour standard. This area was classified based on an ozone design value calculated from 2008 through 2010 concentrations in the region. The Severe classification requires attainment of the 8-hour ozone NAAQS by July 2027, fifteen years after the date of designation. The desert portion of Los Angeles County was established as its own air district as of July 1, 1997, the Antelope Valley Air Pollution Control District (AVAPCD), pursuant to former Health & Safety Code (H&SC) §40106 (Statutes 1996 ch 542, Repealed Statutes 2001 ch. 163). This air district was replaced by the AVAQMD on January 1, 2002, pursuant to H&SC §41300 et seq (Statutes 2001 ch. 163). As a successor district to the SCAQMD, the AVAQMD assumes the authorities and duties of the SCAQMD for the Antelope Valley (H&SC §41302).

Ozone plans have been adopted by the AVAQMD to address federal ozone planning requirements, including RACT applicability. This document updates the Federal RACT portion of all previously submitted plans.

Federal Legal Requirements

Sections 182(b)(2) and 182(f) of the FCAA require that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors (42 U.S.C. §7511a). Ozone non-attainment areas classified moderate and higher for the 2015 ozone NAAQS must submit a RACT SIP analysis by August 3, 2020 (40 CFR 51.1312).

Pollutant Description and Health Effects

Ozone (O₃) - A colorless gas that is a highly reactive form of oxygen. It has a strong odor when highly concentrated. Ozone can occur naturally but can also be formed from other compounds through photochemistry, a complex system of reactions with hydrocarbons and oxides of nitrogen in the presence of sunlight (ultraviolet). The Mojave Desert Air Basin experiences ozone concentrations in excess of the State and Federal Ambient Air Quality Standards.

Ozone can cause respiratory irritation and discomfort, making breathing more difficult during exercise. Ozone can reduce the respiratory system's ability to remove inhaled particles, increase pulse rate, decrease blood pressure and reduce the body's ability to fight infection. After six hours of exposure a healthy person can have significant reduction of lung function. It is an

irritant of the skin, eyes, upper respiratory system, and mucous membranes, although symptoms disappear after exposure. It may also be a carcinogen.

Setting

The Antelope Valley is the desert portion of Los Angeles County. The AVAQMD has been designated non-attainment for the 2015 8-hour ozone NAAQS by USEPA as a portion of the Western Mojave Desert non-attainment area in 40 CFR 81.305. The ozone design value classifies the area as a Severe nonattainment area with 2027 as the required attainment year (42 U.S.C. 7511(a)(2); FCAA §181(a)(2)). The nonattainment area includes the entirety of the AVAQMD.

The Antelope Valley covers 1300 square miles and included 219,628 persons as of the 1990 census (approximately 366,000 in 2015), centered within the cities of Lancaster and Palmdale. The region is characterized by a wide, arid valley little precipitation. Air Force Plant 42 and a portion of Edwards Air Force Base are located in the area.

The primary roadways in the Antelope Valley are State Route 14 and State Route 138. Both of these arterials carry a substantial amount of daily commute traffic from the region into the Greater Los Angeles Basin.

The Antelope Valley is primarily a bedroom community, but does have significant aerospace development and manufacturing on Plant 42 (Boeing, Lockheed Martin and Northrop Grumman all lease facilities on the base from the Air Force).

CHAPTER 2 – RACT SIP Evaluation

Process

CTG Sources

Major Non-CTG Sources

Major Source Table

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Process

The AVAQMD reviewed a USEPA-provided list of source categories and applicable CTGs that collectively define RACT. The AVAQMD reviewed this list for local applicability, and the results are presented in Appendix “A.”

CTG Sources

Those categories of sources covered by a published CTG are referred to as CTG sources. For each CTG source category, the AVAQMD has identified whether or not a current source is sited within its jurisdiction, or whether it is likely a source may be sited within its jurisdiction. In most cases, where the AVAQMD has no source that meets the category, the AVAQMD will file a FND for that category. For some categories the AVAQMD has an adopted rule that applies to the category that has been deemed to meet the applicable RACT for that category. In one case, the AVAQMD has a rule which has been evaluated and may need to be updated for RACT, and the AVAQMD is accordingly committing to further evaluate the rule for current RACT for this source category. Chapter 3 details AVAQMD actions identified by this evaluation process.

Major Non-CTG Sources

RACT is also required for all major sources of ozone precursors within the jurisdiction of the AVAQMD. For severe non-attainment areas, a major source is defined as any stationary source or group of sources that emits, or has the potential to emit, at least 25 tons per year of VOCs or NO_x (FCAA 182(d) and (f)). Table 1 below presents a list of all facilities with Title V Federal Operating Permits within the AVAQMD, whether the facility is a major source of ozone precursors, and the current RACT applicable to those sources. There are no additional rules identified for major sources that require amendment to Federal RACT.

Table 1 - Major Source Table

Source/ Federal Operating Permit	Major Source: NO_x/VOC	Description	Applicable CTG/RACT	Applicable District Rule(s)
Lockheed Martin	NO _x VOC	Aerospace	Control of VOC Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations CTG & MACT (See 59 FR 29216, 6/6/1994); CTG (Final), (EPA453/R-97-004, 12/97).	1124, 1146
Northrop Grumman	NO _x VOC	Aerospace	Control of VOC Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations CTG & MACT (See 59 FR 29216, 6/6/1994); CTG (Final), (EPA453/R-97-004, 12/97).	1124, 1146
Antelope Valley Recycling & Disposal	N/A	Municipal landfill with landfill gas control system	No applicable CTG. 40 CFR 64 Subpart WWW requires Title V Permit, not a major source.	
Lancaster Landfill	N/A	Municipal landfill with landfill gas control system	No applicable CTG. 40 CFR 64 Subpart WWW requires Title V Permit, not a major source	

CHAPTER 3 – AVAQMD RACT Analysis

2020 RACT Rule Analysis
Federal Negative Declarations

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2020 RACT Rule Analysis

The AVAQMD identified certain rules for RACT analysis. A complete list is contained in Appendix A. The following rules have been identified as requiring additional analysis and potential amendment:

Rule 1113 – Architectural Coatings

Rule 1113 - *Architectural Coatings* was most recently amended June 18, 2013. This rule was approved in to the SIP (80 FR 76222, December 08, 2015). In the 2015 rule evaluation USEPA indicated that the district has no obligation to satisfy RACT. USEPA evaluated the rule for RACT-level controls as well as against EPA's National Volatile Organic Compound Emission Standard for Architectural Coatings (40 CFR Part 59 Subpart D), and CARB's SCM for Architectural Coatings, which is the basis for most of the most stringent architectural coating requirements in California. In 2019 CARB updated the Suggested Control Measure for Architectural Coatings. The District will evaluate Rule 1113 for possible amendment to incorporate the provisions of the 2019 SCM. Upon next amendment, USEPA recommendations will be incorporated.

Rule 1124 – Aerospace Assembly and Component Manufacturing Operations

Rule 1124 – *Aerospace Assembly and Component Manufacturing Operations* was most recently amended 11/19/2013. This rule was approved in to the SIP (80 FR 60040, October 05, 2015) and determined to fulfill RACT. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1124 and therefore may require further analysis. The TSD issued for Rule 1124 in October of 2015 identified no deficiencies sufficient for EPA to proposed less than full approval at that time, but several items were recommended for consideration for the next rule revision. The District will evaluate these recommendations and review MDAQMD and SJVAPCD rule limits to determine if they affect current RACT. Rule 1124 may be amended to incorporate those provisions.

Federal Negative Declarations

Current AVAQMD review has identified many source categories that do not have corresponding sources (major or minor) within the jurisdiction of the AVAQMD. The District reviewed its permit files and the emission inventory reporting for its Federal Clean Air Plan, and conducted SIC Code searches, searched the internet yellow pages, inquired with District inspectors and engineer's as to any knowledge they may have of such sources, and have determined that there are no stationary sources or emitting facilities for the following CTG categories. The District does not anticipate these sources in the future. For these source categories, the AVAQMD is filing FNDs. In some cases, the FND is an update of an earlier FND. In every case, the District has reviewed CTG source categories for applicability within the entire nonattainment area under the jurisdiction of the AVAQMD. FND actions are summarized in Table 2 below.

Table 2 - Federal Negative Declarations

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks EPA-450/2-77-008, 1977/05	Cans	12/20/2016	Readopt
	Coils	07/21/2015	Readopt
Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds EPA-450/2-77-025, 1977/10	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds	09/19/2006; 07/21/2015	Readopt
Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals EPA-450/2-77-026, 1977/10	Tank Truck Gasoline Loading Terminals	09/19/2006; 12/20/2016	Readopt
Control of Volatile Organic Emissions from Existing Stationary Sources - Volume III: Surface Coating of Metal Furniture EPA-450/2-77-032, 1977/12	Coating of Metal Furniture	N/A; 12/20/2016	Readopt

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control of Volatile Organic Emissions from Existing Stationary Sources - Volume IV: Surface Coating of Insulation of Magnet Wire EPA-450/2-77-033 1977/12	Insulation of magnet wire from wire coating ovens.	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Existing Stationary Sources - Volume V: Surface Coating of Large Appliances EPA-450/2-77-034 1977/12	Surface coating of large appliances	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Bulk Gasoline Plants EPA-450/2-77-035 1977/12	Bulk Gasoline Plants	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Storage of Petroleum Liquids in Fixed-Roof Tanks EPA-450/2-77-036	Storage of Petroleum Liquids in Fixed-Roof Tanks	10/19/2010; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products EPA-450/2-78-029 1978/12	Chemical synthesis; Fermentation; Extraction; Formulation and Packaging.	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires EPA-450/2-78-030 1978/12	Manufacture of Pneumatic Rubber Tires	09/19/2006; 07/21/2015	Readopt

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control of Volatile Organic Emissions from Existing Stationary Sources - Volume VII: Factory Surface Coating of Flat Wood Paneling EPA-450/2-78-032 1978/06	Factory Surface Coating of Flat Wood Paneling	N/A; 12/20/2016	Readopt
Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment EPA-450/2-78-036 1978/06	Leaks from Petroleum Refinery Equipment	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Emissions from Petroleum Liquid Storage in External Floating Roof Tanks EPA-450/2-78-047 1978/12	Petroleum Liquid Storage in External Floating Roof Tanks	10/19/2010; 07/21/2015	Readopt
Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems EPA-450/2-78-051 1978/12	Leaks from Gasoline Tank Trucks and Vapor Collection Systems	10/19/2010; 07/21/2015	Readopt
Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners EPA-450/3-82-009 1982/09	Large petroleum dry cleaners	07/21/2015	Readopt
Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical and Polymer Manufacturing Equipment EPA-450/3-83-006 1984/03	Leaks from Synthetic Organic Chemical and Polymer Manufacturing Equipment	09/19/2006; 07/21/2015	Readopt

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants EPA-450/3-83-007 1983/12	Leaks from Natural Gas/Gasoline Processing Plants	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins EPA-450/3-83-008 1983/11	Manufacture of high-density polyethylene, polypropylene and polystyrene resins.	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry EPA-450/3-84-015 1984/12	Air Oxidation Processes in Synthetic Organic in synthetic Organic Chemical Manufacturing Industry	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry EPA-450/4-91-031 1993/08	Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry	09/19/2006; 07/21/2015	Readopt
Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations EPA-453/R-96-007 1996/04	Wood Manufacturing Operations	09/19/2006; 07/21/2015	Readopt
Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities EPA 453/R-94-032 1994/04 61 FR 44050; 08/27/1996	ACT Surface Coating at Shipbuilding and Ship Repair Facilities Shipbuilding and Ship Repair Operations (Surface Coating)	10/19/2010; 07/21/2015	Readopt

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control Techniques Guidelines for Flat Wood Paneling Coatings EPA-453/R-06-004 2006/09	Flat Wood Paneling Coatings	N/A; 12/20/2016	Readopt
Control Techniques Guidelines for Large Appliance Coatings EPA 453/R-07-004 2007/09	Large appliance coatings.	07/21/2015	Readopt
Control Techniques Guidelines for Metal Furniture Coatings EPA 453/R-07-005 2007/09	Metal furniture coatings.	07/21/2015	Readopt
Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings EPA 453/R-08-003 2008/09	Miscellaneous Metal Parts Coatings Table 2 – Metal Parts and Products	12/20/2016	Readopt
	Miscellaneous Plastic Parts Coatings Table 4 - Automotive/Transportation and Business Machine Plastic Parts	N/A; New FND for the 2008 8-hr ozone standard ¹	New FND for the 2015 ozone standard ²
	Miscellaneous Plastic Parts Coatings Table 5 - Pleasure Craft Surface Coating	12/20/2016	Readopt
Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials EPA-453/R-08-004 2008/09	Fiberglass Boat Manufacturing Materials	07/21/2015	Readopt

¹ A FND is required to be submitted for the 2008 ozone standard

² A FND is required to be submitted for the 2015 ozone standard

<i>CTG</i>	<i>Source Category</i>	<i>Previously Adopted FNDs: 8-Hour Ozone Standard (84 ppb); 8-Hour Ozone Standard (75 ppb)</i>	<i>Current 2015 Ozone Standard (70 ppb)</i>
Control Techniques Guidelines for the Oil and Natural Gas Industry EPA-453/B-16-001 2016/10	Oil and Natural Gas Industry	N/A; 02/06/2020	Readopt ³

³ A FND for Oil and Gas was adopted 01/21/2020 and submitted 02/06/2020. The current action reaffirms the adoption.

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CHAPTER 4 – Certification

Clean Air Act Emissions Statement Requirements Emission Statement Certification

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Clean Air Act Emissions Statement Requirements

Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of NO_x and VOC. Specifically, section 182(a)(3)(B)(i) of the Act requires air agencies to submit to USEPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NO_x and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NO_x if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by USEPA or other methods acceptable to USEPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirements for the 70 ppb 8-hour ozone standard are described in *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area for the 70 ppb 8-hour ozone standard, the existing rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

AVAQMD Rule 107 – *Certification of Submissions and Emission Statements*, fulfills the section 182(a)(3)(B) emissions statement requirements. District Rule 107 was adopted on May 15, 2012, submitted to USEPA on September 21, 2012 and approved by USEPA into the SIP on April 11, 2013 (78 FR 21545, April 11, 2013). The boundaries of the AVAQMD nonattainment area for the 70 ppb 8-hour ozone standard are the same as for the 75 ppb ozone standard. We have reviewed existing Rule 107 to ensure it is adequate and, based on the rationale in the table below, determined that the existing rule is adequate to meet the section 182(a)(3)(B) emissions statement requirements for the 70 ppb 8-hour ozone standard.

The District hereby certifies that the existing provisions of Rule 107 adequately meet the emissions statement requirements of section 182(a)(3)(B) of the Act for the purposes of the 70 ppb 8-hour ozone standard, and that no revision of the rule is required.

Emission Statement Certification

Federal Clean Air Act (FCAA) §182(a)(3)(B) requires ozone nonattainment areas to mandate submittal of emission statement data from certain sources of VOC and NO_x.

The AVAQMD is certifying that the submitted Emission Statement Certification, covering the West Mojave Desert 8-Hour nonattainment areas for the 2015 ozone NAAQS, is at least as stringent as the requirements of FCAA §182(a)(3)(B) as specified in the final rule titled

Implementation of the 2015 National Ambient Air Quality Standard for Ozone: State Implementation Plan Requirements (83 FR 62998, December 6, 2018).

The FCAA stipulates the following emission statement requirement be met:

CAA 182(a)(3)(B) Requirements	AVAQMD Rule 107 Provision
<i>CAA 182(a)(3)(B)(i)</i>	
<p>“Within 2 years after November 15, 1990, the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source.”</p>	<p>District Rule 107 was adopted on May 15, 2012, submitted to USEPA on September 21, 2012 and approved by USEPA into the SIP on April 11, 2013 (78 FR 21545, April 11, 2013)</p> <p><i>§(B)(1) In accordance with the requirements of the 1990 Clean Air Act (Section 182 (a)(3)(B)(i)), the owner or operator of any stationary source that emits or may emit oxides of nitrogen or Volatile Organic Compounds (VOCs) shall provide the Air Pollution Control Officer (APCO) with a written statement showing actual emissions of oxides of nitrogen and VOCs from that source.</i></p>
<p>“The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter.”</p>	<p>The District reports emission data electronically to USEPA through CARB on an annual basis. Data has been transmitted annually since 1993.</p> <p><i>§(B)(1) Emission statements shall be submitted annually.</i></p>
<p>“The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.”</p>	<p><i>§(A)(1) All official documents submitted to the Antelope Valley Air Pollution Control District (District) shall contain a certification signed and dated by a responsible official of the company. This certification must attest that the information contained in the submitted documents is accurate to the best knowledge of the individual certifying the submission. The requirements of this Section apply to, but are not limited to, the emissions statements required in Section (B)(1)..</i></p>

“The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs (1) or (3)(A), provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator. (FCAA §182(a)(3)(B)(ii))

§(B)(2) The APCO may waive the requirements of Section (B)(1) for any class or category of stationary sources which emit less than 25 tons per year of oxides of nitrogen or reactive organic compounds. The waiver is contingent on the District providing the California Air Resources Board with an inventory of sources emitting greater than 10 tons per year of nitrogen oxides or VOCs based on the use of emission factors acceptable to the California Air Resources Board and the United States Environmental Protection Agency.

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Appendices

Appendix A – RACT Evaluations

1. Rule 442 – *Usage of Solvents*
2. Rule 461 – *Gasoline Transfer and Dispensing*
3. Rule 1107 – *Coating of Metal Parts and Products*
4. Rule 1108 – *Cutback Asphalt*
5. Rule 1110.2 - *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*
6. Rule 1113 – *Architectural Coatings*
7. Rule 1124 – *Aerospace Assembly and Component Manufacturing Operations*
8. Rule 1130 – *Graphic Arts*
9. Rule 1145 – *Plastic, Rubber and Glass Coatings*
10. Rule 1146 - *Emissions Of Oxides Of Nitrogen From Industrial, Institutional, And Commercial Boilers, Steam Generators, And Process Heaters*
11. Rule 1151 – *Motor Vehicle and Mobile Equipment Coating Operations*
12. Rule 1151.1 – *Motor Vehicle Assembly Coating Operations*
13. Rule 1168 – *Adhesive Applications*
14. Rule 1171 – *Solvent Cleaning Operations*

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1. Rule 442 – *Usage of Solvents*

The AVAQMD was designated nonattainment under the 8-hour ozone standard. As such, the AVAQMD is required to impose RACT on all major VOC sources and all source categories subject to a CTG. Major VOC sources and CTG source categories in the AVAQMD are, however, generally covered by other rules in Regulations IV and XI of the AVAQMD SIP. Rule 442 applies only to sources that are not subject to any of these source-specific VOC control requirements and is intended as a “backstop” provision for small, otherwise unregulated sources. As such, the rule is not necessary to implement RACT requirements (72 FR 52791, 9/17/07). Rule 442 is not proposed for amendment at this time.

2. Rule 461 – Gasoline Transfer and Dispensing

Rule 461 - Gasoline Transfer and Dispensing	
Amended -10/21/2008	
SIP Approval - 76 FR 5277, January 31, 2011	
<p>ATCM - Benzene ATCM - Retail Service Stations (17 CCR §93101)</p> <p>MACT - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (40 CFR 63 Subpart R, commencing with §63.420), National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities (40 CFR 63, Subpart BBBBBB, commencing with §63.11080), National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (40 CFR 63, Subpart CCCCCC, commencing with §63.11110).</p> <p>CTG - Design Criteria for Stage I Vapor Control Systems - Gasoline Service Stations (EPA-450/R-75-102 1975/11)</p>	
EPA TSD Recommendations for next rule revision:	One administrative correction to a reference
Other District Rules:	BAAQMD Regulation 8, Rule 7 - Gasoline Dispensing Facilities (11/06/2002; 68 FR 14156, 11/06/2002)
	SLOCAPCD Rule 424 - Storage and Transfer of Gasoline (11/16/16; 58 FR 45442, 08/30/93)
	VCAPCD Rule 70 - Storage and Transfer of Gasoline (04/01/09; 76 FR 5277, 01/31/11)
	SCAQMD Rule 461 - Gasoline Transfer and Dispensing (04/06/12; 78 FR 21543, 04/11/13)
Recommendation: No changes recommended at this time.	
<p>Rule 461 - Gasoline Transfer and Dispensing was most recently amended October 21, 2008. This rule version was approved in to the SIP (76 FR 5277, January 31, 2011). The TSD issued for Rule 461 identified no deficiencies sufficient for EPA to proposed less than full approval at that time. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that although there are rules that have been amended subsequent to the current version of AVAQMD Rule 461, the District concludes that RACT has not changed and the current version of Rule 461 should be approvable as meeting RACT.</p>	

3. Rule 1107 - Coating of Metal Parts and Products

Rule 1107 - Coating of Metal Parts and Products	
Amended – 04/21/2020	
SIP Approval 60 FR 36227, 07/14/1995	
<p>1. Control of Volatile Organic Emissions from Existing Stationary Sources - Volume VI: Surface Coating of Miscellaneous Metal Parts and Products (EPA 450/2-78-015 1978/06),</p> <p>2. Control Techniques Guidelines: Industrial Cleaning Solvents (EPA 453/R-06-001, September 2006)</p>	
1997 EPA TSD Recommendations	<p>1. Compliance records are required to be kept on-site for at least two years (see Section (F)(3)); EPA recommends that records be maintained on site for five years. (Corrected 1/22/18 amendment)</p> <p>2. Section (C)(6), "Prohibition of Sale" should be reinserted within the Rule. (Corrected 1/22/18 amendment)</p>
Other District Rules:	MDAQMD Rule 1115 - <i>Metal Parts & Products Coating Operations</i> (01/22/2018; 62 FR 67002,12/23/1997)
	BAAQMD Regulation 8, Rule 19 - <i>Surface Preparation and Coating of Miscellaneous Metal Parts and Products</i> (02/03/1993; 69 FR 62588, 10/27/2004)
	SCAQMD Rule 1107 - <i>Coating of Metal Parts and Products</i> (01/06/2016; version not shown as SIP approved)
Recommendation: Rule was amended on April 21, 2020	
<p>Rule 1107 - <i>Coating of Metal Parts and Products</i> was most recently amended 03/08/1996. This rule was approved in to the SIP (60 FR 36227, 07/14/1995) and determined to fulfill RACT for the 1990 amendment of the Clean Air Act. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that these rules have not been amended subsequent to the most recent amendment of AVAQMD Rule 1107. The District has received a verbal comment from EPA that this rule needs to have a 10 tpy exemption removed to conform with 2.7 tpy CTG limit. Rule 1107 was amended at the April 21, 2020 Governing Board Meeting to incorporate this provision.</p>	

4. Rule 1108 – *Cutback Asphalt*

Rule 1108 - Cutback Asphalt	
Amended - 02/01/1985	
SIP Approval - 55 FR 28624, July 12, 1990	
EPA-450/2-77-037 1977/12; Control of Volatile Organic Compounds from Use of Cutback Asphalt	
EPA Summary July 12, 1990, 55 FR 28624	EPA evaluation notes, in 55 FR 28624, that Rule 1108 has been revised to eliminate the 2,000-foot exemption for the use of medium cure asphalts. Since this rule will result in decrease in emissions, it is being approved.
Other District Rules:	BCAPCD Rule 241 - Cutback and Emulsified Asphalt, 01/12/93 (February 5, 1996 61 FR 4215)
	MBUAPCD Rule 425 - Use of Cutback Asphalt, 3/26/97 (May 26, 2000 65 FR 34101)
	SBCAPCD Rule 329 - Cutback and Emulsified Asphalt Paving Materials, 2/25/92 (February 5, 1996 61 FR 4215)
	SCAQMD Rule 1108 - Cutback Asphalt, 02/01/1985 (July 12, 1990 55 FR 28624)
	SJVUAPCD Rule 4641 - Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations, 12/17/92 (March 9, 2010 75 FR 10690)
	YSAQMD Rule 2.28 - Cutback and Emulsified Asphalts, 5/25/94 (February 5, 1996 61 FR 4215)
Recommendation: No changes proposed to Rule 1108.	
Rule 1108- Cutback Asphalt was last amended on 02/01/1985. This rule was approved in to the SIP (55 FR 28624, July 12, 1990), as submitted by SCAQMD, as AVAQMD was not established as an Air District until 1997. Upon establishment of AVAQMD, this version of the rule was incorporated into the rulebook. This version of Rule 1108 was determined to fulfill RACT requirements of CAA §182(b)(2) and §182(f). The District has examined similar rules for Districts with similar or more severe attainment status and have determined that this version of AVAQMD Rule 1108 is consistent with those rules and further analysis is not necessary.	

5. Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*

Rule 1110.2 - <i>Emissions from Stationary, Non-Road and Portable Internal Combustion Engines</i>	
Amended - 09/18/2018	
SIP LTD DIS/LTD APP Version - 04/21/04	69 FR 21482, 04/21/2004
SIP Submission sent 10/12/2018	
Applicable CTG	N/A
Other Documents	Alternative Control Techniques Document – NO _x Emissions from Stationary Reciprocating Internal Combustion Engines” (EPA-453/R-93-032), (updated September 2000, EPA-68-D98-026)
	USEPA’s Economic Incentive Programs Guidance (EPA-452/R-01-001)
Equivalent District Rules	SCAQMD Rule 1110.2 - <i>Emissions from Gaseous- and Liquid- Fueled Engines</i> (June 3, 2016; not SIP version)
	SJVUAPCD Rule 4701 - <i>Internal Combustion Engines - Phase I</i> (August 21, 2003; 69 FR 28061, 5/18/2004)
	SJVUAPCD Rule 4702 - <i>Internal Combustion Engines (Certified Equipment for Internal Combustion Engines)</i> (November 14, 2013; 81 FR 24029, 04/25/2016)
	BAAQMD Regulation 9 Rule 8 - Nitrogen Oxides and Carbon Monoxide From Stationary Internal Combustion Engines (July 25, 2007; not SIP version)
Recommendation: No changes proposed at this time	
<p>Rule 1110.2 - Emissions from Stationary, Non-Road and Portable Internal Combustion Engines was amended 09/18/2018. The Rule was amended to satisfy RACT requirements as evaluated by the availability, feasibility and cost-effectiveness of applying combustion source control measures related to internal combustion engines within the AVAQMD. The TSD issued for Rule 1110.2 on 04/21/2004 (69 FR 21482) identified deficiencies. EPA issued a Limited Approval/Disapproval at that time. The District incorporated the 2004 TSD recommendations in the 09/18/2018 amendment. Additional comments have not been received from EPA and there is a reasonable assumption that the current requirements of Rule 1110.2 are approvable as RACT. Rule 110.2 was submitted for inclusion in the SIP on 10/12/2018.</p>	

6. Rule 1113 – *Architectural Coatings*

Rule 1113 - <i>Architectural Coatings</i>	
Amended - 06/18/2013	
SIP Approval - 80 FR 76222, December 08, 2015	
1. EPA's National Volatile Organic Compound Emission Standard for Architectural Coatings (40 CFR Part 59, Subpart D) 2. CARB's Suggested Control Measures for Architectural Coatings (October 26, 2007)	
EPA TSD (Sep 2015) Recommendations for next rule revision:	1. To prevent the practice of “bundling” small containers, we recommend replacing paragraph (A)(3)(c) with the following text: With the exception of containers packed together for shipping to a retail outlet, warehouse, or a military distribution or redistribution facility, any architectural coating that is sold in a container with a volume of one liter (1.057 quart) or less provided the following requirements are met: a. The container is not bundled together to be sold as a unit that exceeds one liter (1.057 quarts), excluding containers packed together for shipping to a retail outlet. b. The label or any other product literature does not suggest combining multiple containers so that the combination exceeds one liter (1.057 quarts).
	2. References to EPA-Approved ASTM test methods should include the full title and date of the version being specified. For example: a. ASTM Designation D3273-00, “Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber.” b. ASTM Designation D7088-04, “Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry.”
	3. References to EPA-Approved state or local test methods should include the full title and may or not specify the date of the version. For example: a. South Coast Air Quality Management District Method 303-91 (Revised 1996), “Determination of Exempt Compounds.” b. Bay Area Air Quality Management District Method 43 (Revised 2005), “Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials.”
Other District Rules:	SCAQMD Rule 1113 - <i>Architectural Coatings</i> (02/05/2016; not version in SIP)
	SDCAPCD Rule 67.0.1 - <i>Architectural Coatings</i> (06/24/2015; 81 FR 68320, 10/04/2016)
	BAAQMD Regulation 8, Rule 3 - <i>Architectural Coatings</i> (07/01/2009; not version in SIP)
	FRAQMD Rule 3.15 - <i>Architectural Coatings</i> (08/04/2014; 80 FR 76222, 12/08/2015)
Recommendation: Rule 1113 may be amended to incorporate the provisions of the 2019 SCM	
Rule 1113 - <i>Architectural Coatings</i> was most recently amended June 18, 2013. This rule was approved in to the SIP (80 FR 76222, December 08, 2015). In the 2015 rule evaluation USEPA indicated that the district has no obligation to satisfy RACT. USEPA evaluated the rule for RACT-level controls as well as against EPA’s National Volatile Organic Compound Emission Standard for Architectural Coatings (40 CFR Part 59 Subpart D), and CARB’s SCM for Architectural Coatings, which is the basis for most of the most stringent architectural coating requirements in California. In 2019 CARB updated the Suggested Control Measure for Architectural Coatings. The District will evaluate Rule 1113 for possible amendment to incorporate the provisions of the 2019 SCM. Upon next amendment, USEPA recommendations will be incorporated.	

7. Rule 1124 – Aerospace Assembly and Component Manufacturing Operations

Rule 1124 - Aerospace Assembly and Component Manufacturing Operations	
Amended - 11/19/2013	
SIP Approval - 80 FR 60040, 10/05/2015	
<p>MACT - Aerospace Manufacturing and Rework Facilities (40 CFR 63 Subpart GG, commencing with §63.741)</p> <p>CTG - Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations (December 1997, EPA-453/R-97-004)</p>	
EPA TSD Recommendations for next rule revision:	1. Lower Adhesion Promoter Coating limit from 850 g/l, consistent with, e.g., SCAQMD Rule 1124 limit of 250 g/l.
	2. Lower Chemical Agent Resistant Coating limit from 550 g/l, consistent with, e.g., MDAQMD Rule 1118 limit of 500g/l.
	3. Lower Flight-Test Coating (All Other) limit from 840 g/l, consistent with, e.g., SJVAPCD Rule 4605 limit of 600 g/l.
	4. Lower Non-Autoclavable limit from 850 g/l, consistent with, e.g., MDAQMD Rule 1118 limit of 700 g/l.(0.18 psia) or less at 20°C (68°F).”
	5. Add a 600 g/l limit for Sprayable Sealant consistent with the CTG
	6. Break-out and capitalize “Topcoat” similar to “PRIMERS” and “ADHESIVES”
	7. Primers and Fuel-Tank Coating have a “general” limit, Topcoat and Sealants have an “other” limit, Flight-Test Coating has an “all other” limit, and Adhesives and Maskants have no similar catch-all limit. We recommend using consistent terminology throughout the table of limits.
Other District Rules:	SCAQMD Rule 1124 - Aerospace Assembly and Component Manufacturing Operations (9/21/2001; 67 FR 52611, 8/13/2002)
	MDAQMD Rule 1118 - Aerospace Assembly, Rework and Component Manufacturing Operations (10/26/2015; 06/21/2017 82FR28240
	SJVUAPCD Rule 4605 - Aerospace Assembly and Coating Manufacturing Operations (6/16/2011; 76 FR 70886, 11/16/2011)
Recommendation: Evaluate recommended lower limits	
<p>Rule 1124 - Aerospace Assembly and Component Manufacturing Operations was most recently amended 11/19/2013. This rule was approved in to the SIP (80 FR 60040, October 05, 2015) and determined to fulfill RACT. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1124 and therefore may require further analysis. The TSD issued for Rule 1124 in October of 2015 identified no deficiencies sufficient for EPA to proposed less than full approval at that time, but several items were recommended for consideration for the next rule revision. The District will evaluate these recommendations and review MDAQMD and SJVAPCD rule limits to determine if they affect current RACT. Rule 1124 may be amended to incorporate these provisions.</p>	

8. Rule 1130 – *Graphic Arts*

Rule 1130 - <i>Graphic Arts</i>	
Amended - 11/19/2013	
SIP Approval - 80 FR 76222 December 08, 2015	
<ol style="list-style-type: none"> 1. <i>Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks</i> (EPA-450/2-77-008, 1977/05). 2. <i>Control of Volatile Organic Emissions from Existing Stationary Sources - Volume VIII: Graphic Arts-Rotogravure and Flexography</i> (EPA-450/2-78-033 1978/12) 3. <i>Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing</i> (EPA-453/R-06-002 2006/09) 4. <i>Control Techniques Guidelines for Flexible Package Printing</i> (EPA-453/R-06-003 2006/09) 5. <i>CTG for Paper, Film, and Foil Coatings</i> EPA 453/R-07-003, September 2007) 	
EPA TSD Recommendations for next rule revision:	<ol style="list-style-type: none"> 1. (C)(5)(i) Requirements for Coating Applications – Paragraph (i) allows use of other coating application methods that are capable of “achieving at least 65 percent Transfer Efficiency” using the test method in Section (H)(8). The test method in Section (H)(8) only applies to spray equipment, which appears to duplicate Section (C)(5)(h) allowance for alternatives to high-volume low-pressure (HVLP) spray equipment. AVAQMD may want to review the applicability of Section (C)(5)(i) the next time the rule is amended. See SCAQMD Rule 1128 Section (C) (6)(H). 2. (E)(3) Non-compliant Materials Records - Please add the following: “Violations of the requirement are considered to separate violations for each day.” 3. An editorial error in section (G), Emission Reduction Credits (ERC), seems to allow sources to claim permit offsets for flexographic coatings above 300 g/l. AVAQMD’s email dated April 30, 2015 confirms that there are no flexographic printing operations in the District, and that no facility has used this provision. Nonetheless, please correct or delete this provision at the next rule revision. 4. (H) Test Methods (1) - Include the Title for EPA Test Method 24 (Determination of Volatile Matter Content, Water Content, Density Volume Solids, and Weight Solids of Surface Coatings) and EPA Test Method 24A (Determination of Volatile Matter Content and Density of Printing Inks and Related Coatings). 5. (H) Test Methods (2) and (5) - The Little Blue Book recommends that references to EPA-approved ASTM methods should include the full title and date of the version being specified.
Other District Rules:	<p>YSAQMD Rule 2.29 - <i>Graphic Arts Printing Operations</i> (07/11/18; version not in SIP)</p> <p>SCAQMD Rule 1130 - <i>Graphic Arts</i> (05/02/14; 80 FR 40915, 07/14/15)</p>
<p>Recommendation: No changes proposed.</p> <p>This rule evaluation covers the categories of Paper and Fabrics included in <i>Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks</i> (EPA-450/2-77-008, 1977/05). Rule 1130 - <i>Graphic Arts</i> was most recently amended November 19, 2013. This rule was approved in to the SIP (80 FR 60040, October 05, 2015) and determined to fulfill RACT requirements for all five CTG’s listed above. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1130. SCAQMD Rule 1130 was included in the SIP after the SIP approval of AVAQMD Rule 1130. SCAQMD Rule 1130 and YSAQMD Rule 2.29 have been reviewed and AVAQMD limits are consistent with applicable categories and requirements. The TSD issued for Rule 1130 in October 2015 identified no deficiencies sufficient for EPA to propose less than full approval at that time, but several items were recommended for consideration for the next rule revision. These recommendations do not appear to be substantive. The District will evaluate these recommendations and determine if they affect current RACT.</p>	

9. Rule 1145 – *Plastic, Rubber, And Glass Coatings*

Rule 1145 - <i>Plastic, Rubber, And Glass Coatings</i>	
Amended - 02/14/1997	
SIP Approval - 58 FR 66286 December 20, 1993 (SCAQMD on the 01/10/1992 amendment)	
1. CTG for Miscellaneous Metal and Plastic Parts Coating EPA-453/R-08-003 2008/09	
Table 3 - Plastic Parts and Products	No action necessary
Other District Rules:	Placer Rule 249 - <i>Surface Coating of Plastic Parts and Products</i> (08/08/2013; 80 FR 16289 03/27/2015)
	SCAQMD Rule 1145 - <i>Plastic, Rubber and Glass Coatings</i> (12/04/09; 75 FR 40726, 07/14/10)
	SAC Metro - <i>Surface Coating of Plastic Parts and Products</i> (03/22/2018; not recorded yet)
Recommendation: No changes proposed.	
<p>Rule 1145 - <i>Plastic, Rubber, And Glass Coatings</i> was most recently amended February 14, 1997. This rule was approved in to the SIP December 20, 1993 (58 FR 66286) and determined to fulfill RACT requirements. The District has examined similar rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1145. SCAQMD Rule 1145 was included in the SIP after the SIP approval of AVAQMD Rule 1145. SCAQMD Rule 1145 and Placer Rule 249 have been reviewed. AVAQMD Rule 1145 limits are consistent with the limits in the CTG for Table 3-Plastic Parts and the reviewed similar District RACT rules.</p>	

10. Rule 1146 - Emissions Of Oxides Of Nitrogen From Industrial, Institutional, And Commercial Boilers, Steam Generators, And Process Heaters

Rule 1146 - Emissions Of Oxides Of Nitrogen From Industrial, Institutional, And Commercial Boilers, Steam Generators, And Process Heaters	
Amended - May 13, 1994	
SIP Approved Version - May 13, 1994	60 FR 46220, September 6, 1995
Applicable CTG	N/A
Other Documents	ACT Document - NOx Emissions from Industrial, Commercial and Institutional Boilers (EPA 453/R-94-022, 03/1994)
	ACT Document - NOx Emissions From Utility Boilers (EPA-453/R-94-023, 03/1993)
	ACT Document - NOx Emissions from Process Heaters (EPA- 453/R-93-034, 09/1993)
	NOX RACT for the Repowering of Utility Boilers, USEPA Office of Air Quality Planning and Standards, March 9, 1994.
Equivalent District Rules	ICAPCD Rule 400.2 – Boilers, Process Heaters and Steam Generators, 2/23/2010 (78 FR 896, 01/07/2013)
	Mojave Desert Air Quality Management District (MDAQMD) Rule 1157 – Boilers and Process Heaters, 01/22/2018)
	San Joaquin Air Pollution Control District (SJAPCD) Rule 4352 – Solid Fuel Fired Boilers, Steam Generators and Process Heaters, 12/15/2011 (77 FR 66548, 11/06/2012)
	South Coast Air Quality Management District (SCAQMD) Rule 1146 - Emission of Oxides of Nitrogen from industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters 12/7/2018
	SBCAPCD Rule 342 - Boilers, Steam Generators, and Process Heaters (5 MMBtu/hr and greater), 6/20/2019
Recommendation: No changes proposed for Rule 1146	
<p>AVAQMD Rule 1146 - Emissions Of Oxides Of Nitrogen From Industrial, Institutional, And Commercial Boilers, Steam Generators, And Process Heaters was adopted May 13, 1994, at which time the Antelope Valley was part of SCAQMD. In 1997, the AVAPCD was created and all SCAQMD rules in effect remained. There is a reasonable assumption that the current requirements of Rule 1146 are RACT based on the recent amendments by MDAQMD, SCAQMD and SBCAPCD. Although these rules have not been SIP approved or determined to fulfill RACT, these rules have been reviewed and AVAQMD limits are consistent with applicable categories and requirements.</p>	

11. Rule 1151 - *Motor Vehicle and Mobile Equipment Coating Operations*

Rule 1151 - <i>Motor Vehicle and Mobile Equipment Coating Operations</i>	
Amended - 06/19/2012	
SIP Approval -78 FR 58459, September 24, 2013	
<ol style="list-style-type: none"> 1. <i>Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks</i> (EPA 450/2-77-008 1977/05) 2. <i>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume VI: Surface Coating of Miscellaneous Metal Parts and Products</i> (EPA-450/2-78-015, 1978/06) 3. <i>Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings</i>, (EPA-453/R-08-003, 2008/09) 4. <i>Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings</i> (EPA 453/R-08-006 2008/09) 5. <i>Protocol for Determining the Daily Volatile Organic Compounds Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations</i> (EPA 453/R-08-002 2008/09) 6. CARB SCM for Automotive Coatings, October 20, 2005 	
EPA TSD Recommendations for next rule revision:	There are 17 recommendations, none of which prohibit less than full approval, that will be incorporated into the next rule revision.
Other District Rules:	<p>SDAPCD Rule 67.20.1 - <i>Motor Vehicle and Mobile Equipment Coating Operations</i> (06/30/10; not SIP approved)</p> <p>SCAQMD Rule 1151 - <i>Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations</i> (09/05/14; 80 FR 76219, 12/08/15)</p> <p>BAAQMD Regulation 8, Rule 45 - <i>Motor Vehicle and Mobile Equipment Coating Operations</i> (12/03/08; 65 FR 34101, 05/26/00)</p> <p>MDAQMD 1116 <i>Auto Refinishing</i> (04/05/2011; 77 FR 47536, 08/09/2012)</p>
Recommendation: No changes proposed	
<p>This rule evaluation covers the category of Automobiles and Light Duty Trucks included in <i>Control of Volatile Organic Emissions from Existing Stationary Sources - Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks</i> (EPA-450/2-77-008, 1977/05). Rule 1151 - <i>Motor Vehicle and Mobile Equipment Coating Operations</i> was most recently amended June 19, 2012. This rule was approved in to the SIP (78 FR 584596, September 24, 2013) and determined to fulfill RACT requirements of CAA §182(b)(2) and §182(f). The District has examined similar rules for Districts with similar or more severe attainment status and has determined that some have been amended subsequent to the most recent amendment of AVAQMD Rule 1151. SCAQMD Rule 1151 was included in the SIP after the SIP approval of AVAQMD Rule 1151. Coating limits in AVDAQMD Rule 1151 are consistent with those in SCAQMD Rule 1151 and MDAQMD Rule 1116 and further analysis is not necessary. The TSD issued for Rule 1151 in September 2012 identified no deficiencies sufficient for EPA to propose less than full approval at that time, but several items were recommended for consideration for the next rule revision. These recommendations are not of a substantive nature. The District will address these recommendations when the rule is next amended.</p>	

12. Rule 1151.1 - *Motor Vehicle Assembly Coating Operations*

Rule 1151.1 - <i>Motor Vehicle Assembly Coating Operations</i>	
Adopted 06/20/2017	
SIP Approval - 83 FR 24033, May 24, 2018	
1. <i>Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings</i> (EPA 453/R-08-006 2008/09)	
EPA TSD Recommendations for next rule revision:	No recommendations
Other District Rules:	SJVUDAPCD Rule 4602 - <i>Motor Vehicle Assembly Coating Operations</i> (09/17/2009; 76 FR 67369, 11/01/2011)
	BAAQMD Regulation 8, Rule 13 - <i>Light and Medium Duty Motor Vehicle Assembly Plants</i> (12/20/1995; 62 FR 66998, 12/23/1997)
Recommendation: No changes proposed at this time.	
<p>Rule 1151.1 - <i>Motor Vehicle Assembly Coating Operations</i> was adopted on June 20, 2017. This rule was approved in to the SIP (83 FR 24033, May 24, 2018) and determined to fulfill RACT requirements of CAA §182(b)(2) and §182(f). The District has examined similar rules for Districts with similar or more severe attainment status and has determined that the most recent adoption of AVAQMD Rule 1151.1 are consistent with those in SJVUDAPCD Rule 4602 and BAAQMD Regulation 8, Rule 13 and further analysis is not necessary. The TSD issued for Rule 1151.1 in February 2018 identified no deficiencies sufficient for EPA to propose less than full approval at that time, and no recommendations for consideration for the next rule revision.</p>	

13. Rule 1168 - *Adhesive and Sealant Applications*

Rule 1168 - <i>Adhesive and Sealant Applications</i>	
Last Amended 09/20/2011	
SIP Approval - 77 FR 58313, September 20, 2012	
Applicable CTG - <i>Control Techniques Guidelines for Miscellaneous Industrial Adhesives</i> (EPA-453/R-08-005 2008/09)	
EPA TSD Recommendations for next rule revision:	There are 6 recommendations, none of which prohibit less than full approval, that will be incorporated into the next rule revision.
Other District Rules:	SBCAPCD Rule 353 - Adhesives and Sealants (06/21/2012, 78 FR 53680 08/30/2013)
Recommendation: No changes proposed at this time.	
<p>Rule 1168- <i>Adhesive and Sealant Applications</i> was last amended on 09/20/2011. This rule was approved in to the SIP (77 FR 58313, September 20, 2012) and determined to fulfill RACT requirements of CAA §182(b)(2) and §182(f). The District has examined similar rules for Districts with similar or more severe attainment status and have determined that the most recent adoption of AVAQMD Rule 1168 are consistent with those in SBCAPCD Rule 353 and further analysis is not necessary. The TSD issued for Rule 1168 in May 2012 identified recommendations for the next rule revision. The recommendations were non-substantive. EPA staff recommended full approval of Rule 1168.</p>	

14. Rule 1171 - Solvent Cleaning Operations

Rule 1171 - Solvent Cleaning Operations	
Amended - August 21, 2018	
SIP Approved Version - July 2, 2019	84 FR 31684, 07/02/2019
Applicable CTG	Control of Volatile Organic Emissions from Solvent Metal Cleaning (EPA-450/2-77-022, November 1977) Control Techniques Guidelines for Industrial Cleaning Solvents (EPA-453/R-06-001, September 2006)
	CARB's Organic Solvent Cleaning and Degreasing Operations" (July 18, 1991)
TSD Recommendations	1. Section (A)(2)(a) addresses Rule 1171 Applicability. The District should consider extending the rule applicability to include all persons that supply, sell or offer for sale, solvent cleaning materials for use in solvent cleaning operations, consistent with SCAQMD 1171, SMAQMD Rule 466 and YSAQMD Rule 2.31.
	2. Section (C)(1)(a) addresses the VOC content limits for solvent cleaning activities. The District should consider lowering the general cleaning VOC content limit in each activity category to 25 g/l for consistency with other Districts
Other District Rules	MDAQMD Rule 1104 - Organic Solvent Degreasing Operations (04/23/2018; 84 FR 31682, 07/02/2019)
	YSAQMD Rule 2.31 - Solvent Cleaning and Degreasing (05/08/2013, 80 FR 23449, 04/28/2015)
	SCAQMD Rule 1171 - Solvent Cleaning Operations (2/1/2008; 76 FR 60376, 9/29/2011)
Recommendation: No changes proposed at this time	
Rule 1171 - Solvent Cleaning Operations was amended August 21, 2018. The Rule was SIP approved (07/02/2019, 84 FR 31684). There are no equivalent rules from other Districts which have been amended subsequent to the approval that suggest RACT has changed.	

RESOLUTION _____

A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, ADOPTING THE 70 PPB OZONE STANDARD IMPLEMENTATION EVALUATION; RACT SIP ANALYSIS; FEDERAL NEGATIVE DECLARATIONS AND, EMISSION STATEMENT CERTIFICATION (70 PPB O₃ EVALUATION) AND DIRECTING STAFF ACTIONS.

On, July 21, 2020, on motion by Member Board Member Name, seconded by Member Board Member Name, and carried, the following resolution is adopted:

WHEREAS, the Antelope Valley Air Quality Management District (AVAQMD) has authority pursuant to California Health and Safety Code (H&S Code) §§40702, 40725-40728 to adopt, amend or repeal rules and regulations; and

WHEREAS, the Antelope Valley Air Pollution Control District (AVAPCD) was created by statute on July 1, 1997, with a jurisdiction of the Los Angeles County portion of the South Coast Air Quality Management District (SCAQMD) that was not within the South Coast Air Basin; and

WHEREAS, SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them; and

WHEREAS, on January 1, 2002 the AVAQMD was formed pursuant to statute (H&S Code §§41300 et seq) to replace the AVAPCD; and

WHEREAS, the rules of the AVAPCD also remain in effect until the AVAQMD Governing Board supersedes or amends them; and

WHEREAS, effective October 26, 2015 (80 FR 65292), the United States Environmental Protection Agency (USEPA) lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.075 parts per million (ppm) to 0.070 ppm (or, 70 parts per billion (ppb) for ease of reference).; and

WHEREAS, the Federal Clean Air Act (FCAA) requires newly designated ozone non-attainment areas to implement Reasonably Available Control Technology (RACT) on certain sources, including all major sources of ozone precursors; and

WHEREAS, for the purposes of the FCAA, the District has been designated non-attainment for ozone; and

WHEREAS, the Antelope Valley Air Quality Management District (AVAQMD) has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules satisfy RACT; and

RESOLUTION _____

1 **WHEREAS**, the FCAA also requires areas designated non-attainment and classified moderate
2 and above to implement RACT for sources subject to Control Techniques Guidelines (CTG) documents
3 issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile
4 organic compounds (VOCs) and oxides of nitrogen (NOX) which are ozone precursors; and

5 **WHEREAS**, for those CTG source categories not represented within the area designated non-
6 attainment for ozone, USEPA requires the submission of a Federal Negative Declaration certifying that
7 those sources are not present; and

8 **WHEREAS**, the AVAQMD has examined the list of CTGs to determine which do not have
9 corresponding sources within the jurisdiction of the District (major or minor) that meet the CTG
10 applicability threshold, and is updating existing Federal Negative Declarations (FND) and adopting one
11 new FND applicable to the 2008 and 2015 standards for Control Techniques Guidelines for Miscellaneous
12 Metal and Plastic Parts Coatings: Miscellaneous Plastic Parts Coatings Table 4 - Automotive/Transportation
13 and Business Machine Plastic Parts; and

14 **WHEREAS**, additionally, the District must provide certification of their emission reporting
15 program for VOC and NO_x sources; and

16 **WHEREAS**, the District has evaluated and is certifying existing State Implementation Plan (SIP)-
17 approved Rule 107 – *Certification of Submissions and Emission Statements* as meeting this requirement;
18 and

19 **WHEREAS**, this document represents a current and complete *70 ppb Ozone Standard*
20 *Implementation Evaluation* (70 ppb O₃ Evaluation): RACT SIP Analysis; FNDs; and, Emission Statement
21 Certification to satisfy the District’s obligation for the 2015 ozone standard; and

22 **WHEREAS**, staff has developed the *70 ppb O₃ Evaluation* including the RACT SIP Analysis,
23 Federal Negative Declarations, and Emission Statement Certification to satisfy the applicable FCAA
24 requirements; and

25 **WHEREAS**, the proposed adoption of the *70 ppb O₃ Evaluation* is necessary as indicated herein and
26 in the supporting documentation; and

27 **WHEREAS**, the proposed adoption of the *70 ppb O₃ Evaluation* is clear in that it is written so that
28 the persons subject to the rule can easily understand the meaning; and

RESOLUTION _____

1 **WHEREAS**, the proposed adoption of the *70 ppb O₃ Evaluation* is in harmony with, and not in
2 conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions;
3 and

4 **WHEREAS**, federal law requires either determination of RACT status or updating rules to current
5 RACT (including FNDs as needed), and certification of Emission Statements; and

6 **WHEREAS**, adoption of the proposed *70 ppb O₃ Evaluation* is necessary because AVAQMD has
7 been designated as a federal ozone nonattainment area and classified Severe for the 0.070 ppm 8-hour ozone
8 standard, and as a result the USEPA requires the AVAQMD to submit an updated RACT SIP analysis
9 (including FNDs as needed) and certification of Emission Statement; and

10 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H&S Code
11 §40725, concerning the proposed adoption of the *70 ppb O₃ Evaluation*; and

12 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR §15308) for the
13 adoption of the proposed *70 ppb O₃ Evaluation*, completed in compliance with the California Environmental
14 Quality Act (CEQA), has been presented to the AVAQMD Board; each member having reviewed,
15 considered and approved the information contained therein prior to acting on the proposed *70 ppb O₃*
16 *Evaluation*, and the Governing Board of the AVAQMD having determined that the proposed evaluation
17 will not have any potential for resulting in any adverse impact upon the environment; and

18 **WHEREAS**, the Governing Board of the AVAQMD has considered the evidence presented at the
19 public hearing; and

20 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the AVAQMD finds that
21 the adoption of the *70 ppb O₃ Evaluation* is necessary, authorized, clear, consistent, non-duplicative and
22 properly referenced; and

23 **BE IT FURTHER RESOLVED**, that the Governing Board of the AVAQMD hereby makes a
24 finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies the Notice of
25 Exemption for the proposed adoption of the *70 ppb O₃ Evaluation*; and

26 **BE IT FURTHER RESOLVED**, that the Board of the AVAQMD does hereby adopt, pursuant to
27 the authority granted by law, the proposed adoption of the *70 ppb O₃ Evaluation*, as set forth in the
28 attachments to this resolution and incorporated herein by this reference; and

RESOLUTION _____

1 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption,
2 that the Senior Executive Analyst is directed to file the Notice of Exemption in compliance with the
3 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Antelope Valley Air Quality
4 Management District by the following vote:

5 AYES: MEMBER:
6 NOES: MEMBER:
7 ABSENT: MEMBER:
8 ABSTAIN: MEMBER:

9
10 STATE OF CALIFORNIA)
11 COUNTY OF LOS ANGELES) SS:
12)

13 I, Deanna Hernandez, Senior Executive Analyst of the Antelope Valley Air Quality Management
14 District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the
15 same appears in the Official Minutes of said Governing Board at its meeting of July 21, 2020.

16 _____
17 Senior Executive Analyst
18 Antelope Valley Air Quality Management District.
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The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$57,070 in District grant funds to I.M. Masonry Construction for the replacement of an older diesel forklift with new, cleaner technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement, approved as to legal form by the Office of District Counsel. Presenter: Julie McKeehan, Grants Analyst.
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #9

DATE: July 21, 2020

RECOMMENDATION: 1) Award an amount not to exceed \$57,070 in Carl Moyer Program funds to I.M. Masonry Construction for the replacement of an older diesel forklift with new, cleaner technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement, approved as to legal form by the Office of District Counsel.

SUMMARY: This item awards an amount not to exceed \$57,070 of Carl Moyer Program funds to I.M. Masonry Construction for the replacement of a 1990 diesel forklift with new, cleaner diesel technology certified to the Final Tier 4/current emission standards.

BACKGROUND: AVAQMD received an application from I.M. Masonry requesting grant funding towards retirement and replacement of an older heavy-duty diesel forklift. Applicant proposes voluntary participation in the Carl Moyer Equipment Replacement Program to reduce emissions by retiring their 1990 diesel forklift with a new forklift certified to the Final Tier 4 standard. Staff has evaluated the proposed project and finds it eligible for 80 percent Carl Moyer Program funds toward replacement costs. Retirement of the proposed forklift produces nearly 1 ton/yr. emissions reduction with a 3-year project life. Early fleet turnover provides emission reductions that help the Valley towards attainment of the national ambient air quality standards.

REASON FOR RECOMMENDATION: Governing Board approval is needed to fund Carl Moyer projects. Additionally, Governing Board authorization is needed for the Executive Director/APCO and staff to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board, as to legal form and by Bret Banks, Executive Director/APCO on or before July 2, 2020.

FINANCIAL DATA: Sufficient funds are available in the District's Carl Moyer Program funds.

PRESENTER: Julie McKeehan, Grants Analyst

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

The following page(s) contain the backup material for Agenda Item: [1\) Award \\$146,252 in Mobile Source Emission Reductions Program \(AB 923\) funds to Pacific Coast Auto Recycling Center \(PARC\) toward the development of compressed natural gas \(CNG\) infrastructure; and 2\) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel. Presenter: Julie McKeehan, Grants Analyst.](#) Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #10

DATE: July 21, 2020

RECOMMENDATION: 1) Award \$146,252 in Mobile Source Emission Reductions Program (AB 923) funds to Pacific Coast Auto Recycling Center (PARC) toward the development of compressed natural gas (CNG) infrastructure; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

SUMMARY: This item awards funding to PARC towards CNG infrastructure for fueling an internal combustion engine (ICE) fueled by natural gas that provides power to a scrap metal shredding machine.

BACKGROUND: PARC is a community identified source for emission reduction projects. In effort to support District and community goals of reducing emission sources located in designated disadvantaged and low-income areas within the Antelope Valley, PARC has committed to replacing diesel equipment and vehicles with cleaner technologies. PARC's first course of action is replacing an ICE fueled by diesel that provides power to a scrap metal shredding machine with ICE fueled by CNG. The proposed CNG fueling infrastructure project is sufficient to support additional fuel lines that may be used to fuel other CNG equipment and vehicles that may be added to the operations. The estimated cost for the engine replacement and fueling infrastructure is estimated at \$1m. Staff has evaluated the project and proposes 80 percent of the cost of the CNG fueling infrastructure portion of the project totaling \$182,815. Local emission reductions for removing the diesel engine out of operation within the Antelope Valley and replacing the operation with CNG are estimated at 2.5 tons a year.

While the proposed project is a community supported project, it does not meet all criteria to fund with Community Air Protection Program funds; therefore, the District proposes to fund through its Mobile Source Emission Reductions Program (AB 923) to encourage PARC to move the project along and complete as soon as feasibly possible. Pursuant to H & S Code §44229, the additional two-dollar surcharge/motor vehicle fee may be used for funding of alternative fuel and electric infrastructure solicited and selected through a competitive bid process.

cc: Jean Bracy
Laquita Cole
Michelle Powell
Julie McKeehan

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #10

PAGE 2

REASON FOR RECOMMENDATION: Governing Board approval is needed to approve the grant and allocation from the District's Mobile Source Emission Reductions (AB 923) funds. Additionally, Governing Board authorization is needed for the Executive Director/APCO to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board, as to legal form and by Bret Banks, Executive Director/APCO on or about July 1, 2020.

FINANCIAL DATA: Funds are granted from the District's Mobile Source Emission Reductions (AB 923) funds.

PRESENTER: Julie McKeehan, Grants Analyst