

Antelope Valley Air Quality Management District Governing Board Regular Meeting

Agenda

LOCATION

**ANTELOPE VALLEY AQMD District Office
43301 Division Street, Suite 206
Lancaster, CA 93535
661.723.8070**

**TUESDAY, SEPTEMBER 18, 2018
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

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 AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, PUBLIC COMMENTS ARE LIMITED TO FIVE MINUTES PER SPEAKER. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

Except where noted, all scheduled items will be heard in the District Office of the Governing Board, 43301 Division Street, Suite 206, Lancaster, CA 93535 and the teleconference location(s), if applicable. 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.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call

Special Announcements/Presentation:

Presentation of the 2017/2018 William J. "Pete" Knight Memorial AIRE Award (no backup materials). Presenter: Bret Banks, Executive Director/APCO.

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, staff member or a member of the public request an item be held for discussion under DEFERRED ITEMS.

1. [Approve Minutes from Regular Governing Board Meeting of August 21, 2018.](#)
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. [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 July 31, 2018, which provides financial information and budget performance concerning the current fiscal status of the District. Presenter: Bret Banks, Executive Director/APCO.](#)
5. [1\) Award an amount not to exceed \\$20,000 in Mobile Source Emission Reductions Program \(AB 923\) funds to Antelope Valley Harley-Davidson toward infrastructure and installation of an electric vehicle charging station; 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.](#)
6. [Approve payment to MDAQMD in the total amount of \\$107,878.45, subject to availability of funds, for services provided during the month of July 2018. Presenter: Bret Banks, Executive Director/APCO.](#)

ITEMS FOR DISCUSSION

DEFERRED ITEMS

NEW BUSINESS

7. [Conduct a public hearing to consider the amendment of Rule 1110.2 – Emissions from Stationary, Non-Road and Portable Internal Combustion Engines: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public](#)

hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption amending Rule 1110.2 – Emissions from Stationary, Non-Road and Portable Internal Combustion Engines and directing staff actions. Presenter: Bret Banks, Executive Director/APCO.

8. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
9. Board Member Reports and Suggestions for Future Agenda Items.
10. Adjourn to Regular Governing Board Meeting of Tuesday, October 16, 2018.

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 x2. Notification received 48 hours prior to the meeting will enable the District to make reasonable accommodations.

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 the District Office at 43301 Division Street, Suite 206, Lancaster, CA 93535 or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov .

Mailed & Posted on: Wednesday, September 12, 2018.

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of August 21, 2018.](#)

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, AUGUST 21, 2018
ANTELOPE VALLEY DISTRICT OFFICE
LANCASTER, CA**

**DRAFT
MINUTES**

Board Members Present:

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

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:14 a.m. Board Member **CHELETTE** led the Pledge of Allegiance. Roll Call was Taken.

PUBLIC COMMENT

None

CONSENT CALENDAR

Agenda Item #1 - 1. Approve Minutes from Regular Governing Board Meeting of July 17, 2018.

Upon Motion by **CHELETTE**, Seconded by **MANN**, and carried unanimously, the Board **Approved** Minutes from Regular Governing Board Meeting of July 17, 2018.

Agenda Item #2 – Monthly Activity Report. Receive and file. Presenter: Bret Banks.

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

Agenda Item #3 – Monthly Grant Funding Summary. Receive and file. Presenter:

Bret Banks. Upon Motion by **CHELETTE**, Seconded by **MANN**, and carried unanimously, the Board Received and Filed Monthly Grant Funding Summary Activity Report.

Agenda Item #4 - Authorize the acceptance of AB 197 Emission Inventory District Grant Program Funding: Presenter: Bret Banks. Upon Motion by **CHELETTE**,

Seconded by **MANN**, and carried unanimously, the Board authorized acceptance of AB197 Emission Inventory Program Funding.

Agenda Item #5 - Authorize the acceptance of Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program Funds: Presenter: Bret

Banks. Upon Motion by CHELETTE, Seconded by MANN, and carried unanimously, the Board authorized acceptance of FARMER Program Funds.

Agenda Item #6 - Authorize \$15,000 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program: Presenter: Bret Banks.

Upon Motion by CHELETTE, Seconded by MANN, and carried unanimously, the Board authorized \$15,000 in AB2766 funds to the Alternative Fuel Vehicle Program.

Agenda Item #7 - Award \$80,000 in Mobile Source Emissions Reduction Program funds (AB 2766) to Antelope Valley College for the Campus Connect Student Pass Program: Presenter: Bret Banks.

Board Member AUSTIN BISHOP recused himself from this item due to conflicts of interest and left the room prior to the vote. Upon Motion by CHELETTE, Seconded by MANN, and carried unanimously.

Agenda Item #8 - Approve payment to MDAQMD in the total amount of \$121,096.93, subject to availability of funds, for services provided during the month of June 2018: Presenter: Bret Banks.

Upon Motion by CHELETTE, Seconded by MANN, and carried unanimously, the Board Approved payment to MDAQMD in the total amount of \$121,096.93, subject to availability of funds, for services provided during the month of June 2018.

ITEMS FOR DISCUSSION

DEFERRED

None.

PUBLIC HEARINGS

NEW BUSINESS

Agenda Item #– 9 - 1) Award an amount not to exceed \$32,265 in Carl Moyer Program and Mobile Source Emission Reductions Program (AB 2766) funds to Heritage Sign Company for the replacement of an older light-heavy duty diesel vehicle with new, clean diesel 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: Bret Banks.

Bret Banks shared background information, staff recommendation and answered questions from the Board. Board requested staff provide information at a future meeting about the size and type of trucks at risk of being unable to register due to the On-Road Heavy-Duty Diesel Vehicle Regulation. Board Member AUSTIN BISHOP recused himself from this item due to conflicts of interest and left the room prior to the vote.

Upon Motion by HOFBAUER, Seconded by CHELETTE and carried unanimously, the Board awarded an amount not to exceed \$32,265.00 in District grant program funds to Heritage Sign Company for the replacement of an older light-heavy duty diesel vehicle

with new, clean diesel technology; and authorized 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.

Agenda Item # 10. Approve Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the Mojave Desert Air Quality Management District (MDAQMD) to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement if necessary, and; Authorize the Chairman to execute the final Agreement.

Presenter: Bret Banks.

Bret Banks shared background information, staff recommendation and answered questions from the Board. Upon Motion by **BISHOP**, Seconded by **CHELETTE** and carried unanimously, the Board approved the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the Mojave Desert Air Quality Management District (MDAQMD) to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement if necessary, and; Authorize the Chairman to execute the final Agreement.

Agenda Item #11 - Conduct a public hearing to consider the amendment of Rule 1171 – Solvent Cleaning Operations: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending Rule 1171 – Solvent Cleaning Operations and directing staff actions.

Presenter: Bret Banks.

Chair **CRIST** reopened and continued the Public Hearing. Staff Member Bret Banks presented the staff report. Chair **CRIST** solicited public comment. GEORGE JUNG representing Northrop Grumman, USAF Plant 42, Sites 3 & 4 expressed support for the proposed amendment and thanked District staff for their work to preserve solvent use categories critical to aircraft manufacturing. KEVIN DYKEMA representing Lockheed Martin, Plant 10, expressed support for the proposed amendment and thanked District staff for their work to preserve solvent use categories critical to aircraft manufacturing. Chair **CRIST** closed the public hearing. Chair **CRIST** made the determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies and waived reading of Resolution. Board member **HAWKINS** recused himself from the vote due to conflicts of interest and left the room prior to the vote. Upon Motion by **CHELETTE**, Seconded by **BISHOP**, and carried unanimously.

Agenda Item #12- Presentation: Regulatory Options for Cannabis Growing / Manufacturing Facilities.

Presenter: Bret Banks.

Bret Banks shared background information that staff had gathered from Puget Sound Clean Air Agency in Washington state and Monterey Bay Unified Air Pollution Control District on how these agencies have developed permit programs for Cannabis Growing and Processing operations. Chairman Crist asked staff to evaluate the potential cost to identify, permit and inspect these facilities and recover those cost through a Cannabis Cultivation & Processing registration fee that could be based on the square footage of the facility

ADMINISTRATIVE ITEMS

Agenda Item #13 - Reports

Governing Board Counsel – None.

Executive Director/APCO –

Bret Banks shared a presentation on 2018 California Wild Fires and the effect on Antelope Valley regional air quality. The Board requested copies of web site links on Wild Fire Activity and Air Quality be provided to each Board member.

Bret Banks provided information regarding the annual Achievement In Reducing Emissions (AIRE) Award nominations open until close of business on Friday, August 31, 2018.

The meeting was adjourned at 11: 07 a.m. Our next regularly scheduled Governing Board Meeting will be held on Tuesday, September 18, 2018.

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

AGENDA ITEM #2 - MONTHLY GRANT FUND SUMMARY

AB 2766 (\$4 DMV Fee) Annual Allocation for Mobile Projects \$426,507.00

AB 923 (\$2 DMV Fee) Annual Allocation for Mobile Projects \$609,060.00

Grant Programs Projects & Balances

AB 2766 PROJECT FUNDS

| <i>Action Date</i> | <i>Project Name</i> | <i>Approved Action</i> |
|--------------------|--|------------------------|
| Jan-15 | R & R Pipeline, Inc. Grant Funds Returned | 20,700.00 rec'd |
| Jan-15 | AFV Program Add'l Funds AV0414#11 | -17,000.00 paid |
| Mar-15 | Projected AFV applications for 2015 | -60,000.00 paid |
| Apr-15 | Return of Truck Retrofit Funds | 6,718.00 rec'd |
| Jun-15 | AVTA - Public Transit Programs AV0615#11 /0715#S-1 | -200,000.00 paid |
| Oct-15 | AFV Program Add'l Funds AV0414#11 | -14,000.00 paid |
| Feb-16 | LA County Sheriff's Alt. Patrol Project AV0216#9 | -50,000.00 paid |
| Mar-16 | AVC Equipment Replacement AV0314#14 | -1,886.00 paid |
| Mar-16 | AVLAW, LLC EV Charging Repair AV0316#11 | -2,117.00 paid |
| Apr-16 | AV Produce TRU Replacement Project AV0416#12 | -16,203.00 paid |
| Apr-16 | LA County Sheriff's Bio Diesel Truck Project AV0416#11 | -50,000.00 paid |
| Jul-16 | City of Palmdale Electric Infrastructure ADA Req AV0716#10 | -59,700.00 paid |
| Aug-16 | AFV Program Add'l Funds AV0816#9 | -34,500.00 paid |
| Aug-16 | AVC Free Fare Pilot Program for Students AV0816#7 | -30,000.00 paid |
| Sep-16 | LA Cty Sheriff's Bike Patrol Proj. Palmdale/Lancaster AV0916#11 | -35,143.00 paid |
| Sep-16 | AVTA - Public Transit Programs AV0916#8 | 120,000.00 paid |
| Dec-16 | A-Z Engine Systems Repair AV1216#12 | 3,756.00 paid |
| Feb-17 | AFV Program Add'l Funds AV0117#8 | -40,000.00 paid |
| Mar-17 | VAVR Program - Projects to EES AV0317#9 | -60,000.00 paid |
| May-17 | American Plumbing Services AV0517#8 | -32,252.58 paid |
| May-17 | AV Fair Assoc. Forklift Replacement Project AV0517#9 | -21,616.00 pending |
| Jun-17 | Electric Commerical Grounds Keeping Pilot Program AV0617#13 | -127,500.00 paid |
| Jul-17 | Hemme Hay & Feed Off-road/On-road Vehicle Project AV0717# | -134,310.00 paid |
| Aug-17 | AV Fair Assoc. B20 Truck Project AV0817#7 | -50,000.00 pending |
| Aug-17 | LA County Sheriff's/AV BoostersOff-road Utility Equipment AV0817#S-1 | -35,000.00 pending |
| Sept.17 | AV Fair Assoc. ERP Electric Carts AV0917#13 | -9,253.00 pending |
| Oct-17 | AVTA Electric Transit Bus Project AV1017#7 | -58,406.14 pending |
| Dec-17 | LA County Sheriff's Bio Diesel Truck Project AV0416#11 | -50,000.00 pending |
| Feb-18 | Kyle & Kyle Ranches On-road Vehicle Project AV0218#8 | -68,016.00 pending |
| Mar-18 | Kyle & Kyle Ranches On-road Vehicle Project AV0318# | -31,984.00 pending |
| Mar-18 | 2018 Lawn Mower Exchange Program AV0318#12 | -10,000.00 pending |
| May-18 | AFV Program Add'l Funds AV0517# | -15,000.00 pending |
| May-18 | LBC - Bus Replacement Projects AV0218#9 | -66,516.00 pending |
| Aug-18 | AFV Program Add'l Funds AV0818#6 | -15,000.00 pending |
| Aug-18 | Antelope Valley College - Student Pass Program AV0818#7 | -80,000.00 pending |
| Aug-18 | Heritage Sign Company Vehicle Replacement Project AV0818#9 | -8,720.00 pending |

AB 2766 PROJECTS CURRENT BALANCE

\$37,872.12

Action Date *Project Name*

Pending Action

AB 2766 PROJECTS BALANCE PENDING APPROVAL

\$37,872.12

AB 923 PROJECT FUNDS

| <i>Action Date</i> | <i>Project Name</i> | <i>Approved Action</i> |
|---|---|-------------------------------|
| Apr-15 | Calandri SonRise Farms ERP Project #3 AV0415#8 | -78,372.75 paid |
| Apr-15 | 2016 Lawn Mower Exchange Program | -11,200.00 paid |
| May-15 | Gene Wheeler Farms ERP Project #2 AV0515#10 | -142,010.00 paid |
| Aug-15 | VAVR Program - Projects & Admin. to EES AV0815#6 | -60,000.00 paid |
| Nov-15 | Calandri SonRise Farms Repower Project #4 AV1115#9 | -116,471.00 paid |
| Jan-16 | Antelope Valley Farming ERP Project #1 AV0116#8 | -181,530.00 paid |
| Mar-16 | Ebee Streetlight EV Charging Project AV0316#10 | -25,000.00 paid |
| Apr-16 | VAVR Program - Admin to EES AV0416#10 | -60,000.00 paid |
| Apr-16 | 2016 Lawn Mower Exchange Program | -11,200.00 paid |
| Aug-16 | Calandri SonRise Farms Harvesting Project AV0816#8 | -406,065.00 paid |
| Oct-16 | Antelope Valley Farming ERP Project #2 AV1016#10 | -12,940.38 paid |
| Dec-16 | AVSTA CNG Tank Replacement AV1216#11 | -63,377.00 paid |
| Dec-16 | AV Hospital/SCE Charge Ready Pilot Project AV1216#10 | -37,635.11 paid |
| Feb-17 | City of Pamdale Vanpool/Infrastructure Project AV0117#12 | -164,928.00 pending |
| Feb-17 | City of Lancaster Vanpool/Infrastructure Project AV0117#11 | -61,925.00 pending |
| Mar-17 | 2017 Lawn Mower Exchange Program AV0317#10 | -10,730.00 paid |
| Jul-17 | Palmdale Water District EV Charging Project AV0717#9 | -18,520.00 paid |
| Sep-17 | City of Palmdale/SCE EV Charging Project AV0917#11 | -17,218.00 pending |
| Sep-17 | AVSTA CNG Tank Replacement AV0917#12 | -15,949.12 pending |
| Oct-17 | AV Farming ERP Project #1 AV1017#11 | -38,622.00 pending |
| Oct-17 | AVTA Electric Transit Bus Project AV1017#7 | -207,387.32 pending |
| Jan-18 | Wilsona School District EV School Bus Charging Project AV0118#8 | -49,976.00 pending |
| Feb-18 | VAVR Program - Projects to EES AV0218#7 | -47,000.00 paid |
| Mar-18 | 2018 Lawn Mower Exchange Program AV0318#12 | -10,000.00 pending |
| Mar-18 | Robertsons Palmdale Honda EV Charging Project AV0318#9 | -86,000.00 pending |
| May-18 | Home2 Suites by Hilton Palmdale EV Charging Project AV0518#8 | -15,200.00 pending |
| May-18 | Sierra Commons SPE, LLC EV Charging Project AV0518#10 | -30,640.00 pending |
| AB 923 PROJECTS CURRENT BALANCE | | <u>\$330,573.29</u> |
| <i>Action Date</i> | <i>Project Name</i> | <i>Pending Action</i> |
| Sep-18 | AV Harley-Davidson EV Charging Proj. | -20000.00 |
| AB 923 PROJECTS BALANCE PENDING APPROVAL | | <u>\$310,573.29</u> |

CARL MOYER PROGRAM PROJECT FUNDS

| | | |
|---------------------------|----------------------------|-------------------------------|
| <i>Action Date</i> | <i>Project Name</i> | <i>Approved Action</i> |
|---------------------------|----------------------------|-------------------------------|

| | | |
|--|-------------------|---------|
| Mar-15 Carl Moyer Prog. Funds Year 17 (FY 14-15) Deposit | 637,511.00 | recv'd |
| Mar-15 Carl Moyer Interest (FY 13-14) added to Year 17 Deposit | 834.45 | recv'd |
| Apr-15 Calandri SonRise Farms ERP Project #3 AV0415#8 | -284,211.25 | paid |
| Apr-15 High Desert Dairy ERP Project #3 AV0415#7 | -134,239.00 | paid |
| Nov-15 Bill's Landscaping ERP Project #1 AV1115#7 | -78,873.00 | paid |
| Nov-15 Gall Brothers Engineering ERP Project #1 AV1115#8 | -138,715.00 | paid |
| Feb-16 MDAQMD Year 16 Transfer AV0216#7 Deposit | 324,480.00 | recv'd |
| Mar-16 High Desert Dairy ERP Project #4 AV0316#8 | -139,224.00 | paid |
| Mar-16 Calandri SonRise Farms ERP Project #5 AV0316#9 | -83,983.00 | paid |
| Mar-15 Carl Moyer Prog. Funds Year 18 (FY 15-16) Deposit | 659,588.00 | recv'd |
| Mar-15 Carl Moyer Interest (FY 14-15) added to Year 18 Deposit | 1,573.18 | recv'd |
| Apr-16 Lane Ranch & Co. ERP Project AV0416#8 | -99,989.56 | paid |
| Apr-16 Bill's Landscaping ERP Project #2 AV0416#9 | -79,916.00 | paid |
| Jun-16 Calandri SonRise Farms Forklift Project #6 AV0616#8 | -60,985.00 | paid |
| Jun-16 Antelope Valley Fair Assoc. Forklift Project AV0616#9 | -51,460.00 | paid |
| Jul-16 Bolthouse ERP Project AV0716#11 | -18,927.00 | paid |
| Jul-16 South Pac Industries ERP Project AV0716#9 | -181,114.00 | paid |
| Sep-16 High Desert Dairy ERP Project #4 AV0916#9 | -158,663.00 | paid |
| Sep-16 Gall Brothers Engineering ERP Project #2 AV0916#10 | -77,896.00 | paid |
| Oct-16 Antelop Valley Farming ERP Project #2 AV1016#10 | -34,943.62 | paid |
| Apr-17 Carl Moyer Prog. Funds Year 19 (FY 16-17) Deposit | 669,301.00 | recv'd |
| Apr-17 Carl Moyer Interest (FY 15-16 & FY 16-17) added to Year 19 Depos | 7,375.00 | recv'd |
| May-17 AV Fair Assoc. AV0517#9 | -15,130.00 | pending |
| Jun-17 High Desert Dairy ERP Project #6 AV0617#12 | -170,159.00 | paid |
| Oct-17 AV Farming ERP Project #1 AV1017#11 | -9,814.00 | pending |
| Oct-17 Miller Equipment ERP Project #1 AV1017#11 | -284,887.00 | paid |
| Oct-17 New West Metals ERP Project #1 AV1017#6 | -98,581.00 | pending |
| Oct-17 Nick Van Dam Farms ERP Project #1 AV1017#10 | -49,600.00 | paid |
| Apr-18 Carl Moyer Prog. Funds Year 20 (FY 17-18) Deposit | 701,526.00 | recv'd |
| Apr-18 McWhirter Steel Forklift Repl. Proj. #1 AV0418#6 Rd. 19 | -50,000.05 | pending |
| Apr-18 McWhirter Steel Forklift Repl. Proj. #1 AV0418#6 Rd. 20 | -135,942.95 | pending |
| May-18 McCarthy Steel Forklift Repl. Proj. #1 AV0518#9 Rd. 20 | -59,155.00 | pending |
| Jun-18 Gall Brothers Engineering ERP Proj. #3 AV0618#11 Rd. 20 | -94,211.00 | pending |
| Jul-18 Fine Grade Equipment Repl. Proj. #1 AV0718#7 Rd. 20 | -240,850.00 | pending |
| Aug-18 Heritage Sign Company Vehicle Replacement Project AV0818#9 | -23,545.00 | pending |

CARL MOYER PROJECTS CURRENT BALANCE

Action Date Project Name

\$147,822.06
Pending Action

CARL MOYER PROJECTS BALANCE PENDING APPROVAL

\$147,822.06

NOx Remediation Measure Funding

Action Date Project Name

| | | |
|---|------------|------------------------|
| May-18 NRM Funding Deposit AV0618#10 | 26,634.00 | <i>Approved Action</i> |
| Jun-18 NRM Add'l Funding Deposit AV0618#10 | 27,010.00 | |
| Jul-18 Fine Grade Equipment Repl. Proj. #1 AV0718#7 | -53,644.00 | |

\$0.00

NOx Remediation Measure Funding

Action Date Project Name

Pending Action

NOX REMEDIATION MEASURE FUNDING

\$0.00

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

Item #3 Monthly Activity Report – August 2018

| | <u>Aug 2018</u> | <u>Aug 2017</u> | <u>YTD (7/1/19)</u> |
|--------------------------------------|-----------------|-----------------|---------------------|
| Complaints | 1 | 1 | 1 |
| Complaint Investigations | 1 | 1 | 1 |
| Asbestos Notifications | 7 | 5 | 16 |
| Asbestos Inspections | 0 | 0 | 0 |
| Permit Inspections | 151 | 153 | 201 |
| Permit Inspections in Compliance (%) | 100 | 100 | 99 |
| Notice of Violation (NOV) | 0 | 0 | 2 |

***Outstanding NOVs**

- AV00000207, Issued 06/2017
- AV00000208, Issued 07/2017
- AV00000210, Issued 02/2018
- AV00000213, Issued 06/2018

Number of Active Companies: 285
Number of Active Facilities: 526
Number of Active Permits: 1,084

Project Comment Letters – August 2018

Attached

| | | AVAQMD CEQA PROJECTS | | | | |
|------------|----------|--|--|--|-----------|-----------|
| | | BOARD MEETING | | | | |
| | | 9/18/2018 | | | | |
| | | | | | | |
| Date Rec'd | Location | Project Name | Description | Comment | Date Due | Date Sent |
| 8/16/2018 | COL | Pacific Summit Capital | CUP 18-18/TTM 82208 for 99 single family homes located on 20 acres jon the northeast corner of 55th Street West and J-8 | Dust CARB Equipment | 9/17/2018 | 8/20/2018 |
| 8/20/2018 | COL | Tradecraft Ventures, LLC | CUP 18-05 Cannabis cultivation and manufacturing on approx 15 acres located at 43511 70th Street East | Dust CARB Equip Rule 1403-Asbestos | 9/14/2018 | 8/20/2018 |
| 8/20/2018 | COL | sPower-Antelope Expansion 1B, LLC | NOA/NOI for CUP 18-04 solar generating facility on approx 135 acres generally bounded by Avenue H, Avenue H-12, 67th Street West and 75th Street West | Dust CARB Equipment | 9/14/2018 | 8/20/2018 |
| 8/17/2018 | COP | Westpalm Development Corporation | TTM 63412 Time Extension No. 2 for the project located on the northeast corner of Avenue R and 60th Street Eat on approximately 10.3 acres | Dust CARB Equipment | 8/22/2018 | 8/21/2018 |
| 8/17/2018 | COP | Desert Winds Community Church | Pre-App 18-019 for the proposed construction an enlargement of an existing church parking lot at 38117 13th Street East | No Comment | 8/22/2018 | 8/21/2018 |

| | | AVAQMD CEQA PROJECTS | | | | |
|------------|----------|---|---|------------------------|-----------|-----------|
| | | BOARD MEETING | | | | |
| | | 9/18/2018 | | | | |
| | | | | | | |
| Date Rec'd | Location | Project Name | Description | Comment | Date Due | Date Sent |
| 8/17/2018 | COP | Palmdale Auto Center Repair | CUP 18-012 for the constructin of two industrial buildings located on the south side of Palmdale Boulevard east of 30th Street East | No Comment | 8/22/2018 | 8/21/2018 |
| 8/27/2018 | COL | TTM 82298-West Palm Development | TTM 82298 for a project located on the southwest corner of Lancaster Blvd and future 32nd Street East on 10 acres | Dust CARB Equipment | 9/27/2018 | 8/30/2018 |
| 8/27/2018 | COP | Avenue S and 47th Street Commercial Project | Site Plan Review for a proposal to consdtruct a 112,703 sfcommercial shopping center on approxmiately 15.30 acres located at the northwest corner of Fort Tejon Road and 47th Street East | Dust CARB Equipment | 9/17/2018 | 8/30/2018 |

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 July 31, 2018, which provides financial information and budget performance concerning the curre](#)

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

AGENDA ITEM #4

DATE: September 18, 2018

RECOMMENDATION: Receive and file.

SUMMARY: The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at July 31, 2018, which provides financial information and budget performance concerning the current fiscal status of the District.

BACKGROUND: The Financial Reports provide financial and budget performance information and reflects the business activities of the District for the period referenced.

STATEMENT OF REVENUES & EXPENDITURES – This report describes the financial activities only for the month for each of the District’s funds and does not reflect the District’s cash position.

STATEMENTS OF ACTIVITY (for all District funds) – The target variance for July 2018 is 8% of Fiscal Year 2019.

District Wide reports the expenses paid directly from the District’s operating account and grant funds. *Contracted Services* reports the expenses made by the contractor (MDAQMD) and passed through to the District. *Report Recap* is the consolidated report which reflects the revenues received and expenses made during the period and year to date against the adopted budget for FY 19.

BANK REGISTERS– These reports list the deposits to and payments made from the District’s bank accounts.

DISTRICT CARDS – This report shows the purchases made using the District’s Mastercard for the referenced period(s).

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 (AVAQMD) on or about September 10, 2018.

PRESENTER: Bret Banks, Deputy Director – Antelope Valley Operations.

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 7/31/2018

00 District Wide

| | M-T-D Actual | Y-T-D Actual | Y-T-D Budget | % Budget to Actual |
|---|------------------|------------------|-----------------|-----------------------|
| Revenues | | | | |
| Permitting | 62,729.26 | 62,729.26 | 0.00 | 0.00 |
| Programs | 105.00 | 105.00 | 0.00 | 0.00 |
| Application Fees | 2,312.00 | 2,312.00 | 0.00 | 0.00 |
| Fines & Penalties | 1,500.00 | 1,500.00 | 0.00 | 0.00 |
| Interest Earned | 4,723.37 | 4,723.37 | 0.00 | 0.00 |
| Adjustments to Revenue | (772.13) | (772.13) | 0.00 | 0.00 |
| Total Revenues | 70,597.50 | 70,597.50 | 0.00 | 0.00 |
| Expenses | | | | |
| Office Expenses | 11,222.15 | 11,222.15 | 0.00 | 0.00 |
| Communications | 3,159.76 | 3,159.76 | 0.00 | 0.00 |
| Vehicles | 460.40 | 460.40 | 0.00 | 0.00 |
| Program Costs | 5,000.00 | 5,000.00 | 0.00 | 0.00 |
| Travel | 160.90 | 160.90 | 0.00 | 0.00 |
| Professional Services | | | | |
| Stipends | 600.00 | 600.00 | 0.00 | 0.00 |
| Maintenance & Repairs | 225.00 | 225.00 | 0.00 | 0.00 |
| Non-Depreciable Inventory | 27.35 | 27.35 | 0.00 | 0.00 |
| Dues & Subscriptions | 1,445.00 | 1,445.00 | 0.00 | 0.00 |
| Legal | 1,991.02 | 1,991.02 | 0.00 | 0.00 |
| Miscellaneous Expense | 191.34 | 191.34 | 0.00 | 0.00 |
| Suspense | (816.19) | (816.19) | 0.00 | 0.00 |
| Total Expenses | 23,666.73 | 23,666.73 | 0.00 | 0.00 |
| Program Staff | | | | |
| Excess Revenue Over (Under) Expenditures | 46,930.77 | 46,930.77 | 0.00 | 0.00 |

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 7/31/2018

10 Contracted Services

| M-T-D Actual | Y-T-D Actual | Y-T-D Budget | % Budget to Actual |
|-----------------|-----------------|-----------------|-----------------------|
|-----------------|-----------------|-----------------|-----------------------|

Revenues**Expenses**

| | | | | |
|----------------------------------|------------------|------------------|-------------|-------------|
| Office Expenses | 190.76 | 190.76 | 0.00 | 0.00 |
| Vehicles | 35.27 | 35.27 | 0.00 | 0.00 |
| Professional Services | | | | |
| Financial Audit & Actuarial Svcs | 16,124.75 | 16,124.75 | 0.00 | 0.00 |
| Total Expenses | 16,350.78 | 16,350.78 | 0.00 | 0.00 |

Program Staff

| | | | | |
|----------------------------|------------------|------------------|-------------|-------------|
| Program Staff | 91,666.67 | 91,666.67 | 0.00 | 0.00 |
| Total Program Staff | 91,666.67 | 91,666.67 | 0.00 | 0.00 |

Excess Revenue Over (Under) Expenditures

| | | | | |
|--|---------------------|---------------------|-------------|-------------|
| | (108,017.45) | (108,017.45) | 0.00 | 0.00 |
|--|---------------------|---------------------|-------------|-------------|

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 7/31/2018

Report Recap

| | M-T-D Actual | Y-T-D Actual | Y-T-D Budget | % Budget to Actual |
|---|--------------------|--------------------|-----------------|-----------------------|
| Revenues | | | | |
| Permitting | 62,729.26 | 62,729.26 | 0.00 | 0.00 |
| Programs | 105.00 | 105.00 | 0.00 | 0.00 |
| Application Fees | 2,312.00 | 2,312.00 | 0.00 | 0.00 |
| Fines & Penalties | 1,500.00 | 1,500.00 | 0.00 | 0.00 |
| Interest Earned | 4,723.37 | 4,723.37 | 0.00 | 0.00 |
| Adjustments to Revenue | (772.13) | (772.13) | 0.00 | 0.00 |
| Total Revenues | 70,597.50 | 70,597.50 | 0.00 | 0.00 |
| Expenses | | | | |
| Office Expenses | 11,412.91 | 11,412.91 | 0.00 | 0.00 |
| Communications | 3,159.76 | 3,159.76 | 0.00 | 0.00 |
| Vehicles | 495.67 | 495.67 | 0.00 | 0.00 |
| Program Costs | 5,000.00 | 5,000.00 | 0.00 | 0.00 |
| Travel | 160.90 | 160.90 | 0.00 | 0.00 |
| Professional Services | | | | |
| Financial Audit & Actuarial Svcs | 16,124.75 | 16,124.75 | 0.00 | 0.00 |
| Stipends | 600.00 | 600.00 | 0.00 | 0.00 |
| Maintenance & Repairs | 225.00 | 225.00 | 0.00 | 0.00 |
| Non-Depreciable Inventory | 27.35 | 27.35 | 0.00 | 0.00 |
| Dues & Subscriptions | 1,445.00 | 1,445.00 | 0.00 | 0.00 |
| Legal | 1,991.02 | 1,991.02 | 0.00 | 0.00 |
| Miscellaneous Expense | 191.34 | 191.34 | 0.00 | 0.00 |
| Suspense | (816.19) | (816.19) | 0.00 | 0.00 |
| Total Expenses | 40,017.51 | 40,017.51 | 0.00 | 0.00 |
| Program Staff | | | | |
| Program Staff | 91,666.67 | 91,666.67 | 0.00 | 0.00 |
| Total Program Staff | 91,666.67 | 91,666.67 | 0.00 | 0.00 |
| Excess Revenue Over (Under) Expenditures | (61,086.68) | (61,086.68) | 0.00 | 0.00 |

Antelope Valley AQMD
Statement of Revenues & Expenditures
For the Period Ending July 31, 2018

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 | 63,608.13 | 0.00 | 0.00 | 0.00 | 63,608.13 |
| AB 2766 and Other Program Revenues | 105.00 | 0.00 | 0.00 | 0.00 | 105.00 |
| Fines | 2,161.00 | 0.00 | 0.00 | 0.00 | 2,161.00 |
| Investment Earnings | 2,270.25 | 0.00 | 0.00 | 2,453.12 | 4,723.37 |
| 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 | 68,144.38 | 0.00 | 0.00 | 2,453.12 | 70,597.50 |
| Expenditures | | | | | |
| Program Staff | 91,666.67 | 0.00 | 0.00 | 0.00 | 91,666.67 |
| Services and Supplies | 35,017.51 | 5,000.00 | 0.00 | 0.00 | 40,017.51 |
| Contributions to Other Participants | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Capital Outlay Improvements and Equipment | (6,600.00) | 0.00 | 0.00 | 0.00 | (6,600.00) |
| Total Expenditures | 120,084.18 | 5,000.00 | 0.00 | 0.00 | 125,084.18 |
| Excess Revenue Over (Under) Expenditures | (51,939.80) | (5,000.00) | 0.00 | 2,453.12 | (54,486.68) |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
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> |
|------------------|-------------|---|---------------------|-----------------------|------------------------|
| 0000315 | 7/02/2018 | Credit Card Transaction - NASA | 0.00 | 690.00 | 171,547.02 |
| 0000315 | 7/02/2018 | Credit Card Transaction - Burns Env | 0.00 | 1,242.00 | 172,789.02 |
| 0000316 | 7/05/2018 | Credit Card Transaction - Extram | 0.00 | 690.00 | 173,479.02 |
| 0000318 | 7/11/2018 | Credit Card Transaction - Swinerton | 0.00 | 661.00 | 174,140.02 |
| 0003552 | 7/11/2018 | [10076] ANTELOPE VALLEY AQMD-Credit Card Transactions - June 2018 | 5,790.06 | 0.00 | 168,349.96 |
| 0003553 | 7/11/2018 | [01148] ANTELOPE VALLEY PRESS-LMEE Advert 05/06/18 & 05/20/18 | 210.00 | 0.00 | 168,139.96 |
| 0003554 | 7/11/2018 | [10006] BANK OF THE WEST-CC Charges | 816.19 | 0.00 | 167,323.77 |
| 0003555 | 7/11/2018 | [10009] CALIFORNIA AIR RESOURCES BOARD-FY17/18 Hot Spots Assessment | 2,190.00 | 0.00 | 165,133.77 |
| 0003556 | 7/11/2018 | [10023] LOS ANGELES COUNTY CLERK-Amendment to AV Rule 1171 NOE | 75.00 | 0.00 | 165,058.77 |
| 0003557 | 7/11/2018 | [10023] LOS ANGELES COUNTY CLERK-Amendment of AV Rule 301 NOE | 75.00 | 0.00 | 164,983.77 |
| 0003558 | 7/11/2018 | [10023] LOS ANGELES COUNTY CLERK-Certification of 2008 Ozone NAAQS Nonattainment NSR SIP Requirements NOE | 75.00 | 0.00 | 164,908.77 |
| 0003559 | 7/11/2018 | [10024] LOS ANGELES COUNTY FARM BUREAU-FY 2019 Membership | 195.00 | 0.00 | 164,713.77 |
| 0003560 | 7/11/2018 | [10071] MAIL FINANCE-Postage meter rental July 18 | 77.75 | 0.00 | 164,636.02 |
| 0003561 | 7/11/2018 | [10027] MOJAVE ENVIRONMENTAL EDUCATION CONSORTIUM-Gold Level FY19 Sponsorship | 1,250.00 | 0.00 | 163,386.02 |
| 0003562 | 7/11/2018 | [10260] QCS BUILDING SERVICES-Custodial Services July 18 | 225.00 | 0.00 | 163,161.02 |
| 0003563 | 7/11/2018 | [10039] SPARKLETTS-Water Delivery Service | 36.77 | 0.00 | 163,124.25 |
| 0003564 | 7/11/2018 | [10040] SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY-Invoices 63609, 64935 | 11,212.85 | 0.00 | 151,911.40 |
| 0003565 | 7/11/2018 | [10592] SPECTRUM BUSINESS-Internet Service July 18 | 770.00 | 0.00 | 151,141.40 |
| 0003566 | 7/11/2018 | [10045] VERIZON BUSINESS-VOIP and Internet Service | 1,389.15 | 0.00 | 149,752.25 |
| 0003567 | 7/11/2018 | [10046] VERIZON CALIFORNIA-Long Distance Charges | 31.44 | 0.00 | 149,720.81 |
| 0003568 | 7/11/2018 | [10063] VOYAGER FLEET SYSTEMS-Fuel Card Charges June 18 | 283.43 | 0.00 | 149,437.38 |
| | 7/11/2018 | Service Charge | 137.40 | 0.00 | 149,299.98 |
| 0000001 | 7/12/2018 | Credit Card Transaction - Extram | 0.00 | 1,000.00 | 150,299.98 |
| 0000001 | 7/23/2018 | Credit Card Transaction - Burns Environmental | 0.00 | 1,242.00 | 151,541.98 |
| 0000001 | 7/25/2018 | Credit Card Transaction - Burns Environmental | 0.00 | 660.00 | 152,201.98 |
| 0003569 | 7/26/2018 | [10518] AUSTIN BISHOP-Governing Board Meeting Stipend July 17, 2018 | 100.00 | 0.00 | 152,101.98 |
| 0003570 | 7/26/2018 | [10405] CANON FINANCIAL SERVICES-Copier Lease | 306.29 | 0.00 | 151,795.69 |
| 0003571 | 7/26/2018 | [10055] NEWTON CHELETTE-Governing Board Meeting Stipend July 17, 2018 | 100.00 | 0.00 | 151,695.69 |
| 0003572 | 7/26/2018 | [10057] MARVIN CRIST-Governing Board Meeting Stipend July 17, 2018 | 100.00 | 0.00 | 151,595.69 |
| 0003573 | 7/26/2018 | [10502] DIGITAL DEPLOYMENT INC-Web Hosting | 200.00 | 0.00 | 151,395.69 |
| 0003574 | 7/26/2018 | [10059] ENTERPRISE FLEET MANAGEMENT-Fleet Maintenance July 2018 | 32.00 | 0.00 | 151,363.69 |
| 0003575 | 7/26/2018 | [10019] FEDERAL EXPRESS CORPORATION-Courier Service | 36.17 | 0.00 | 151,327.52 |
| 0003576 | 7/26/2018 | [10599] HOWARD HARRIS-Governing Board Meeting Stipend July 17, 2018 | 100.00 | 0.00 | 151,227.52 |
| 0003577 | 7/26/2018 | [10503] STEVEN D HOFBAUER-Governing Board Meeting Stipend July 17, 2018 and mileage reimbursement | 110.90 | 0.00 | 151,116.62 |
| 0003578 | 7/26/2018 | [10070] BARBARA LODS-Best Buy-Netgear Router for AVAQMD office | 270.44 | 0.00 | 150,846.18 |
| 0003579 | 7/26/2018 | [10054] KENNETH MANN-Governing Board Meeting Stipend July 17, 2018 | 100.00 | 0.00 | 150,746.18 |
| 0003580 | 7/26/2018 | [00069] SOUTHERN CALIFORNIA EDISON-Electric Service July | 320.81 | 0.00 | 150,425.37 |
| 0003581 | 7/26/2018 | [10455] STRADLING YOCCA CARLSON & RAUTH- | 0.00 | 0.00 | 150,425.37 |
| 0003581 | 7/26/2018 | [10455] STRADLING YOCCA CARLSON & RAUTH- | 0.00 | 0.00 | 150,425.37 |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
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> |
|--------------------------|-------------|---|---------------------|-----------------------|------------------------|
| 0003534 | 7/26/2018 | [10002] ANTELOPE VALLEY BOARD OF TRADE-Void check 0003534 | 0.00 | 240.00 | 150,665.37 |
| 0003582 | 7/26/2018 | [10002] ANTELOPE VALLEY BOARD OF TRADE-Director fees for FY 18-19. | 240.00 | 0.00 | 150,425.37 |
| 0003583 | 7/26/2018 | [10455] STRADLING YOCCA CARLSON & RAUTH-Legal Services through May 31, 2018 | 1,250.00 | 0.00 | 149,175.37 |
| 0003584 | 7/26/2018 | [10050] WOELFL FAMILY TRUST-Office Lease Aug 2018 | 4,545.53 | 0.00 | 144,629.84 |
| 0000001 | 7/26/2018 | Credit Card Transaction - NASA Dryden | 0.00 | 246.59 | 144,876.43 |
| 0000001 | 7/30/2018 | Credit Card Transaction - Freeway Shell | 0.00 | 1,108.48 | 145,984.91 |
| Total for Report: | | | 32,652.18 | 7,780.07 | |

Mojave Desert AQMD
Bank Register from 7/01/2018 to 7/31/2018
General Fund MPA

| <u>Check/Ref</u> | <u>Date</u> | <u>Name/Description</u> | <u>Check Amount</u> | <u>Deposit Amount</u> | <u>Account Balance</u> |
|--------------------------|-------------|--|---------------------|-----------------------|------------------------|
| 20130947 | 7/02/2018 | Daily Deposit | 0.00 | 40,619.98 | 889,702.10 |
| 0001393 | 7/02/2018 | [02163] BUREAU OF LAND RECLAMATION-NSF | 1,750.69 | 0.00 | 887,951.41 |
| 20130948 | 7/03/2018 | Daily Deposit | 0.00 | 30,124.17 | 918,075.58 |
| 20130949 | 7/05/2018 | SBCo ACH - NTC - Public Works | 0.00 | 7,884.66 | 925,960.24 |
| 20130950 | 7/09/2018 | Daily Deposit | 0.00 | 14,157.46 | 940,117.70 |
| 0000002 | 7/10/2018 | SBCo ACH - Kiewit | 0.00 | 9,557.53 | 949,675.23 |
| 2018027 | 7/10/2018 | Transfer AB2766 - May 2018 | 57,256.75 | 0.00 | 892,418.48 |
| 20130951 | 7/11/2018 | Daily Deposit | 0.00 | 162,093.25 | 1,054,511.73 |
| 0000002 | 7/13/2018 | SBCo ACH - MDAQMD | 0.00 | 570.83 | 1,055,082.56 |
| 0000002 | 7/17/2018 | Daily Deposit | 0.00 | 15,996.50 | 1,071,079.06 |
| 0000002 | 7/17/2018 | SBCo ACH - Kiewit | 0.00 | 304.07 | 1,071,383.13 |
| 0001394 | 7/17/2018 | [01810] UNIVERSAL COLLISION-NSF | 276.08 | 0.00 | 1,071,107.05 |
| 2019001 | 7/19/2018 | Op Fund Rep #1 | 625,617.22 | 0.00 | 445,489.83 |
| 0000002 | 7/20/2018 | Daily Deposit | 0.00 | 14,430.94 | 459,920.77 |
| 0000002 | 7/20/2018 | SBCo ACH - MDAQMD | 0.00 | 570.83 | 460,491.60 |
| 0000002 | 7/20/2018 | SBCo Wire - Sunray Energy 2 | 0.00 | 307.63 | 460,799.23 |
| 0000002 | 7/23/2018 | Daily Deposit | 0.00 | 112,839.53 | 573,638.76 |
| 20130952 | 7/24/2018 | Daily Deposit | 0.00 | 375,774.08 | 949,412.84 |
| 0000002 | 7/25/2018 | SBCo ACH - US Amy | 0.00 | 5,000.00 | 954,412.84 |
| 20130953 | 7/27/2018 | Daily Deposit | 0.00 | 6,484.75 | 960,897.59 |
| 0000002 | 7/27/2018 | SBCo ACH - MDAQMD | 0.00 | 40,282.19 | 1,001,179.78 |
| 20130954 | 7/31/2018 | Daily Deposit | 0.00 | 66,055.42 | 1,067,235.20 |
| Total for Report: | | | 684,900.74 | 903,053.82 | |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
LA County Carl Moyer U5S

| <u>Check/Ref</u> | <u>Date</u> | <u>Name/Description</u> | <u>Check Amount</u> | <u>Deposit Amount</u> | <u>Account Balance</u> |
|--------------------------|-------------|--|---------------------|-----------------------|------------------------|
| | 7/01/2018 | Interest Earned | 0.00 | 2,453.12 | 1,013,394.83 |
| C19-1 | 7/24/2018 | [10084] ENVIRONMENTAL ENGINEERING STUDIES VAVR-Moyer Grant | <u>2,435.00</u> | <u>0.00</u> | 1,010,959.83 |
| Total for Report: | | | 2,435.00 | 2,453.12 | |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
LA County AB2766 U5R

| <u>Check/Ref</u> | <u>Date</u> | <u>Name/Description</u> | <u>Check Amount</u> | <u>Deposit Amount</u> | <u>Account Balance</u> |
|--------------------------|-------------|---|---------------------|-----------------------|------------------------|
| 0082842 | 7/11/2018 | Transfer AB2766 - May 2018 | 0.00 | 38,156.85 | 406,339.59 |
| M19-2 | 7/24/2018 | [10601] BEBKO, STEPHANIE-AB2766 Grant | 1,000.00 | 0.00 | 405,339.59 |
| M19-3 | 7/24/2018 | [10602] GOMEZ, NELSON-AB2766 Grant | 500.00 | 0.00 | 404,839.59 |
| M19-4 | 7/24/2018 | [10174] MACGREGOR, PATRICK J-AB2766 Grant | 1,000.00 | 0.00 | 403,839.59 |
| M19-5 | 7/24/2018 | [10603] NELSON, CESAR-AB2766 Grant | 1,000.00 | 0.00 | 402,839.59 |
| M19-6 | 7/24/2018 | [10604] BORQUEZ, MICHAEL-AB2766 Grant | 1,000.00 | 0.00 | 401,839.59 |
| M19-7 | 7/24/2018 | [10605] MAYCOTTE, JAVIER-AB2766 Grant | 500.00 | 0.00 | 401,339.59 |
| Total for Report: | | | 5,000.00 | 38,156.85 | |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
LA County AB923

| <u>Check/Ref</u> | <u>Date</u> | <u>Name/Description</u> | <u>Check Amount</u> | <u>Deposit Amount</u> | <u>Account Balance</u> |
|--------------------------|-------------|--|---------------------|-----------------------|------------------------|
| 0082843 | 7/11/2018 | Transfer AB923 - May 2018 | 0.00 | 54,488.77 | 1,133,848.17 |
| M19-1 | 7/24/2018 | [10084] ENVIRONMENTAL ENGINEERING STUDIES VAVR-AB923 Grant | <u>9,000.00</u> | <u>0.00</u> | 1,124,848.17 |
| Total for Report: | | | 9,000.00 | 54,488.77 | |

Antelope Valley AQMD
Bank Register from 7/01/2018 to 7/31/2018
District Cards

| <u>Check/Ref</u> | <u>Date</u> | <u>Name/Description</u> | <u>Check Amount</u> | <u>Deposit Amount</u> | <u>Account Balance</u> |
|--------------------------|-------------|---|---------------------|-----------------------|------------------------|
| 0000253 | 7/11/2018 | [10579] ALL THINGS ENGRAVEABLE & GRAPHICS-Name plate for newly appointed Governing Board members - Howard Harris. | 27.38 | 0.00 | -2,188.90 |
| 0000254 | 7/11/2018 | [10006] BANK OF THE WEST-Interest Charge | 8.86 | 0.00 | -2,197.76 |
| 0000255 | 7/11/2018 | [10069] BRET BANKS-AVAQMD staff lunch meeting to review and discuss implmentation of the proposed FY18-19 operating budget. | 38.30 | 0.00 | -2,236.06 |
| 0000256 | 7/11/2018 | [10069] BRET BANKS-Monthly lease payment for long term storage unit for storage of District records and documents. | 139.00 | 0.00 | -2,375.06 |
| 0000257 | 7/11/2018 | [10620] DRI PRINTING SERVICES-Printing Services | 85.14 | 0.00 | -2,460.20 |
| 0000258 | 7/11/2018 | [01141] ROYA GOLTCHE-Invoices 722, 723 | 105.58 | 0.00 | -2,565.78 |
| 0000259 | 7/11/2018 | [10581] SAM'S CLUB-Office Supplies | 44.89 | 0.00 | -2,610.67 |
| 0000260 | 7/11/2018 | [10041] STAPLES INC-Invoices 707, 724, 725, 725 (1), 733 | 367.04 | 0.00 | -2,977.71 |
| Total for Report: | | | 816.19 | 0.00 | |

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$20,000 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Harley-Davidson toward infrastructure and installation of an electric vehicle charging station; and 2) Authorize the Executive Director

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

AGENDA ITEM #5

DATE: September 18, 2018

RECOMMENDATION: 1) Award an amount not to exceed \$20,000 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Harley-Davidson toward infrastructure and installation of an electric vehicle charging station; 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 Antelope Valley (AV) Harley-Davidson towards infrastructure and installation of one (1) Level II dual-port electric vehicle charging station.

BACKGROUND: AV Harley-Davidson submitted an application to the District requesting grant funds towards infrastructure and installation of an electric vehicle (EV) charging station (Project). Staff proposes a grant of 80 percent of the Project costs. AV Harley-Davidson proposes a 20 percent contribution, and will own, operate, monitor and maintain the infrastructure and charging station to be located at their Lancaster facility. The purpose of the project serves as preparation and advancement of electric Harley-Davidson models and also serves as a public access charging station.

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 – Antelope Valley Operations on or about September 10, 2018.

FINANCIAL DATA: Funds are granted from the District's Mobile Source Emission Reductions (AB 923) 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: [Approve payment to MDAQMD in the total amount of \\$107,878.45, subject to availability of funds, for services provided during the month of July 2018. Presenter: Bret Banks, Executive Director/APCO.](#)

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

AGENDA ITEM #6

DATE: September 18, 2018

RECOMMENDATION: Approve payment to MDAQMD in the total amount of \$107,878.45, subject to availability of funds, for services provided during the month of July 2018.

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

CONFLICT OF INTEREST: None

BACKGROUND: Key expenses are staff; six positions are assigned to the local office. The District engaged the services of new auditing firm and the process is continuing. The information provided here is preliminary only to the extent of the unlikely event that the auditors may return with recommended adjustments. Staff will be available to answer questions as needed.

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 September 10, 2018.

FINANCIAL DATA: The contract and direct expenditure amounts are part of the approved District budget for FY 18. 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 **7/31/2018**
 Invoice Number **41999**

INVOICE

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

| FY18 | Amount |
|---|--|
| Program Staff | 91,666.67 |
| Professional Services | 15,000.00 |
| Professional Services | 1,124.75 |
| Vehicles Expenses | 35.27 |
| Office Expenses | 51.76 |
| <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> | |
| | Invoice Total 107,878.45 Amount Paid 0.00 |
| MAKE CHECKS PAYABLE TO MOJAVE DESERT AQMD PLEASE INCLUDE THE INVOICE NUMBER ON THE CHECK | Balance Due 107,878.45 |

The following page(s) contain the backup material for Agenda Item: [Conduct a public hearing to consider the amendment of Rule 1110.2 – Emissions from Stationary, Non-Road and Portable Internal Combustion Engines: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Ma](#)

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

AGENDA ITEM #7

DATE: September 18, 2018

RECOMMENDATION: Conduct a public hearing to consider the amendment of Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption amending Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* and directing staff actions.

SUMMARY: The proposed amendments to Rule 1110.2 are necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors.

BACKGROUND: On May 15, 2001 the Antelope Valley Air Pollution Control District (AVAPCD), the predecessor agency to the Antelope Valley Air Quality Management District (AVAQMD) adopted amendments to Rule 1110.2. Since Rule 1110.2 was inherited by the AVAPCD from the South Coast Air Quality Management District (SCAQMD) it contained provisions which did not apply within the District as well as implementation dates which had expired and other provisions which were not consistent with State and Federal requirements. The May 15, 2002 amendments corrected most of these problems and conformed the rule to AVAPCD rule format.

In November 2001, the California Air Resources Board (CARB) adopted a new Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Spark-Ignited Internal Combustion Engines (ICE RACT/BARCT Determination). CARB submitted the May 15, 2002 version of the rule to the United States Environmental Protection Agency (USEPA) as a revision to the State Implementation Plan (SIP) on December 14, 2001.

On August 7, 2002 USEPA expressed concern that certain provisions of Rule 1110.2 as adopted on May 15, 2001 were not completely consistent with the November ICE RACT/BARCT Determination. The Federal Clean Air Act requires areas designated nonattainment for ozone and classified moderate and above to adopt and maintain reasonably available control technology (RACT) rules for major stationary sources of volatile organic compounds (VOCs) and Oxides of Nitrogen (NO_x).

Cc: Barbara Lods

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

AGENDA ITEM #7

PAGE 2

The Antelope Valley is subject to the RACT rule requirements because it has been designated nonattainment for Ozone and classified Severe-17. Therefore, USEPA could not approve a SIP revision which was not consistent with the most recent ICE RACT/BARCT Determination even though the ICE RACT/BARCT Determination had been adopted subsequent to the adoption of the Rule.

The AVAQMD subsequently amended Rule 1110.2 on May 15, 2001 and January 21, 2004. USEPA proposed a Limited Approval/Limited Disapproval (69 FR 211482) of the revision. The LA/LD also included a request for justification of the seasonal exemption for engines used for snow manufacturing and ski lift operation, request for correction of several citations and increasing record retention from 2 years to 5 years. Specifically USEPA was concerned that the agricultural exemption, and possibly the snow/ski exemption disqualified Rule 1110.2 from meeting RACT.

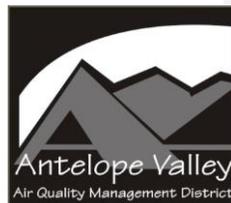
A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the AVAQMD for the amendment of Rule 1110.2 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulations. 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 as to legal form by Karen Nowak, District Counsel and by Bret Banks, Executive Director on or before September 4, 2018.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Bret Banks, Executive Director/APCO

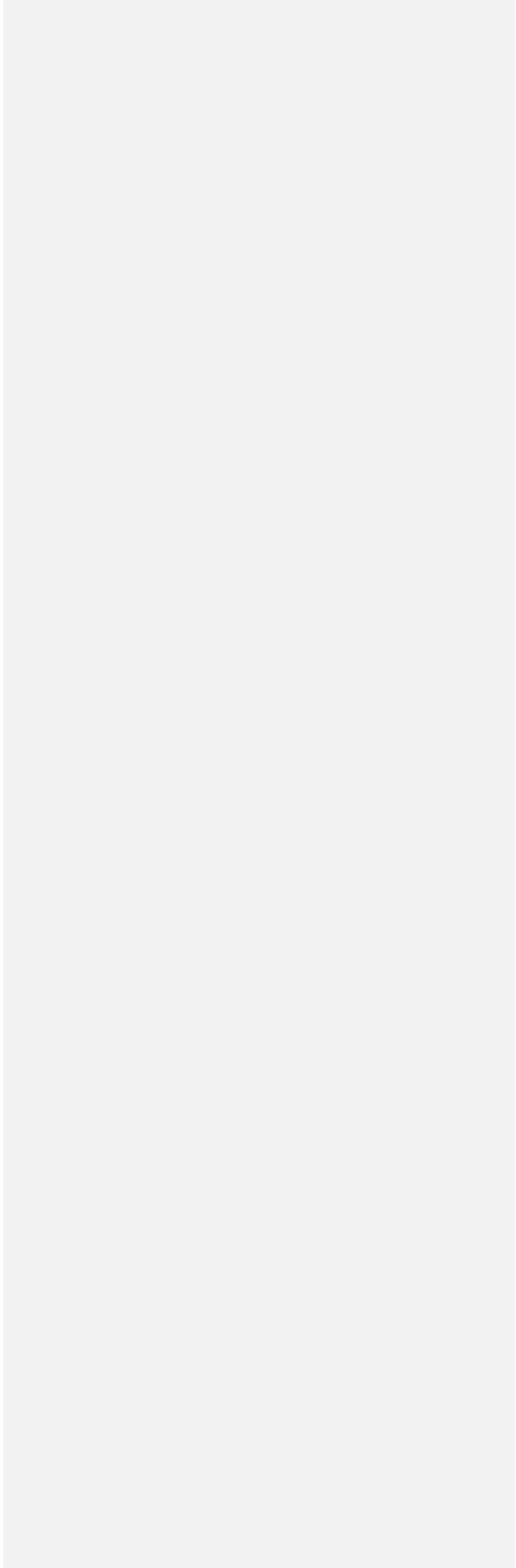


Draft
Staff Report
Proposed Amendments to
Rule 1110.2 – *Emissions from Stationary, Non-Road
and Portable Internal Combustion Engines*

For amendment on
September 18, 2018

43301 DIVISION ST., SUITE 206
LANCASTER, CALIFORNIA 93535-4649
PHONE (661) 723-8070

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**STAFF REPORT
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STAFF REPORT

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

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

On May 15, 2001 the Antelope Valley Air Pollution Control District (AVAPCD), the predecessor agency to the Antelope Valley Air Quality Management District (AVAQMD) adopted amendments to Rule 1110.2. Since Rule 1110.2 was inherited by the AVAPCD from the South Coast Air Quality Management District (SCAQMD) it contained provisions which did not apply within the District as well as implementation dates which had expired and other provisions which were not consistent with State and Federal requirements. The May 15, 2002 amendments corrected most of these problems and conformed the rule to AVAPCD rule format.

In November 2001, the California Air Resources Board (CARB) adopted a new Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Spark-Ignited Internal Combustion Engines (ICE RACT/BARCT Determination). CARB submitted the May 15, 2002 version of the rule to the United States Environmental Protection Agency (USEPA) as a revision to the State Implementation Plan (SIP) on December 14, 2001.

On August 7, 2002 USEPA expressed concern that certain provisions of Rule 1110.2 as adopted on May 15, 2001 were not completely consistent with the November ICE RACT/BARCT Determination. The Federal Clean Air Act requires areas designated nonattainment for ozone and classified moderate and above to adopt and maintain reasonably available control technology (RACT) rules for major stationary sources of volatile organic compounds (VOCs) and Oxides of Nitrogen (NOx). The Antelope Valley is subject to the RACT rule requirements because it has been designated nonattainment for Ozone and classified Severe-17. Therefore, USEPA could not approve a SIP revision which was not consistent with the most recent ICE RACT/BARCT Determination even though the ICE RACT/BARCT Determination had been adopted subsequent to the adoption of the Rule.

The AVAQMD subsequently amended Rule 1110.2 on May 15, 2001 and January 21, 2004. USEPA proposed a Limited Approval/Limited Disapproval (69 FR 211482) of the revision. The LA/LD also included a request for justification of the seasonal exemption for engines used for snow manufacturing and ski lift operation, request for correction of several citations and increasing record retention from 2 years to 5 years. Specifically USEPA was concerned that the agricultural exemption, and possibly the snow/ski exemption disqualified Rule 1110.2 from meeting RACT.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board adopt the proposed amendments to Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* and approve the appropriate California Environmental Quality Act (CEQA) documentation. This action is necessary to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA)) §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct amendments to Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*. 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.
- Mitigation of impacts.
- 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 amendments to Rule 1110.2. These are actions that need to be performed and/or information that must be provided in order to amend the rule 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:

The proposed amendments to Rule 1110.2 are necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors.

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 amendments to Rule 1110.2 are clear in that they are written so that the persons subject to the Rule can easily understand the meaning.

d. Consistency:

The proposed amendments to Rule 1110.2 are in harmony with, and not in conflict with or contradictory to, any State law or regulation, federal law or regulation, or court decisions. The proposed rule is consistent with current federal RACT as determined by comments from USEPA, other related national rules and guidance and the rules of other California air districts with nonattainment designations.

e. Nonduplication:

The proposed amendments to Rule 1110.2 do not impose the same requirements as an existing State or federal law or regulation. A rule is necessary to implement the applicable provisions of these documents.

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 amendments to Rule 1110.2 will be published on August 17, 2018. 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 amendment to Rule 1110.2 and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The FCAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to current federal RACT and for “major sources” of VOCs and NO_x that are ozone precursors. The District committed to adopting an updated RACT rule for internal combustion engines as part of the *RACT SIP Analysis*. The AVAQMD is proposing to update Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* to reflect current federal RACT as determined by comments from USEPA, other related national rules and guidance, CARB ICE RACT/BARCT Determination and the rules of other California air districts with similar nonattainment designations.

b. Public Notice and Comment:

Notice for the public hearing for the proposed amendments to Rule 1110.2 will be published on August 17, 2018. 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 amendments to Rule 1110.2 and the accompanying draft staff report will be made available to the public on August 3, 2018.

d. Notice to Specified Entities:

Copies of the proposed amendments to Rule 1110.2 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 U.S. Environmental Protection Agency (USEPA) on August 3, 2018.

e. Public Hearing:

A public hearing to consider the proposed amendments to Rule 1110.2 has been set for September 18, 2018.

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 Federal Clean Air requires areas designated non-attainment for ozone and classified moderate and above to adopt and maintain RACT rules to control the emissions of VOCs and NO_x for categories which the USEPA has adopted a CTG and for all categories where there are major stationary sources of air pollution (42 U.S.C. §7511a(b)(2), FCAA

182(b)(2)). For purposes of the FCAA, the District has been designated non-attainment for ozone and classified Severe-17.

The AVAQMD committed to amending Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* as part of the recently adopted RACT SIP Analysis.

The AVAQMD has an internal combustion engine rule which was amended January 21, 2003 and on April 21, 2004, EPA proposed a Limited Approval/Limited Disapproval (LA/LD) (69 FR 21482, 04/21/2004) of the revision. The LA/LD was based on the agricultural engine exemption and included a request for justification of the seasonal exemption for engines used for snow manufacturing and ski lift operation, request for correction of several citations and increasing record retention from 2 to 5 years. Specifically, USEPA determined that the agricultural exemption and possibly the snow manufacturing/ski lift exemption disqualified Rule 1110.2 from meeting RACT.

The proposed amendments are based on USEPA’s determination that the agricultural exemption and possibly the snow manufacturing/ski lift exemption disqualified Rule 1110.2 from meeting RACT.

C. ECONOMIC ANALYSIS

1. General

RACT is defined as the lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53762, September 17, 1979). Rule 1110.2 is equivalent to rules that were determined by USEPA to be RACT. This determination by USEPA means that the provisions of Rule 1110.2 are, by definition, cost effective. In addition, all sources are currently in compliance with this RACT limit without additional control equipment or cost. As a result, no additional cost impacts are expected from the proposed amendments.

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 (CCAA) requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds (VOCs), oxides of nitrogen (NOx) or oxides of sulfur (SOx). The amendment of Rule 1110.2 is not subject to incremental cost effectiveness calculations because it does not involve BARCT or “all feasible measures.”

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the proposed amendments to Rule 1110.2 was determined.

1. The proposed amendments to Rule 1110.2 meet the CEQA definition of “project”. They are not “ministerial” actions.

2. The proposed amendments to Rule 1110.2 are exempt from CEQA review because they will not create any adverse impacts on the environment. The proposed rule amendments are more stringent than the previous rule version. This rule has been strengthened by removing the Ag exemption, reducing the Portable Compression-Ignited Engine limits, and limiting the number of hours allowed during seasonal operation for snow manufacturing. Because there is no potential that the amendment 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. Copies of the documents relating to CEQA can be found in Appendix “D”.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

The District does not anticipate any potential environmental impacts of compliance with the proposed amendments to Rule 1110.2, as the amendments primarily removes the agricultural exemption and limits the number of hours allowed during seasonal operation for snow manufacture. In addition, since no additional emissions control or control equipment is required by the proposed amendments there are no anticipated direct or indirect adverse environmental impacts.

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

A. SOURCE DESCRIPTION

Rule 1110.2 applies to all Stationary, Non-Road and Portable Internal combustion engines over 50 bhp. Certain engines are exempt from some of the rule requirements (See prior section (I)/proposed amended section (H)). The proposed amendment is more stringent than the current version as the applicability is now applied to all engines over 50 bhp. The applicability of Portable Engines over 100 bhp has been removed.

B. EMISSIONS

The proposed amendments to Rule 1110.2 have reduced the emission limits for Portable Compression-Ignited Engines contained in the current rule. Therefore, the District expects the current district-wide emissions levels for this source category to remain constant unless and until the population of engines subject to this rule increases beyond the normal growth projected in the District's emissions inventory.

C. CONTROL REQUIREMENTS

The proposed amendments to Rule 1110.2 change only the emissions limits for Portable Compression-Ignited Engines contained in the current rule. Therefore, no additional control requirements are imposed.

D. PROPOSED RULE SUMMARY

This section gives a brief overview of the proposed amendments to Rule 1110.2.

The rule formatting has been updated for consistency with other District rules.

Subsection (A)(2)(a) This rule is now applicable to ALL engines over 50 bhp.

Section (B) The following definitions have been added or updated:

- District has been added.
- Emergency Engine has been updated.
- Exempt Compounds verbiage has been revised per USEPA comment on other District Rule submissions.
- Internal Combustion Engine (ICE) has been updated.
- Non-Road Internal Combustion Engine (Non-road ICE) has been updated.
- Portable Internal Combustion Engine (Portable ICE) has been updated.
- Reactive Organic Compound has been removed.
- Stationary Internal Combustion Engine has been updated.
- Volatile Organic Compound verbiage has been revised as per USEPA comment on other District Rule submissions.

Subsection (C)(2)(b) citation has been corrected as per USEPA evaluation (69 FR 21482 04/21/2004. In response to USEPA email dated 08/14/18, this subsection is being removed.

Table II was put in ascending order and EFF calculation was reformatted. Table II is now being removed as part of subsection (C)(2) removal.

Table IV Portable Compression-Ignited Engine Limits now has one emission limit.

Existing Section (D) compliance dates are past and will be removed.

Prior rule section (E)(1)(a)(iv), Amended rule section (D)(1)(a)(iv), in response to USEPA comment, has clarified reporting requirement.

Prior rule section (E)(1)(b)(i), (ii) and (iii), Amended rule section (D)(1)(b)(i), (ii) and (iii), in response to USEPA comment, have been changed to add USEPA and CARB.

Prior rule section (E)(3), Amended rule section (D)(3) has been updated as per USEPA evaluation, LA/LD (69 FR 21482, 04/21/2004).

Prior rule section (F), Amended rule section (E) is now Equipment Requirements and Compliance Testing requirements have been moved to section (F).

Amended rule section (F) is now Compliance Test Requirements and Methods. Compliance Test Methods was moved from previous rule section (H).

Prior rule section (I)(1)(a), Amended rule section (H)(1)(a), removed agricultural exemption as per USEPA evaluation contained in LA/LD (69 FR 21482, 04/21/2004).

Prior rule subsection (I)(2)(b), Amended rule subsection (H)(2)(b) added provisions for fire-fighting, flood control and other Emergency Engines. In response to USEPA email dated 08/14/18, verbiage has been modified to remove “and other Emergency Engines”.

Prior rule subsection (I)(2)(f), Amended rule subsection (H)(2)(f) has been modified to impose a facility limit for the number of hours allowed to operate during seasonal operation.

Prior rule subsection (I)(2), Amended rule subsection (H)(2) has been corrected for incorrect ascending lettering. Prior subsection (I)(2) read (I)(2)(a), (b), (c), (e) and (f). It now reads (H)(2)(a), (b), (c), (d) and (e).

E. 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.

Rule 1110.2 was originally adopted on 8/3/90 by the South Coast Air Quality Management District (SCAQMD) and was subsequently amended on 9/7/90. The 9/7/90 version was submitted to USEPA as a revision to the State Implementation Plan (SIP) on 4/5/91. The Rule was thereafter amended on 8/12/94 and 12/9/94. The 12/9/94 version was submitted to USEPA on 4/13/95. USEPA published a Notice of Proposed Rule Making on 2/28/97 proposing a limited approval/disapproval of the rule as a SIP revision. On 5/15/01 the AVAPCD board amended Rule 1110.2 and requested that CARB submit it as a SIP revision to USEPA. This was not done by CARB until 12/14/01 after CARB had adopted the new ICE RACT/BARCT Determination.

On January 1, 2002 the AVAPCD was succeeded by the AVAQMD which had the same jurisdiction and same rules as the prior agency. Based upon the ICE RACT/BARCT Determination, USEPA contacted the AVAQMD and indicated that it could not provide full SIP approval of the rule as adopted due to fact that it did not completely comply with the requirements of the ICE RACT/BARCT Determination. USEPA requested that the rule be conformed and indicated that it would not take any action on the 5/15/01 rule if the AVAQMD was planning on revising the rule in the near future. AVAQMD thereafter proposed a rule development schedule to USEPA and agreed to conform the rule to the ICE RACT/BARCT determination.

2. SIP Analysis.

The District will request CARB to submit the proposed amendments to Rule 1110.2 to USEPA for inclusion into the State Implementation Plan. This

submission is necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors. The District will request that this version, upon approval, supersede the current SIP version as well as any potential outstanding SIP submissions made prior to the adoption date.

The proposed amendments to Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* are more stringent in that the exemption for agricultural engines has been removed and a limited number of operating hours allowed during seasonal operation have been added.

Appendix “A”

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

The iterated version is provided so that the changes to an existing rule may be easily found. The manner of differentiating text is as follows:

1. Underlined text identifies new or revised language.
2. ~~Lined out text~~ identifies language which is being deleted.
3. Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.
4. *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

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(Adopted: 08/03/90; Amended: 09/07/90; Amended: 08/12/94;
Amended: 12/09/94; Amended: 5/15/01; Amended: 01/21/03)
Amended: xx/xx/xx

RULE 1110.2

Emissions ~~F~~from Stationary, Non-~~r~~Road ~~&~~and Portable Internal Combustion Engines

(A) General

(1) Purpose

- (a) To limit emissions of Oxides of Nitrogen (NO_x), Volatile Organic Compounds (VOCs) and Carbon Monoxide (CO) from ~~Stationary or Portable~~ Internal Combustion Engines.

(2) Applicability

- (a) This rule is applicable to all ~~Stationary Internal Combustion Engine(s)~~ over 50 bhp ~~and all portable engines over 100 bhp.~~

(B) Definitions

For the purpose of this rule, the following definitions shall apply: [added in response to USEPA email, #1, dated 08/14/18]

- (1) “Air Pollution Control Officer (APCO)” – The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code §40750, and his or her designee.

- (2) “District” – The Antelope Valley Air Quality Management District that includes the geographical area described in District Rule 103. [Derived from AVAQMD Rule 102 (M).]

- (3) “Emergency Engine” – Any ~~e~~Engine which operates ~~;~~

- (a) ~~As~~ a temporary replacement for primary mechanical or electrical power during periods of fuel or energy shortage or while the primary power supply is under repair ~~;~~ ~~and~~

- (b) ~~Less than 200 hours per calendar year as evidenced by an installed and operating engine hour meter and log of operating hours per Subsections (F) and (G) of this rule. [The intended purpose of the “Emergency “classification” is to allow an engine to operate, as needed, to preserve or protect property, human life or public health. Derived from SCAQMD RACT rule, amended 02/01/08 (74 FR 18995, 04/27/09)]~~

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(34) ~~“Exempt Compounds” – Those compounds listed as excluded from the definition of Volatile Organic Compounds in 40 CFR 51.100(s)(4). [Definition verbiage updated with approved language per District Counsel Karen K. Nowak and USEPA Attorney Advisor Douglas Bushey in email dated 08/08/18 re: AV Rule 1171 also in response to USEPA email, #2, dated 08/14/18.]~~

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(45) “Facility” – Any building, structure, emissions unit(s) or installation which emits or may emit a Regulated Air Pollutant and which is:

- (a) Located on one or more contiguous or adjacent properties within the District; and
- (b) Under the control of the same person (or by persons under common control); and
- (c) Belong to the same industrial grouping, as determined by being within the same two-digit Standard Industrial Classification Code (SICC).
- (d) For the purpose of this regulation, such above-described grouping, remotely located but connected only by land carrying a pipeline, shall not be considered one Facility.

(56) “Internal Combustion Engine (ICE Engine)” – Any spark- or compression-ignited ~~internal combustion e~~Engine, not including ~~ICEsEngines~~ used for self-propulsion.

(67) “Location” – Any single site at a building, structure, ~~f~~Facility, or installation. For ~~e~~Engines that perform maintenance on equipment at its permanent or ordinary ~~H~~Location, each maintenance site shall be a separate ~~H~~Location.

(78) “Non-Road Internal Combustion Engine (Non-road ICE)” – Any ~~ICE Engine~~ defined under 40 CFR Part 89, which meets the specified emissions limits therein, and that does not remain or will not remain at a ~~H~~Location for more than ~~twelve~~ (12) consecutive months or a shorter period of time where such period is representative of normal annual source operation at a stationary source that resides at a fixed ~~H~~Location or more than ~~twelve~~ (12) months (e.g., seasonal source or operation such as canning facilities ~~or -ski resort snow-making equipment used to manufacture snow~~) and meets any one of the following:

- (a) Is used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as an off highway mobile crane); or
- (b) Is used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawn mowers and string trimmers); or
- (c) By itself, or in or on a piece of equipment, is ~~p~~Portable or transportable.

Portable means designed to be and capable of being carried or moved from

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one Hlocation to another. Transportable includes, but is not limited to, wheels, skids, carrying handles, dolly, trailer, platform or mounting.

- (89) “~~Portable Internal Combustion Engine Engine~~(Portable ICE)” – Any ~~ICE~~Engine designed and capable of being carried or moved from one Hlocation to another. ~~Indications~~of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. ~~For the purposes of this rule, dredge ICEs on a boat or barge are considered portable ICE. [The AVAQMD does not have any sources or have any areas within our District that include dredge engines on a boat or barge.]~~

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~~The~~An ICEEngine is not ~~p~~Portable if ~~any of the following are true:~~

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- (a) ~~It~~ His attached to a foundation at a single Hlocation; or
- (b) ~~It~~ Remains or will remain at a single Hlocation for more than 12 consecutive months; or
- (c) ~~It~~ His a replacement ~~Engine~~ICE for a specific application which remains or is intended to remain for ~~twelve (12)~~ consecutive months; or
- (d) ~~It~~ His a seasonal or other source that normally operates less than ~~twelve (12)~~ consecutive months as its normal operational year.

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~~(e)~~—Any period during which the ~~Engine~~ICE is not operated and is maintained at a designated storage facility shall be excluded from the residency time determination.

- (910) “Rated Brake Horsepower (bhp)” – The rating specified by the manufacturer, without regard to any derating, and listed on the ~~ICE’s~~Engine nameplate.

~~(10) “Reactive Organic Compound (ROC)” – Any compound containing carbon, which participates in atmospheric photochemical reactions, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate and those compounds listed in 17 California Code of Regulations §94508(a)(90)(1-2). [Defined word not used in this rule.]~~

- (11) “Regulated Air Pollutant” – Any of the following ~~A~~air ~~P~~ollutants:

- (a) Any ~~A~~air ~~P~~ollutant, and its ~~P~~recursors, for which an ~~A~~ambient ~~A~~air ~~Q~~uality ~~S~~tandard has been promulgated. ~~[Capitalization correction as words are not defined in this rule.]~~
- (b) Any ~~A~~air ~~P~~ollutant that is subject to a standard under 42 U.S.C. §7411, Standards of Performance for New Stationary Sources (Federal Clean Air

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Act §111) or the regulations promulgated thereunder. *[Capitalization correction as word is not defined in this rule.]*

- (c) Any substance which has been designated a Class I or Class II substance under 42 U.S.C. §7671a (Federal Clean Air Act §602) or the regulations promulgated thereunder.
- (d) Any Air Pollutant subject to a standard or other requirement established pursuant to 42 U.S.C. §7412, Hazardous Air Pollutants (Federal Clean Air Act §112) or the regulations promulgated thereunder. *[Capitalization correction as word is not defined in this rule.]*

(12) “Stationary ~~Internal Combustion Engine (Stationary ICE)~~” – Any ~~Engine ICE~~ which is ~~either attached to a foundation or if not so attached, does not meet the definition of a Portable or Non-Road engine and is not a motor vehicle as defined in Section 415 of the California Vehicle Code not a Portable ICE or any ICE registered in the State-wide Portable Equipment Program. [Derived from SCAQMD Rule 1110.2, definition (c)(18), 02/01/2008 (74FR18995, 04/27/2009)].~~

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(13) “Volatile Organic Compound (VOC)” – Any volatile compound ~~containing the element of carbon, excluding which participates in atmospheric photochemical reactions, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate and those compounds listed in 40 CFR 51.100(s)(1) Exempt Compounds. [Definition verbiage updated to reflect change in (B)(3). Approved language per District Counsel Karen K. Nowak and USEPA Attorney Advisor Douglas Bushey.]~~

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(C) Requirements

(1) General Emissions Limits

- (a) The owner or operator of any Stationary ~~ICE~~ Engine subject to this rule shall:
 - (i) Replace any such ~~Engine ICE~~ with an electric motor; or
 - (ii) Remove the ~~Engine ICE~~ from service, permanently; or
 - (iii) Ensure that the emissions from such ~~Engine ICE~~ do not exceed the emission limits of TABLE I.

| Table I GENERAL ENGINE ICE EMISSIONS LIMITS | | |
|---|----------|-----------|
| NO _x | VOC | CO |
| 36 ppm* | 250 ppm* | 2000 ppm* |

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* Corrected to 15% oxygen on a dry gas basis and averaged over a 15-minute interval.

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~~(2) Alternative Emission Limits for NOx and VOC~~

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(a) Notwithstanding the provisions of subsection (C)(1), ~~above~~ the owner or operator of any of the following:

- (i) ~~An electric power generating engine,~~
- (ii) ~~A landfill gas or sewage digester gas fueled engine,~~
- (iii) ~~An engine used to drive a water supply or conveyance pump except for aeration facilities,~~
- (iv) ~~An oil field produced gas fired engine,~~
- (v) ~~An integral engine compressor application operating less than 4000 hours per calendar year, or~~
- (vi) ~~A liquefied petroleum gas (LPG) fueled engine~~

(b) May, in lieu of compliance with subsection (C)(1), ~~(ca)(iii) above;~~ Corrected as per USEPA evaluation, LA/LD (69FR21482, 04/21/2004).

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- (i) ~~Ensure that the emissions from such ICEEngines do not exceed the emissions limits of carbon monoxide (CO) of Table I, and~~
- (ii) ~~Ensure that the emissions of oxides of nitrogen (NOx), and VOC (measured as methane from such eEngines) do not exceed the Alternate Compliance Limit calculated as follows:~~

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Alternate Compliance Limit = Reference Limit x ~~EEF~~/25%

Where:

Alternate Compliance Limit = Allowable NOx or VOC emissions (ppm by volume)

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Reference Limit = The NOx or VOC reference emission limit (ppm by volume) for various bhp ~~Engines~~ICEs corrected to ~~fifteen percent (15%) oxygen on a dry gas basis and averaged over fifteen (15) consecutive minutes as listed in Table II~~

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| TABLE II REFERENCE EMISSIONS LIMITS | | |
|--|-----------------|-----|
| B hp Rating | NO _x | VOC |
| | | |

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| | | |
|---------------------|--------|---------|
| 50 to 500 bhp | 45 ppm | 250 ppm |
| 500 bhp and greater | 36 ppm | 250 ppm |
| 50 to 500 bhp | 45 ppm | 250 ppm |

~~Table II changed to ascending order in bhp column/And,~~

| | | |
|-----|---|---|
| | | $3413 \times 100\%$ |
| EFF | = | $\frac{\text{Actual Heat Rate at HHV of Fuel (Btu/kW hr)}}{\text{Actual Heat Rate at HHV of Fuel (Btu/kW hr)}}$ |

~~EFF calculation was reformatted for clarity.~~

$$EFF = \frac{3413 \times 100\%}{\text{Actual Heat Rate at HHV of Fuel (Btu/kW hr)}}$$

or

| | | | |
|-----|---|--|---------------------------------|
| | | | LHV |
| EFF | = | (Manufacturer's Rated Efficiency at LHV) x | $\frac{\text{HHV}}{\text{LHV}}$ |
| | | | HHV |
| EFF | = | The demonstrated percent efficiency at full load when averaged over 15 consecutive minutes of the ICE only, as calculated, within 30 days of the first source test, without consideration of any downstream energy recovery from the actual heat rate, (Btu/kW hr) or 1.34 (Btu/hp hr); corrected to the HHV (higher heating value) of the fuel as measured at peak load for that facility; or the manufacturer's continuous rated percent efficiency (manufacturer's rated efficiency) of the ICE after correction from LHV (lower heating value) to the HHV of the fuel, whichever efficiency is higher. The value of EFF shall not be less than 25 percent. ICEs having lower efficiencies will be assigned a 25 percent efficiency for this calculation. | |

$$EFF = \text{Manufacturer's Rated Efficiency at LHV} \times \left(\frac{\text{HHV}}{\text{LHV}} \right)$$

~~EFF=The demonstrated percent efficiency at full load when averaged over 15 consecutive minutes of the Engine only, as calculated, within 30 days of the first source test, without consideration of any downstream energy recovery from the actual heat rate, (Btu/kW hr) or 1.34 (Btu/hp hr); corrected to the HHV (higher heating value) of the fuel as measured at peak load for that Facility; or the manufacturer's continuous rated percent efficiency (manufacturer's rated efficiency) of the Engine after correction from LHV (lower heating value) to the HHV of the fuel, whichever efficiency is higher. The value of EFF shall not be less than 25%. Engines having lower efficiencies will be assigned a 25% efficiency for~~

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~~this calculation.) (EFF calculation was reformatted for clarity.) [In response to USEPA email received 08/14/18, #4, Subsection (C)(2) Alternative Emission Limits for NOx and VOC is being removed as the list of engines in (C)(2)(a)(i) currently comply with Table I.]~~

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(32) Portable ~~EngineICE~~ Emission Limit

- (a) The owner or operator of any Portable ~~EngineICE~~ subject to this rule shall:
 - (i) Register the ~~EngineICE~~ with the CARB State-wide Portable Equipment ~~Registration~~ Program, successfully obtaining a valid certificate for the ~~EngineICE~~; or
 - (ii) ~~For s~~Spark-~~i~~gnited ~~EnginesICEs~~ shall comply with the ~~following~~ emissions limits in TABLE ~~II~~ below:

| TABLE II SPARK-IGNITION PORTABLE ENGINES-ICEs COMPLIANCE LIMITS | | |
|--|----------|----------|
| NOx | VOC | CO |
| 80 ppm* | 240 ppm* | 176 ppm* |

* -Corrected to 15% oxygen on a dry gas basis and averaged over a 15 minute interval.

- (iii) ~~For e~~Compression-~~i~~gnited ~~EnginesICEs~~ shall comply with the ~~following~~ emissions limits in TABLE ~~IV~~ below:

| TABLE IV PORTABLE COMPRESSION-IGNITED ENGINEICE LIMITS | |
|---|--|
| Rated Brake Horsepower (bhp) | Requirements |
| 100 bhp ≥ X < 117 bhp | 770 ppm* NOx or a turbocharger and 4-degree injection timing retard |
| 117 bhp ≥ X < 400 bhp | 550 ppm* NOx or a turbocharger and aftercooler/intercooler and 4 degree injection timing retard |
| 50 bhp or greater X > 400 bhp | 535 ppm* NOx or a turbocharger and aftercooler/intercooler and 4-degree injection timing retard |

* -Corrected to 15% oxygen on a dry gas basis and averaged over a 15 minute interval. ~~[Prior Table III will now be Table II and prior Table IV will now be Table III as prior Table II is being deleted.]~~

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~~(D)~~ Compliance Schedule

The owner or operator of any ICEs subject to this rule shall comply with the requirements of this rule in accordance with the following schedule:

- ~~(1)~~ For existing Stationary ICEs, the emissions limits of subsection (C)(1) or (2) shall apply. *[Emission limits are specified in subsection (C)(1) and (C)(2)].*
- ~~(2)~~ For Portable ICEs operated pursuant to subsection (C)(3):
 - ~~(a)~~ By December 31, 2009, the owner/operator shall complete stack modifications to facilitate source testing required pursuant to sections (E) and (F) of this rule. *[All known engines have complied and compliance date has passed].*
- ~~(3)~~ Any new ICE that is not an existing ICE must be in compliance with the provisions of this and other applicable rules before being placed in service. *[Any owner/operator of any new engine must be in compliance with this rule to obtain a permit before being placed in service. All known existing Engines are in compliance.]*

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~~(E)~~ Monitoring

- ~~(1)~~ For ~~s~~Stationary ~~Engines~~ICEs of 1000 bhp and greater, subject to the provisions of section (C) of this rule and operating more than two million bhp-hr per calendar year:
 - ~~(a)~~ Continuous Emission Monitoring System (CEMS) Requirement
 - ~~(i)~~ The ~~owner/operator shall install, operate and maintain in calibration a NO_x continuous emission monitoring system (CEMS)~~ as approved by the APCO to demonstrate compliance within the emission limits of this rule.
 - ~~(ii)~~ ~~Measurement and Recording~~—This system shall include equipment that measures and records exhaust gas NO_x concentrations, corrected to 15% ~~percent~~ oxygen on a dry basis.
 - ~~(iii)~~ ~~CEMS System Requirements~~—CEMS shall meet the requirements described in 40 CFR Part 60, particularly those in Appendix B, Spec. 2 and -Appendix F.
 - ~~(iv)~~ ~~CEMS Reporting Requirements~~—CEMS reporting ~~to the APCO~~ shall be as prescribed in 40 CFR Part 60.7(c), 60.7(d) and 60.13, with NO_x reported after corrections to 15% ~~percent~~ oxygen on a dry basis. *[In response to USEPA, email dated 08/14/18, #6, Reporting requirement to APCO clarified as per Kevin Gong.]*

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- (b) Alternative Monitoring Device or Equipment, in lieu of CEMS
 - (i) The owner/operator of an EngineICE that is required to install a CEMS may request in writing to the APCO, California Air Resources Board (CARB) and USEPA, approval of an alternative monitoring device (or system components) to demonstrate compliance with the limits of this rule. [CARB and USEPA added in response to USEPA email dated 09/07/18.]
 - (ii) The applicant shall demonstrate to the APCO, CARB and USEPA that the proposed monitoring device is, at a minimum, comparable in relative accuracy, precision, reliability and timeliness to a CEMS for that EngineICE, on a case-by-case basis; or [In response to USEPA email dated 08/14/18, #5, CARB and USEPA approval added.]
 - (iii) The APCO, CARB and USEPA, may approve, on a case-by-case basis, criteria for equipment which is equivalent to the criteria specified in 40 CFR 75, Subpart E. [In response to USEPA email dated 08/14/18, #5, CARB and USEPA approval added.]
 - (iv) Such alternative monitoring device, equipment or procedure must be approved in writing by the APCO and obtain a valid permit to operate with the District. The approval shall include a monitoring plan that includes, at a minimum, equipment specifications, monitoring, record keeping, compliance testing and reporting requirements.

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- (2) For sStationary EnginesICEs of less than 1,000 bhp and sStationary EnginesICEs of greater than 1,000 bhp operating less than two million bhp-hr per calendar year which are subject to the provisions of section (C): of this rule:

- (a) Quarterly Screening Analysis
 - (i) The owner/operator shall inspect each eEngine each calendar quarter in which compliance testing is not required pursuant to subsection (F)(1)(~~e~~) of this rule with a pPortable NO_x analyzer to determine compliance with the emissions limits contained in section (C) of this rule.
 - (ii) An instrument reading in excess of the emission limit contained in section (C) of this rule shall not be considered a violation of this rule, so long as the problem is corrected and a follow-up inspection is conducted within fifteen (15) days of the initial inspection.
 - (iii) Instrument readings, a determination of whether or not the eEngine is in compliance, a description of corrective action(s) taken, and the initials of the person recording the reading shall be recorded on an inspection log and kept in accordance with the provisions of section (G) of this rule.

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(b) Alternate Screening Analysis

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- (i) The owner/operator of an Engine/ICE that is required to be inspected pursuant to subsection (E)(2)(a) above, may request in writing to the APCO, ~~in writing,~~ for approval of an alternate screening analysis to demonstrate compliance with the emissions limits contained in section (C) of this rule.
- (ii) The application for an alternate screening analysis shall include:
 - a. A listing of each eEngine, its permit number and Location which is to be subject to the alternate screening analysis.
 - b. A specific emission inspection procedure to assure that the eEngine is operated in compliance with the provisions of this rule. Inspections shall be conducted every quarter or after every 2,000 hours of eEngine operations whichever is less, but in no case less than quarterly.
 - c. A description and schedule of preventative maintenance procedures or practices which will be used to maintain the eEngine(s) in compliance with the provisions of this rule.

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- (3) ~~Data Gathering/Retrieval Capability~~—Any monitoring system shall have data gathering and retrieval capability approved by the APCO. Data shall be maintained for at least ~~two~~five (5) years and made available for inspection by the APCO. [as per USEPA evaluation, LA/LD (69 FR 21482, 04/21/2004)]

(F) ~~Equipment and Compliance Testing~~ Requirements

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- (1) All Engines/ICEs subject to this rule shall:
- (a) Elapsed Time Meter—Have an operational, non-resettable totalizing time (in hours) meters, to determine the Engines/ICE's elapsed operating time.
 - (b) Fuel Meter—Have a non-resettable fuel meter or acceptable alternative as approved by the APCO, CARB and USEPA, to determine fuel consumption. [CARB and USEPA approval added as per Kevin Gong, USEPA, email dated 08/14/18, #5]
 - (c) ~~Compliance Testing~~—Provide source test information regarding the exhaust gas; specifically for NO_x, VOC reported as methane, and CO concentrations (concentrations in ppm by volume, corrected to 15 percent oxygen on dry basis) according to the following schedule:

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- (i) ~~Once each 8,760 hours of operation or once every twenty four (24) months whichever period is shorter;~~
- (ii) ~~Compliance testing shall be conducted under conditions that are typical of normal engine load and duty cycle~~
- (iii) ~~The compliance test shall be conducted and the report received at the District not less than 90 days prior to the ICE's permit renewal date. *[moved to new (F)(1).]*~~

(F) Compliance Test Requirements and Methods *[Compliance Test Methods were moved from (H) and Compliance Testing Requirements were moved from previous section (F)(1)(c).]*

(1) The owner/operator of any engine subject to this rule shall:

- (a) ~~Provide source test information regarding the exhaust gas; specifically for NO_x, VOC reported as methane and CO concentrations (concentrations in ppm by volume, corrected to 15% oxygen on dry basis) according to the following schedule:~~

- (i) ~~Once each 8,760 hours of operation or once every 24 months whichever period is shorter;~~
- (ii) ~~Compliance testing shall be conducted under conditions that are typical of normal Engine load and duty cycle~~
- (iii) ~~The compliance test shall be conducted and the report received at the District not less than 90 days prior to the Engines permit renewal date~~
[Moved from previous section (F)(1)(c).]

- (b) ~~Conduct testing to verify compliance in accordance with the following test methods:~~

- (i) ~~NO_x emissions subject to the provisions of this rule shall be determined by the procedure detailed in EPA Test Method 7E.~~
- (ii) ~~CO emissions by EPA Test Method 10.~~
- (iii) ~~VOC emissions by EPA Test Method 25, 25A or 25B.~~
- (iv) ~~Other test methods determined to be equivalent after review by the staffs of the District, California Air Resources Board, and the United States Environmental Protection Agency, and approved in writing by the APCO, may also be used to determine compliance with provisions of this rule.~~
[Moved from previous section (H). CARB acronym is identified in section (D)(1)(b)(ii)]

(G) Record Keeping and Reporting

- (1) ~~Record Keeping~~—The owner/operator of any ~~Engine/ICE~~ shall maintain an ~~e~~Engine operating log ~~on a monthly basis~~ that includes: ~~on a monthly basis:~~

- (a) The total hours of operation for each day of operation; and

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- (b) Type and quantity of fuel used (liquid/gas); and
 - (c) The cumulative hours of operation since the last source test required in subsection ~~paragraph~~ (F)(1)~~(e)~~; and
 - (d) The purpose or reason for operating the Engine for each day of operation.
 - (e) The results of any screening analysis or alternative screening analysis if required pursuant to subsection ~~(E)~~(2).
- (2) Reporting—Required records and data shall be available for inspection any time, remain at the ~~f~~acility for ~~2~~five (5) years, and upon request, be submitted to the APCO at the end of each calendar year in a manner and form approved by the APCO. [As per USEPA evaluation, LA/LD (69FR21482, 04/21/2004)]

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~~(H)~~ Compliance Test Methods

- ~~(1) NOx emissions subject to the provisions of this rule shall be determined by the procedure detailed in EPA Test Method 7E.~~
- ~~(2) CO emissions by EPA Test Method 10.~~
- ~~(3) VOC emissions by EPA Test Method 25, 25A or 25B.~~

~~(4) Other test methods determined to be equivalent after review by the staffs of the District, California Air Resources Board, and the United States Environmental Protection Agency, and approved in writing by the Air Pollution Control Officer, may also be used to determine compliance with provisions of this rule. [Moved to section (F)(2) for better flow of Compliance requirements and test methods.]~~

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~~(H)~~ Exemptions

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- (1) The provisions of ~~sections~~paragraphs (C), (D), (E), (F), ~~and~~ (G) ~~and~~ ~~(H)~~ shall not apply to:
 - ~~(a) ICEs used directly and exclusively by the owner/operator for agricultural operations necessary for the growing of crops or raising of fowl or animals. [As per USEPA evaluation, LA/LD (69FR21482, 04/21/2004). The majority of Ag engines within the District have been electrified, those remaining are currently under Ag Registration].~~
 - ~~(b) ICEs operated for the purposes of performance verification and testing.~~

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1110.2-12

AVAQMD Rule 1110.2
Emissions ~~F~~rom Stationary, Non-~~R~~oad ~~&~~and
Portable Internal Combustion Engines
D2a, 09/10/18

(eb) Auxiliary Engines/ICEs used to power other Engines/ICEs or gas turbines during start-ups.

(dc) Portable Engines/ICEs that are registered under the California Statewide ~~wide~~ Portable Equipment ~~RR~~Registration ~~PP~~Program pursuant to Title 13, Article 5 of the CCR Health & Safety Code §§ 41750 through 41755. *[Derived from SCAQMD Rule 1110.2, 06/03/16]*

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(2) The provisions of sections/paragraphs (C), (D), ~~(E)~~, and (F) ~~(1)(e), and (H)~~ shall not apply to:

(a) The operation of any Engine/ICE during the existence of any officially declared disaster or state of emergency.

(b) Emergency Engines and Engines used for fire-fighting and flood control. ~~and any other Emergency Engines approved by the Executive Director, ICEs which have permit conditions that limit operation less than to 200 hours or less per year, as determined by an elapsed operating time meter.~~ *[Derived from SCAQMD Rule 1110.2, 02/01/2008 (74FR18995, 04/27/2009). In response to USEPA emai. #7, received 08/14/18, for clarification of meaning, the strikethrough verbiage in (b) will be removed.]*

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(c) Non-~~r~~Road ~~e~~Engines.

(ed) Laboratory Engines/ICEs used in research and testing purposes. *[Subsection letter out of order.]*

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(fe) Supplemental ICEs/Engines which operate for the manufacture of snow ~~and/or operation of ski lifts, which have a Facility limit to operate 1200 hours or less~~ during seasonal operations (November 1 through April 15). *[Ski lift operations have been electrified, therefore this exemption is no longer necessary for that function. Imposing a seasonal Facility limit removes the prior rule exemption, while providing a conservative regulatory threshold allowing for continued snow making operation. Electrification for snow manufacture is not available at this Facility. Correction of out of order subsection lettering.]*

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[SIP: Submitted as amended on 01/21/03 on 04/01/03; Submitted as amended 05/15/01 on 12/14/01; Submitted as amended 12/9/94 on 4/13/95; Submitted as adopted 8/3/90 on 4/5/91] See SIP Table at www.avaqmd.ca.gov

AVAQMD Rule 1110.2

Emissions from Stationary, Non-~~r~~Road ~~&~~and Portable Internal Combustion Engines
D2a, 09/10/18

1110.2-13

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1110.2-14

AVAQMD Rule 1110.2
Emissions From Stationary, Non-Road and
Portable Internal Combustion Engines
D2a, 09/10/18

Appendix “B”
Public Notice Documents

1. Draft Proof of Publication – Antelope Valley Press, 08/17/2018

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NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on September 18, 2018 at 10:00 am to consider the proposed amendments to Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*.

SAID HEARING will be conducted in the Governing Board Chambers, located at the AVAQMD office located at 43301 Division Street, Suite 206, Lancaster, CA 93535-4649 where all interested persons may be present and be heard. Copies of the proposed amended Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* and the Staff Report are on file and may be obtained at the AVAQMD office. Written comments may be submitted to Bret Banks, Executive Officer, at the above address no later than September 17, 2018 to be considered. If you have any questions you may contact Barbara Lods at 661-723-8070 extension 23 or via email at blods@avaqmd.ca.gov for further information. Traducción esta disponible por solicitud.

The proposed amendments to Rule 1110.2 - *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* are necessary to satisfy 42 U.S.C. §§7511a (FCAA §182) which requires that ozone non-attainment areas implement RACT for sources that are subject to Control Technology Guidelines (CTG) documents issued by United States Environmental Protection Agency (USEPA) and for major sources of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors.

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 item.

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Appendix “C”
Public Comments and Responses

1. USEPA comment email on AV Rule 1110.2, dated 08/14/2018.
2. USEPA comment email on AV Rule 1110.2, dated 09/07/2018.

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1. USEPA Comment, 08/14/18

Barbara Lods

From: Gong, Kevin <Gong.Kevin@epa.gov>
Sent: Wednesday, August 15, 2018 12:19 PM
To: Barbara Lods; Bret Banks; Karen Nowak
Cc: Bushey, Douglas; Lo, Doris; Law, Nicole
Subject: RE: Amendment of AVAQMD Rule 1110.2 Emissions from Stationary, Non-Road and Portable Internal Combustion Engines

Hi,

Per my phone conversation with Barbara today, please note the correct citation for the APCO discretion issue in item 5 below is (D)(1)(b)(iii), and not (D)(2)(b)(iii).

Thank you,

-Kevin

From: Gong, Kevin
Sent: Tuesday, August 14, 2018 4:29 PM
To: 'Barbara Lods' <blods@avaqmd.ca.gov>; 'bbanks@avaqmd.ca.gov' <bbanks@avaqmd.ca.gov>; 'k2nowak@mdaqmd.ca.gov' <k2nowak@mdaqmd.ca.gov>
Cc: Bushey, Douglas <bushey.douglas@epa.gov>; Lo, Doris <Lo.Doris@epa.gov>; Law, Nicole <law.nicole@epa.gov>
Subject: RE: Amendment of AVAQMD Rule 1110.2 Emissions from Stationary, Non-Road and Portable Internal Combustion Engines

Hi Barbara, Bret, and Karen,

Thanks for talking with us today on the proposed rule language for Rule 1110.2. Here's a list of the items that we identified during our discussion.

1. Provide citation for other definitions used in this rule (but not defined) to Rule 102 or 1301.
2. Modify "Exempt Compounds" definition to be consistent with other rules.
3. Revise, if necessary, Emergency Engine definition to match CARB ATCM.
4. Provide justification on the types of units allowed to use the alternative emission limits in (C)(2).
5. Resolve APCO discretion to include EPA in approvals for alternative monitoring under (D)(1)(b)(ii) and (D)(1)(b)(iii), and for fuel monitoring requirements in (E)(1)(b).
6. Clarify in (D)(1)(a)(iv) that the reporting requirements in 40 CFR 60 are to the APCO, and NOT to the EPA Administrator.
7. Clarify the exemptions for Emergency Engines in (H). Currently, Emergency Engines are listed twice, and clarify if the 200 hour permit limit applies to whole list.

We can confirm that the only version of SCAQMD Rule 1110.2 that we have approved into the SIP is in fact the version from 2008. The TSD for that approval is attached here. Please let me know if you have any questions.

Thank you again,

-Kevin

Kevin Gong

District Response to USEPA Comment #1 dated 08/14/18

1. Added verbiage to clarify definitions used in this rule but not defined.
2. Definition of Exempt Compound was changed to reflect the language agreed upon by USEPA legal, Douglas Bushey and AVAQMD legal Karen Nowak.
3. Definition is derived from SCAQMD Rule 1110.2, amended 02/01/08 (74 FR 18995).
4. Subsection (C)(2) was removed.
5. Verbiage changed to include CARB and USEPA.
6. Reporting requirements were clarified.
7. Exemption was clarified.

Barbara Lods

From: Gong, Kevin <Gong.Kevin@epa.gov>
Sent: Friday, September 7, 2018 1:31 PM
To: Barbara Lods
Cc: Bret Banks; Bushey, Douglas; Karen Nowak; Lo, Doris
Subject: RE: AV Rule 1110.2, D2

Hello Barbara,

Thank you for reaching back out to us with new draft rule language addressing our requested changes. I think the only further note we have is that we believe the provisions for an Alternate Screening Analysis for <1000 bhp engines or >1000 bhp engines operated less than 2MM bhp-hr/year should also include CARB/EPA approval for the alternate scheme, as the criteria for approving such alternate screenings is not sufficiently bounded within the rule. This provision can be found in (D)(2)(b)(i). Other than that, we have no further approvability comments.

Thank you,

Kevin Gong
Rules Office, Air Division (AIR-4)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. San Francisco, CA 94105
(415) 972-3073 | gong.kevin@epa.gov

1. →

District Response to USEPA comment dated 09/07/18

1. Verbiage changed to include CARB and USEPA.

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

X AVAQMD Senior Executive Analyst

PROJECT TITLE: Amendment of Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines*

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

PROJECT LOCATION – COUNTY: Los Angeles County

DESCRIPTION OF PROJECT: The proposed amendment of Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable Internal Combustion Engines* will satisfy 42 U.S.C. §§7511a (Federal Clean Air Act §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) documents issued by United States Environmental Protection Agency (USEPA) and for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors.

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 amendments to Rule 1110.2 are exempt from CEQA review because they will not create any adverse impacts on the environment. This rule has been strengthened by removing the agricultural exemption, reducing the Portable Compression-Ignited Engine limits, and limiting the number of hours allowed during seasonal operation for snow manufacturing. Because there is no potential that the amendments 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. Copies of the documents relating to CEQA can be found in Appendix “D”.

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

SIGNATURE: _____

TITLE: Executive Director **DATE:** September 18, 2018

DATE RECEIVED FOR FILING:

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Appendix “E” Bibliography

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

1. CARB Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Spark-Ignited Internal Combustion Engines.
2. SCAQMD Rule 1110.2 – *EMISSIONS FROM GASEOUS AND LIQUID FUELED ENGINES*, 02/01/2008, (74 FR 18995, 04/27/2009)
3. MDAQMD Rule 1160 – *Internal Combustion Engines*, 01/22/18

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(Adopted: 08/03/90; Amended: 09/07/90; Amended: 08/12/94;
Amended: 12/09/94; Amended: 5/15/01; Amended: 01/21/03);
Amended: 09/18/18)

RULE 1110.2

Emissions from Stationary, Non-Road and Portable Internal Combustion Engines

(A) General

(1) Purpose

- (a) To limit emissions of Oxides of Nitrogen (NO_x), Volatile Organic Compounds (VOCs) and Carbon Monoxide (CO) from Internal Combustion Engines.

(2) Applicability

- (a) This rule is applicable to all Internal Combustion Engine(s) over 50 bhp.

(B) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) “Air Pollution Control Officer (APCO)” – The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code §40750, and his or her designee.
- (2) “District” – The Antelope Valley Air Quality Management District that includes the geographical area described in District Rule 103.
- (3) “Emergency Engine” – Any Engine which operates as a temporary replacement for primary mechanical or electrical power during periods of fuel or energy shortage or while the primary power supply is under repair.
- (4) “Exempt Compounds” – Those compounds listed as excluded from the definition of volatile organic compounds in 40 CFR 51.100(s)
- (5) “Facility” – Any building, structure, emissions unit(s) or installation which emits or may emit a Regulated Air Pollutant and which is:
 - (a) Located on one or more contiguous or adjacent properties within the District; and
 - (b) Under the control of the same person (or by persons under common control); and

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- (c) Belong to the same industrial grouping, as determined by being within the same two-digit Standard Industrial Classification Code (SICC).
 - (d) For the purpose of this regulation, such above-described grouping, remotely located but connected only by land carrying a pipeline, shall not be considered one Facility.
- (6) “Internal Combustion Engine (Engine)” – Any spark- or compression-ignited Engine, not including Engines used for self-propulsion.
 - (7) “Location” – Any single site at a building, structure, Facility, or installation. For Engines that perform maintenance on equipment at its permanent or ordinary Location, each maintenance site shall be a separate Location.
 - (8) “Non-Road Engine” – Any Engine defined under 40 CFR Part 89, which meets the specified emissions limits therein, and that does not remain or will not remain at a Location for more than 12 consecutive months or a shorter period of time where such period is representative of normal annual source operation at a stationary source that resides at a fixed Location or more than 12 months (e.g., seasonal source or operation such as canning facilities or equipment used to manufacture snow) and meets any one of the following:
 - (a) Is used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as an off highway mobile crane); or
 - (b) Is used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawn mowers and string trimmers); or
 - (c) By itself, or in or on a piece of equipment, is Portable or transportable. Portable means designed to be and capable of being carried or moved from one Location to another. Transportable includes, but is not limited to, wheels, skids, carrying handles, dolly, trailer, platform or mounting.
 - (9) “Portable Engine” – Any Engine designed and capable of being carried or moved from one Location to another. Indications of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

An Engine is not Portable if:

- (a) It is attached to a foundation at a single Location; or
- (b) It remains or will remain at a single Location for more than 12 consecutive months; or
- (c) It is a replacement Engine for a specific application which remains or is intended to remain for 12 consecutive months; or

- (d) It is a seasonal or other source that normally operates less than 12 consecutive months as its normal operational year.

Any period during which the Engine is not operated and is maintained at a designated storage facility shall be excluded from the residency time determination.

- (10) “Rated Brake Horsepower (bhp)” – The rating specified by the manufacturer, without regard to any derating, and listed on the Engine nameplate.
- (11) “Regulated Air Pollutant” – Any of the following air pollutants:
 - (a) Any air pollutant, and its precursors, for which an ambient air quality standard has been promulgated.
 - (b) Any air pollutant that is subject to a standard under 42 U.S.C. §7411, Standards of Performance for New Stationary Sources (Federal Clean Air Act §111) or the regulations promulgated thereunder.
 - (c) Any substance which has been designated a Class I or Class II substance under 42 U.S.C. §7671a (Federal Clean Air Act §602) or the regulations promulgated thereunder.
 - (d) Any air pollutant subject to a standard or other requirement established pursuant to 42 U.S.C. §7412, Hazardous Air Pollutants (Federal Clean Air Act §112) or the regulations promulgated thereunder.
- (12) “Stationary Engine” – Any Engine which is either attached to a foundation or if not so attached, does not meet the definition of a Portable or Non-Road engine and is not a motor vehicle as defined in Section 415 of the California Vehicle Code.
- (13) “Volatile Organic Compound (VOC)” – Any volatile compound of carbon, excluding Exempt Compounds.

(C) Requirements

(1) General Emissions Limits

- (a) The owner or operator of any Stationary Engine subject to this rule shall:
 - (i) Replace any such Engine with an electric motor; or
 - (ii) Remove the Engine from service, permanently; or
 - (iii) Ensure that the emissions from such Engine do not exceed the emission limits of TABLE I.

| Table I GENERAL ENGINE EMISSIONS LIMITS | | |
|--|------------|-----------|
| NO_x | VOC | CO |
| 36 ppm* | 250 ppm* | 2000 ppm* |

* Corrected to 15% oxygen on a dry gas basis and averaged over a 15-minute interval.

(2) Portable Engine Emission Limit

- (a) The owner or operator of any Portable Engine subject to this rule shall:
 - (i) Register the Engine with the CARB Statewide Portable Equipment Registration Program, successfully obtaining a valid certificate for the Engine; or
 - (ii) Spark-Ignited Engines shall comply with the emission limits in TABLE II below:

| TABLE II SPARK-IGNITION PORTABLE ENGINES COMPLIANCE LIMITS | | |
|---|------------|-----------|
| NO_x | VOC | CO |
| 80 ppm* | 240 ppm* | 176 ppm* |

* Corrected to 15% oxygen on a dry gas basis and averaged over a 15 minute interval.

- (iii) Compression-Ignited Engines shall comply with the emission limits in TABLE III below:

| TABLE III PORTABLE COMPRESSION-IGNITED ENGINE LIMITS | |
|---|---|
| Rated Brake Horsepower (bhp) | Requirements |
| 50 bhp or greater | 535 ppm* NO _x or a turbocharger and aftercooler/intercooler and 4-degree injection timing retard |

* Corrected to 15% oxygen on a dry gas basis and averaged over a 15 minute interval.

(D) Monitoring

- (1) For Stationary Engines of 1000 bhp and greater, subject to the provisions of section (C) of this rule and operating more than two million bhp-hr per calendar year:
 - (a) Continuous Emission Monitoring System (CEMS) Requirement
 - (i) The owner/operator shall install, operate and maintain a NO_x CEMS as approved by the APCO to demonstrate compliance within the emission limits of this rule.
 - (ii) This system shall include equipment that measures and records exhaust gas NO_x concentrations, corrected to 15% oxygen on a dry basis.
 - (iii) CEMS shall meet the requirements described in 40 CFR Part 60, particularly those in Appendix B, Spec. 2 and Appendix F.
 - (iv) CEMS reporting to the APCO shall be as prescribed in 40 CFR Part 60.7(c), 60.7(d) and 60.13, with NO_x reported after corrections to 15% oxygen on a dry basis.
 - (b) Alternative Monitoring Device or Equipment, in lieu of CEMS
 - (i) The owner/operator of an Engine that is required to install a CEMS may request in writing to the APCO, California Air Resources Board (CARB) and USEPA, approval of an alternative monitoring device (or system components) to demonstrate compliance with the limits of this rule.
 - (ii) The applicant shall demonstrate to the APCO, CARB and USEPA, that the proposed monitoring device is, at a minimum, comparable in relative accuracy, precision, reliability and timeliness to a CEMS for that Engine, on a case-by-case basis; or
 - (iii) The APCO, CARB and USEPA, may approve, on a case-by-case basis, criteria for equipment which is equivalent to the criteria specified in 40 CFR 75, Subpart E.
 - (iv) Such alternative monitoring device, equipment or procedure must be approved in writing by the APCO and obtain a valid permit to operate with the District. The approval shall include a monitoring plan that includes, at a minimum, equipment specifications, monitoring, record keeping, compliance testing and reporting requirements.

- (2) For Stationary Engines of less than 1,000 bhp and Stationary Engines of greater than 1,000 bhp operating less than two million bhp-hr per calendar year which are subject to the provisions of section (C):
- (a) Quarterly Screening Analysis
 - (i) The owner/operator shall inspect each Engine each calendar quarter in which compliance testing is not required pursuant to subsection (F)(1) of this rule with a Portable NO_x analyzer to determine compliance with the emissions limits contained in section (C) of this rule.
 - (ii) An instrument reading in excess of the emission limit contained in section (C) of this rule shall not be considered a violation of this rule, so long as the problem is corrected and a follow-up inspection is conducted within 15 days of the initial inspection.
 - (iii) Instrument readings, a determination of whether or not the Engine is in compliance, a description of corrective action(s) taken, and the initials of the person recording the reading shall be recorded on an inspection log and kept in accordance with the provisions of section (G) of this rule.
 - (b) Alternate Screening Analysis
 - (i) The owner/operator of an Engine that is required to be inspected pursuant to subsection (D)(2)(a) above, may request in writing to the APCO, for approval of an alternate screening analysis to demonstrate compliance with the emissions limits contained in section (C) of this rule.
 - (ii) The application for an alternate screening analysis shall include:
 - a. A listing of each Engine, its permit number and Location which is to be subject to the alternate screening analysis.
 - b. A specific emission inspection procedure to assure that the Engine is operated in compliance with the provisions of this rule. Inspections shall be conducted every quarter or after every 2,000 hours of Engine operations whichever is less, but in no case less than quarterly.
 - c. A description and schedule of preventative maintenance procedures or practices which will be used to maintain the Engine(s) in compliance with the provisions of this rule.
- (3) Any monitoring system shall have data gathering and retrieval capability approved by the APCO. Data shall be maintained for at least five (5) years and made available for inspection by the APCO.

(E) Equipment Requirements

- (1) All Engines subject to this rule shall:
 - (a) Have an operational, non-resettable totalizing time (in hours) meter, to determine the Engines elapsed operating time.
 - (b) Have a non-resettable fuel meter or acceptable alternative as approved by the APCO, CARB and USEPA, to determine fuel consumption.

(F) Compliance Test Requirements and Methods

- (1) The owner/operator of any engine subject to this rule shall:
 - (a) Provide source test information regarding the exhaust gas; specifically for NO_x, VOC reported as methane and CO concentrations (concentrations in ppm by volume, corrected to 15% oxygen on dry basis) according to the following schedule:
 - (i) Once each 8,760 hours of operation or once every 24 months whichever period is shorter;
 - (ii) Compliance testing shall be conducted under conditions that are typical of normal Engine load and duty cycle
 - (iii) The compliance test shall be conducted and the report received at the District not less than 90 days prior to the Engines permit renewal date
 - (b) Conduct testing to verify compliance in accordance with the following test methods:
 - (i) NO_x emissions subject to the provisions of this rule shall be determined by the procedure detailed in EPA Test Method 7E.
 - (ii) CO emissions by EPA Test Method 10.
 - (iii) VOC emissions by EPA Test Method 25, 25A or 25B.
 - (iv) Other test methods determined to be equivalent after review by the staffs of the District, CARB, and the USEPA, and approved in writing by the APCO, may also be used to determine compliance with provisions of this rule.

(G) Record Keeping and Reporting

- (1) The owner/operator of any Engine shall maintain an Engine operating log on a monthly basis that includes:
 - (a) The total hours of operation for each day of operation; and
 - (b) Type and quantity of fuel used (liquid/gas); and

- (c) The cumulative hours of operation since the last source test required in subsection (F)(1); and
 - (d) The purpose or reason for operating the Engine for each day of operation.
 - (e) The results of any screening analysis or alternative screening analysis if required pursuant to subsection (D)(2).
- (2) Required records and data shall be available for inspection any time, remain at the Facility for five (5) years, and upon request, be submitted to the APCO at the end of each calendar year in a manner and form approved by the APCO

(H) Exemptions

- (1) The provisions of sections (C), (D), (E), (F), and (G) shall not apply to:
- (a) Engines operated for the purpose of performance verification and testing.
 - (b) Auxiliary Engines used to power other Engines or gas turbines during start-ups.
 - (c) Portable Engines that are registered under the Statewide Portable Equipment Registration Program pursuant to Title 13, Article 5 of the CCR.
- (2) The provisions of sections (C), (D), and (F) shall not apply to:
- (a) The operation of any Engine during the existence of any officially declared disaster or state of emergency.
 - (b) Emergency Engines and Engines used for fire-fighting and flood control.
 - (c) Non-Road Engines.
 - (d) Laboratory Engines used in research and testing purposes.
 - (e) Supplemental Engines which operate for the manufacture of snow which have a Facility limit to operate 1200 hours or less during seasonal operations (November 1 through April 15).

See SIP Table at www.avaqmd.ca.gov

RESOLUTION _____

A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 1110.2-EMISSIONS FROM STATIONARY, NON-ROAD AND PORTABLE INTERNAL COMBUSTION ENGINES AND DIRECTING STAFF ACTIONS.

On, September 18, 2018, 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, on May 15, 2001 the Antelope Valley Air Pollution Control District (AVAPCD), the predecessor agency to the Antelope Valley Air Quality Management District (AVAQMD) adopted amendments to Rule 1110.2; and

WHEREAS, since Rule 1110.2 was inherited by the AVAPCD from the South Coast Air Quality Management District (SCAQMD) it contained provisions which did not apply within the District as well as implementation dates which had expired and other provisions which were not consistent with State and Federal requirements; and

WHEREAS, the May 15, 2002 amendments corrected most of these problems and conformed the rule to AVAPCD rule format; and

WHEREAS, in November 2001, the California Air Resources Board (CARB) adopted a new Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Spark-Ignited Internal Combustion Engines (ICE RACT/BARCT Determination); and

WHEREAS, CARB submitted the May 15, 2002 version of the rule to the United States Environmental Protection Agency (USEPA) as a revision to the State Implementation Plan (SIP) on December 14, 2001; and

WHEREAS, on August 7, 2002 USEPA expressed concern that certain provisions of Rule 1110.2 as adopted on May 15, 2001 were not completely consistent with the November ICE RACT/BARCT Determination; and

//

RESOLUTION _____

1 **WHEREAS**, the Federal Clean Air Act requires areas designated nonattainment for ozone and
2 classified moderate and above to adopt and maintain reasonably available control technology (RACT)
3 rules for major stationary sources of volatile organic compounds (VOCs) and Oxides of Nitrogen (NOx);
4 and

5 **WHEREAS**, the Antelope Valley is subject to the RACT rule requirements because it has been
6 designated nonattainment for Ozone and classified Severe-17; and

7 **WHEREAS**, therefore, USEPA could not approve a SIP revision which was not consistent with
8 the most recent ICE RACT/BARCT Determination even though the ICE RACT/BARCT Determination
9 had been adopted subsequent to the adoption of the Rule; and

10 **WHEREAS**, the AVAQMD subsequently amended Rule 1110.2 on May 15, 2001 and January
11 21, 2004; and

12 **WHEREAS**, USEPA proposed a Limited Approval/Limited Disapproval (69 FR 211482) of the
13 revision; and

14 **WHEREAS**, the LA/LD also included a request for justification of the seasonal exemption for
15 engines used for snow manufacturing and ski lift operation, request for correction of several citations and
16 increasing record retention from 2 years to 5 years; and

17 **WHEREAS**, specifically USEPA was concerned that the agricultural exemption, and possibly the
18 snow/ski exemption disqualified Rule 1110.2 from meeting RACT; and

19 **WHEREAS**, this item was noticed for the September 18, 2018 Governing Board meeting, and

20 **WHEREAS** the District has the authority pursuant to California Health and Safety Code (H&S
21 Code) §40702 to adopt, amend or repeal rules and regulations; and

22 **WHEREAS**, the proposed amendments to Rule 1110.2 are clear in that they are written so that the
23 persons subject to the rule can easily understand the meaning; and

24 **WHEREAS**, the proposed amendments to Rule 1110.2 are in harmony with, and not in conflict
25 with or contradictory to any state law or regulation, federal law or regulation, or court decisions; and

26 **WHEREAS**, the proposed rule is consistent with current federal RACT as determined by
27 comments from USEPA, other related national rules and guidance and the rules of other California air
28 districts with nonattainment designations; and

RESOLUTION _____

1 **WHEREAS**, the proposed amendments do not impose the same requirements as any existing state
2 or federal regulation and a rule is necessary to implement the applicable provisions of these documents;
3 and

4 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H&S Code
5 §40725, concerning the proposed amendments to Rule 1110.2; and

6 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR §15308) for the
7 proposed amendments to Rule 1110.2, completed in compliance with the California Environmental
8 Quality Act (CEQA), has been presented to the AVAQMD Board; each member having reviewed,
9 considered and approved the information contained therein prior to acting on the proposed amendments to
10 Rule 1110.2, and the AVAQMD Board having determined that the proposed amendments will not have
11 any potential for resulting in any adverse impact upon the environment; and

12 **WHEREAS**, the Board has considered the evidence presented at the public hearing; and

13 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the AVAQMD finds
14 that the proposed amendments to Rule 1110.2 – *Emissions from Stationary, Non-Road and Portable*
15 *Internal Combustion Engines* are necessary, authorized, clear, consistent, non-duplicative and properly
16 referenced; and

17 **BE IT FURTHER RESOLVED**, that the Governing Board of the AVAQMD hereby makes a
18 finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies the Notice of
19 Exemption for the proposed amendments to Rule 1110.2; and

20 **BE IT FURTHER RESOLVED**, that the Board of the AVAQMD does hereby adopt, pursuant to
21 the authority granted by law, the proposed amendments to Rule 1110.2, as set forth in the attachments to
22 this resolution and incorporated herein by this reference; and

23 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption,
24 that the Senior Executive Analyst is directed to file the Notice of Exemption in compliance with the
25 provisions of CEQA.

26 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Antelope Valley Air Quality
27 Management District by the following vote:

28 //

RESOLUTION _____

1 AYES: MEMBER:
2 NOES: MEMBER:
3 ABSENT: MEMBER:
4 ABSTAIN: MEMBER:

5
6 STATE OF CALIFORNIA)
7 COUNTY OF LOS ANGELES) SS:
8)

9 I, Deanna Hernandez, Senior Executive Analyst of the Antelope Valley Air Quality Management
10 District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the
11 same appears in the Official Minutes of said Governing Board at its meeting of September 18, 2018.

12 _____
13 Senior Executive Analyst
14 Antelope Valley Air Quality Management District.

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