



Location:

Governing Board Chambers
14306 Park Avenue
Victorville, CA 92392
www.MDAQMD.ca.gov

MONDAY, JANUARY 24, 2022

10:00 a.m.

THIS MEETING IS BEING HELD IN ACCORDANCE WITH RESOLUTION 22-01 OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT AUTHORIZING ATTENDANCE BY BOARD MEMBERS, STAFF AND THE PUBLIC AND CONDUCT OF THE MEETING BY TELECONFERENCE, VIDEOCONFERENCE OR BOTH FOR THE PERIOD OF JANUARY 24, 2022 THROUGH FEBRUARY 24, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT.

JOIN BY PHONE, DIAL US: 1.701.802.5348 AND ENTER ACCESS CODE 5765772.

IF YOU ATTEND THE MEETING IN PERSON PLEASE NOTE THAT CERTAIN ELECTRONIC DEVICES HAVE, IN THE PAST, CAUSED ISSUES WITH THE TELECONFERENCE AND/OR AUDIO CONTENT OF THE MEETING. IF SUCH ISSUES OCCUR YOU MAY BE ASKED TO ADJUST YOUR DEVICE SO THAT THE MEETING MAY CONTINUE IN AN ORDERLY MANNER.

TO ENSURE RECEIPT OF PUBLIC COMMENTS YOU MAY E-MAIL YOUR COMMENTS TO PUBLICCOMMENT@MDAQMD.CA.GOV IN ADDITION TO PARTICIPATION AT THE MEETING. TO ENSURE PROPER DISTRIBUTION AND AVAILABILITY PLEASE SEND YOUR COMMENTS AT LEAST 48 HOURS BEFORE THE MEETING.

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

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

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.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call.

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

Special Announcements/Presentations:

- A. Employee Retirement: Christopher Collins.
- B. Employee Recognition Service Award: Alan De Salvio – 30 years (Nov), Daniel Concho – 10 years (Nov), May Mamari – 5 years (Dec), Chris Wills – 5 years (Jan).

Election of Chair and Vice Chair for 2022.

PUBLIC COMMENT

CONSENT CALENDAR

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

1. [Adopt a resolution reaffirming the local Declaration of Emergency as adopted on April 27, 2020; ratifying the proclamation of a State of Emergency by the Governor on March 4, 2020; and authorizing remote teleconference meetings of the Governing Board of the Mojave Desert Air Quality Management District \(MDAQMD\) for the period of January 24, 2022 through February 24, 2022 pursuant to provisions of the Brown Act. Presenter: Brad Poiriez, Executive Director/APCO.](#)
2. [Approve Minutes from Regular Governing Board Meeting of October 25, 2021.](#)
3. [Receive and file the District Activity Report. Presenter: Brad Poiriez, Executive Director/APCO.](#)
4. [Receive and file Financial Reports through November 2021. Presenter: Laquita Cole, Finance Manager.](#)
5. [Receive and file the Legislative Report for January 2022. Presenter: Brad Poiriez, Executive Director/APCO.](#)
6. [Set Date of February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District Rule 404 — Particulate Matter – Concentration as it appears in the SIP for the Blythe/Palo Verde Valley portion of](#)

the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replacement with current MDAQMD Rule 404 -Particulate Matter – Concentration. Presenter: Alan De Salvio, Deputy APCO.

7. Set Date of February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District Rule 405 — Solid Particulate Matter – Weight as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replacement with current MDAQMD Rule 405 -Solid Particulate Matter – Weight. Presenter: Alan De Salvio, Deputy APCO.

ITEMS FOR DISCUSSION

8. DEFERRED ITEMS.
9. PUBLIC COMMENT.
10. Discuss composition of the Budget Committee and the Personnel Committee. Presenter: Brad Poiriez, Executive Director/APCO, on behalf of the Governing Board Chair.
11. Conduct a public hearing to consider the amendment of Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP) as well as to receive and file updates to the Airborne Toxic Control Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications: 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 900 and Rule 100, and directing staff actions. Presenter: Alan De Salvio, Deputy APCO.
12. Conduct a public hearing to consider the Amendment of Rule 1126 – Municipal Solid Waste Landfills: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions. Presenter: Alan De Salvio, Deputy APCO.
13. Reports: Executive Director.
14. Board Members Comments and Suggestions for future agenda items.

In compliance with the Americans with Disabilities act, if special assistance is needed to participate in the Board Meeting, please contact Deanna Hernandez during regular business hours at 760.245.1661 x6244. 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 www.mdaqmd.ca.gov or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov .

Mailed & Posted on: Tuesday, January 18, 2022.

Approved:

Deanna Hernandez

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Adopt a resolution reaffirming the local Declaration of Emergency as adopted on April 27, 2020; ratifying the proclamation of a State of Emergency by the Governor on March 4, 2020; and authorizing remote teleconference meetings of the Governing Board of the Mojave Desert Air Quality Management District \(MDAQMD\) for the period of January 24, 2022 through February 24, 2022 pursuant to provisions of the Brown Act. Presenter: Brad Poiriez, Executive Director/APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #1

DATE: January 24, 2022

RECOMMENDATION: Adopt a resolution reaffirming the local Declaration of Emergency as adopted on April 27, 2020; ratifying the proclamation of a State of Emergency by the Governor on March 4, 2020; and authorizing remote teleconference meetings of the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) for the period of January 24, 2022 through February 24, 2022 pursuant to provisions of the Brown Act.

SUMMARY: This action will allow members of the MDAQMD Governing Board to continue to meet via teleconference for the January 24, 2022 Governing Board Meeting in the same manner and using the same means of compliance with the Brown Act as has been done since early 2020.

BACKGROUND: On March 4, 2020 the Governor declared a State of Emergency in California due to the impacts of the novel corona virus (COVID-19). As part of the State of Emergency the Governor issued a variety of Executive Orders, specifically N-25-20, N-29-20, and N-35-20, allowing local and state agencies to hold public meetings using remote means without complying with certain specified provisions of the Ralph M. Brown Act, Government Code §§54950-54963. The waived provisions involved the ability to conduct remote meetings without: identification of all remote locations, agenda posting at all locations used, and public access to all the remote sites. Also waived was the requirement that a quorum of teleconferencing members be physically located within the jurisdiction.

On June 11, 2021 the Governor issued Executive Order N-08-21 which set forth a timetable for the resumption of applicability of those previously waived provisions. Specifically, the normal provisions of the Brown Act were to resume on September 30, 2021 and any meetings subject to the Brown Act after that date would be required to comply with all applicable provisions of the Act as it existed prior to the original State of Emergency proclamation.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #1

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The California Legislature responded to the order N-08-21 by passing AB361 of 2021 which allowed the continued waiver of certain provisions of the Brown Act under certain specified conditions of emergency. The Governor signed AB361 on September 16, 2020 and thereafter issued Executive Order N-15-21 to allow meetings prior to October 1, 2021 to continue to be conducted under prior executive orders but that any meeting occurring on or after October 1, 2021 must be conducted pursuant to the provisions of the Brown Act as it existed prior to the original Executive Order waiver OR the local agency must comply with the provisions of AB361 to continue the waiver of certain provisions in 30 day increments.

The adoption of the attached resolution complies with the provisions of AB361 and will allow the Governing Board to conduct its January 24, 2022 meeting in the same manner as it has been conducting meetings throughout the pandemic emergency. It will also all the Governing Board the option of conducting the February meeting in the same manner if necessary. Regularly schedule Governing Board meeting agendas for future dates in 2022 will include an action item allowing MDAQMD to comply with the provisions of AB361 to all continuance in 30-day increments if such becomes necessary.

REASON FOR RECOMMENDATION: AB361 of 2021 requires a Governing Board resolution making findings and declaring (or ratifying) a local emergency to allow waiver of specific Brown Act meeting provisions.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director/APCO

RESOLUTION 22-01

1 A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR
2 QUALITY MANAGEMENT DISTRICT REAFFIRMING THE LOCAL DECLARATION OF
3 EMERGENCY AS ADOPTED ON APRIL 27, 2020; RATIFYING THE PROCLAMATION OF A
4 STATE OF EMERGENCY BY GOVERNER ON MARCH 4, 2020; AND AUTHORIZING
5 REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD OF THE MOJAVE
6 DESERT AIR QUALITY MANAGEMENT DISTRICT FOR THE PERIOD OF JANUARY 24, 2022
7 THROUGH FEBRUARY 24, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT.

8 On January 24, 2022, on motion by Member _____, seconded by Member _____, and
9 carried, the following resolution is adopted:

10 **WHEREAS**, the Governing Board of the Mojave Desert Air Quality Management District
11 (MDAQMD) is committed to preserving and nurturing public access and participation in all meetings
12 subject to the provisions of the Ralph M. Brown Act (Cal. Gov. Code §§54950-54963, hereafter Brown
13 Act); and

14 **WHEREAS**, pursuant to the provision of the Brown Act all meetings of legislative bodies of the
15 MDAQMD are required to be open and public so that any member of the public may attend, participate,
16 and watch the MDAQMD’s legislative bodies conduct their business; and

17 **WHEREAS**, Government Code §54953(e), makes provisions for remote teleconferencing
18 participation in meetings by members of a legislative body, without compliance with the requirements of
19 Government Code §54953(b)(3), subject to the existence of certain conditions; and

20 **WHEREAS**, a required condition is that a state of emergency has been declared by the Governor
21 pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril
22 to the safety of persons and property within the state caused by conditions as described in Government Code
23 §8558; and

24 **WHEREAS**, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California
25 as a result of the threat of the novel coronavirus (COVID-19); and

26 **WHEREAS**, another required condition is that a proclamation is made when there is an actual
27 incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions
28 that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and;
and

WHEREAS, the jurisdiction of the MDAQMD includes areas in the Counties of Riverside and San
Bernardino as set forth in Health & Safety Code §41210 and MDAQMD Rule 103; and

RESOLUTION 22-01

1 **WHEREAS**, on March 10, 2020 the Riverside County Board of Supervisors made such declaration
2 of emergency; and

3 **WHEREAS**, on March 10, 2020 the San Bernardino County Board of Supervisors made such a
4 declaration of emergency; and

5 **WHEREAS**, it is further required that state or local officials have imposed or recommended
6 measures to promote social distancing, or, the legislative body meeting in person would present imminent
7 risks to the health and safety of attendees; and

8 **WHEREAS**, local, and California public authorities still recommend social distancing and/or mask
9 wearing indoors and in public gatherings as well as recommending compliance with the latest advice issued
10 by the Center for Disease Control (CDC) regarding same; and

11 **WHEREAS**, the spread of the highly infectious Omicron Variant and continued spread of the Delta
12 Variant of COVID-19 poses an immanent risk to the health and safety of both members of the MDAQMD
13 legislative bodies as well as to any members of the general public which attend such meetings in that
14 unvaccinated or partially vaccinated persons are at high risk of contracting this variant and even fully
15 vaccinated persons can contract and potentially unknowingly spread the variant; and

16 **WHEREAS**, on April 27, 2020 the MDAQMD Governing Board proclaimed a local state of
17 emergency due to COVID-19 pursuant to the authority of Health & Safety Code §40701(f) which allows
18 the MDAQMD to take such acts that are necessary or proper to ensure the accomplishment of the purposes
19 of Division 26 of the Health & Safety Code; and

20 **WHEREAS**, the Governing Board of the MDAQMD finds that the highly infectious nature of the
21 new and existing Variants of COVID-19 has caused and continues to cause conditions of peril to the safety
22 of persons within the MDAQMD that are likely to be beyond the control of services, personnel, equipment,
23 and facilities of the MDAQMD and desires to ratify its declaration of local emergency as well as ratify the
24 proclamation of state of emergency by the Governor of the State of California; and

25 **WHEREAS**, as a consequence of the local emergency, the Governing Board of the MDAQMD
26 does hereby find that the legislative bodies of the MDAQMD shall conduct their meetings without
27 compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by
28 subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to

RESOLUTION 22-01

1 provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section
2 54953; and

3 **WHEREAS**, the legislative bodies of the MDAQMD will continue to ensure access to its meetings
4 by holding its meetings in person, at noticed teleconferenced locations, telephonically and via virtual access
5 for both members of the legislative bodies and the general public; and

6 **WHEREAS**, notice of meetings along with information regarding all methods which may be used
7 for public participation in such meetings will continue to be published in the newspaper, posted at the
8 MDAQMD’s headquarters, posted at any teleconference locations which are officially noticed on the
9 agenda, posted on the MDAQMD’s website, provided to anyone who requests such information, and clearly
10 printed on any agendas produced for such meetings.

11 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the MDAQMD hereby
12 finds that highly contagious nature of the new and existing Variants of COVID-19 poses an imminent risk
13 to large numbers of persons meeting indoors in a single location; and

14 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby finds that a
15 local emergency still remains throughout the MDAQMD’s jurisdiction; and

16 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby ratifies its
17 proclamation of local emergency as contained in Resolution 20-03 of April 27, 2020; and

18 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby ratifies the
19 Proclamation of Emergency as issued by the Governor of California on March 4, 2020; and

20 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD authorizes and
21 directs staff to take all actions necessary to carry out the intent and purpose of this Resolution including,
22 conducting open and public meetings in accordance with Government Code section 54953(e) and other
23 applicable provisions of the Brown Act; and

24 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption
25 and remain in effect until February 24, 2022 or until such time as the MDAQMD Governing Board adopts
26 a subsequent resolution in accordance with Government Code Section §54953(e)(3) to extend the time
27 during which legislative bodies of the MDAQMD may continue to teleconference without strict compliance
28 with paragraph 3 of Government Code §54953(b).

RESOLUTION 22-01

1 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Mojave Desert Air Quality
2 Management District by the following vote:

- 3 AYES: MEMBER:
- 4 NOES: MEMBER:
- 5 ABSENT: MEMBER:
- 6 ABSTAIN: MEMBER:

7

8 STATE OF CALIFORNIA)
9 COUNTY OF SAN BERNARDINO) SS:
10)

11

12 I, Deanna Hernandez, Senior Executive Analyst of the Mojave Desert Air Quality Management
13 District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the
14 same appears in the Official Minutes of said Governing Board at its meeting of January 24, 2022.

15 _____
16 Senior Executive Analyst,
17 Mojave Desert Air Quality Management District.

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The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of October 25, 2021.](#)
Please scroll down to view the backup material.

Mojave Desert Air Quality Management District
Brad Poiriez, Executive Director
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2699
www.MDAQMD.ca.gov • @MDAQMD



REGULAR GOVERNING BOARD MEETING
MONDAY, OCTOBER 25, 2021 - 10:00 A.M.
MDAQMD OFFICES, BOARD CHAMBERS
VICTORVILLE, CA

DRAFT MINUTES

Board Members Present:

Merl Abel, Town of Yucca Valley, **Chair**
Elizabeth Becerra, City of Victorville
Brigit Bennington, City of Hesperia – *via Zoom*
Paul Cook, San Bernardino County, 1st District Supervisor
Joseph “Joey” DeConinck, City of Blythe – *via Zoom*
Steevonna Evans, City of Adelanto – *via Zoom*
Kari Leon, Town of Apple Valley, **Vice Chair**
Dan Mintz, Sr., City of Twentynine Palms – *via Zoom*
Barbara Riordan, Public Member – *via Zoom*
Dawn Rowe, San Bernardino County, 3rd District Supervisor – *via Zoom*

Board Members Absent:

V. Manuel Perez, Riverside County, 4th District Supervisor
Tim Silva, City of Barstow
Jeff Williams, City of Needles

CALL TO ORDER

Chair **MERL ABEL** called the meeting to order at 10:03 am and asked Executive Director/APCO **BRAD POIRIEZ** to lead the Pledge of Allegiance.

Chair **MERL ABEL** called for Roll Call – Deanna Hernandez, Senior Executive Analyst, called roll.

Special Announcements/Presentations:

- A. Presentation of 2020/2021 Exemplar Award. Presenter: Brad Poiriez, Executive Director/APCO.

SoCal Gas operates six Title V facilities, two bases and one interconnection point within MDAQMD's District. SoCal Gas provides natural gas to more than 21 million customers spanning some 24,000 square miles across 12 counties. Recently, SoCal Gas announced an audacious net zero target, making it the largest gas distribution utility in North America to announce its intent to go carbon neutral. SoCal Gas is working with MDAQMD in retrofitting/replacing its compressor engines, turbines, and/or generators with emissions control technologies such as catalytic reduction systems. In addition, SoCal Gas has been diligently working to implement its leak detection and repair program while trying to eliminate 100% of vented gas during planned transmission pipeline work by utilizing new technology like cross-compression.

Based upon these accomplishments, we thank SoCal Gas for their continued commitment to creating a healthy air environment for the High Desert. The District is honored to name SoCal Gas this year's Exemplar Award winner. SoCal Gas representatives Kristine Scott, Senior Public Affairs Manager, Alison Wong, Senior Environmental Specialist, and SoCal Gas Supervisors Bill Temple, Scott Brewer, Justin Griffis and Annie Ho were present to accept the award.

Board Member **PAUL COOK** congratulated SoCal Gas for receiving the District's 2020/2021 Exemplar Award.

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel. Chair **MERL ABEL** asked if any members wished to indicate a conflict of interest in regards to any agenda items. No Members did so.

Chair **MERL ABEL** called for **PUBLIC COMMENT**. At this time, no public comment was made in person, telephonically or electronically, moved onto **CONSENT CALENDAR**.

CONSENT CALENDAR –Chair **MERL ABEL** polled the Board to determine if any member wished pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **ELIZABETH BECERRA**, seconded by Board Member **PAUL COOK**, and carried by the following roll call vote, with ten **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ, Sr., BARBARA RIORDAN, and DAWN ROWE**, with Board Members **V. MANUEL PEREZ, TIM SILVA and JEFF WILLIAMS absent**, on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of September 27, 2021.

Approved Minutes from Regular Governing Board Meeting of September 27, 2021.

Agenda Item 2 – Authorize the encumbrance of AB2766 grant funds for disbursement in Fiscal Year 23 as described in the amended Mobile Source Emission Reductions Program (MSERP)

Workplan in Exhibit A; and authorize the Executive Director/APCO to revise the budget accordingly.

Presenter: Jorge Camacho, Grants Analyst.

Authorized the encumbrance of AB2766 grant funds for disbursement in Fiscal Year 23 as described in the amended Mobile Source Emission Reductions Program (MSERP) Workplan in Exhibit A; and **authorized** the Executive Director/APCO to revise the budget accordingly.

Agenda Item 3 – Authorize (1) participation in Year 24 of the Carl Moyer Program, (2) authorize application submittal, (3) authorize the Executive Director/APCO to negotiate technical program details, execute contract with CARB approved as to legal form by the Office of District Counsel, (4) authorize acceptance and encumbrance of funds (5) authorize the Executive Director/APCO to revise budget accordingly.

Presenter: Jorge Camacho, Grants Analyst.

Authorized (1) participation in Year 24 of the Carl Moyer Program, (2) **authorized** application submittal, (3) **authorized** the Executive Director/APCO to negotiate technical program details, execute contract with CARB approved as to legal form by the Office of District Counsel, (4) **authorized** acceptance and encumbrance of funds (5) **authorized** the Executive Director/APCO to revise budget accordingly.

Agenda Item 4 – (1) Adopt a Resolution authorizing the District’s continuing participation in the Funding Agricultural Replacement Measures for Emission Reductions (FARMER)Program through Fiscal Year 2024-25, (2) authorize application submittal, (3) authorize the Executive Director/APCO to negotiate technical program details, execute contract with CARB approved as to legal form by the Office of District Counsel, (4) authorize acceptance and encumbrance of funds (5) authorize the Executive Director/APCO to revise budget accordingly.

Presenter: Jorge Camacho, Grants Analyst.

(1) **Adopted** Resolution 21-10, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT AUTHORIZING PARTICIPATION AND ACCEPTANCE OF FARMER INCENTIVE FUNDING FROM THE CALIFORNIA AIR REOSURCES BOARD**”, (2) **authorized** application submittal, (3) **authorized** the Executive Director/APCO to negotiate technical program details, execute contract with CARB approved as to legal form by the Office of District Counsel, (4) **authorized** acceptance and encumbrance of funds (5) **authorized** the Executive Director/APCO to revise budget accordingly.

Agenda Item 5 – Receive and file Policies and Procedures Manual for the District’s Carl Moyer Program (Moyer Program). Acknowledge addition of Appendix B.

Presenter: Jorge Camacho, Grants Analyst.

Received and filed Policies and Procedures Manual for the District’s Carl Moyer Program (Moyer Program). Acknowledge addition of Appendix B.

Agenda Item 6 – Receive and file Policies and Procedures Manual for the District’s Community Air Protection Program (CAP).

Presenter: Jorge Camacho, Grants Analyst

Received and filed Policies and Procedures Manual for the District’s Community Air Protection Program (CAP).

Agenda Item 7 – Receive and file the District Activity Report.

Presenter: Brad Poiriez, Executive Director/APCO.

Received and filed the District Activity Report.

Agenda Item 8 – Receive and file Financial Reports through August 2021.

Presenter: Laquita Cole, Finance Manager

Received and filed Financial Reports through August 2021.

Agenda Item 9 – Receive and file the Legislative Report for October 2021.

Presenter: Brad Poiriez, Executive Director/APCO

Received and filed the Legislative Report for October 2021.

Agenda Item 10 – Set Date of January 24, 2022 to conduct a public hearing to consider the amendment of Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP), as well as to receive and file updates to the Airborne Toxic Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications.

Presenter: Alan De Salvio, Deputy APCO

Date set January 24, 2022 to conduct a public hearing to consider the amendment of Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP), as well as to receive and file updates to the Airborne Toxic Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications.

Agenda Item 11 – Set Date of January 24, 2022 to conduct a public hearing to consider the amendment of Rule 1126 – Municipal Solid Waste Landfills and approval of California Environmental Quality Act (CEQA) documentation.

Presenter: Alan De Salvio, Deputy APCO

Date set January 24, 2022 to conduct a public hearing to consider the amendment of Rule 1126 – Municipal Solid Waste Landfills and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 12 – DEFERRED ITEMS.

None.

Agenda Item 13 – PUBLIC COMMENT.

No public comment was made in person, telephonically or electronically.

Agenda Item 14 – Receive and file. This item reports the status of the District’s Other Post-Employment Benefits (OPEB) and Pension Rate Stabilization Program (PRSP) irrevocable trust and investment summary.

Presenter: Laquita Cole, Finance Manager.

Laquita Cole, Finance Manager, presented the background information and answered questions from the Board. Chair **MERL ABEL received and filed** this item on behalf of the board.

Agenda Item 15 – Presentation – Planning and Rulemaking, Ozone, SIPs and More.

Presenter: Alan De Salvio, Deputy APCO.

Alan De Salvio, Deputy APCO, presented a power point presentation and answered questions from the Board. No action taken by the Board as this item is information only.

Agenda Item 16 – Reports:

Special notes from M. Poiriez:

- ❖ **Governor signed AB 1346 (Berman). Small Off-Road Engines.** Requires ARB, by July 1, 2022, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new SOREs, as defined by ARB. Requires the regulations to apply to engines produced on or after January 1, 2024, or as soon as ARB determines is feasible, whichever is later. Additionally, the author, was successful with his budget request (\$30M) for incentive funding to help sole proprietors and small landscaping companies transition to zero-emission equipment.
- ❖ CARB has announced a Dec. 9th Board hearing to consider Proposed Amendments to the SORE regulation: transition to Zero Emissions.
- ❖ Next Board meeting will be held in Jan. 2022, November and December Board meetings are historically cancelled due to holidays.
- ❖ Everyone have a safe and happy holiday season and see you next year.

Mr. Poiriez updated the Board of past events:

- Sept. 28-29 – Participated in the CAPCOA Board meeting and Legislative Retreat. I was selected to chair the Medium District APCO section for the coming year, and also voted to remain on the CAPCOA Board of Directors. Other items of discussion: Carl Moyer program revisions (cost-effectiveness), Governor Emergency Proclamation on Electricity, AB617 updates, Brown Act discussion for AB361. Legislation – talked about priorities – AB8 reauthorization efforts, budget priorities - Moyer, FARMER, 617, Wildfire.
- Oct. 6 – California Clean Air Day – participated via social media
- Oct. 6 – attended the morning VMI – State of the County
- Oct. 6 – Participated my WRAP Board call
- Oct. 6 – Attended SBC – State of the County
- Oct. 7 – met with representatives of Specialty Minerals to go over compliance, permits and requirements.
- October 12 – Was contacted by E. Kern APCD to see if we were willing to receive \$486k of their FARMER money to be utilized in MDAQMD – of course.
- October 15 – Had a call with CARB executive staff regarding – SIP Contingency Measures, FARMER, and Moyer edits
- October 18 – Attended State of the City – Hesperia.
- Oct. 20 – Participated in the MEEC Board meeting.
- Oct. 21 – Attended High Desert Opportunity Summit

Mr. Poiriez updated the Board of coming events:

- October 25-28 – will attend the CAPCOA Fall membership meeting in person in Sacramento.
- Nov.2-4 – hosting CDAWG in Las Vegas.

Agenda Item 17 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **DECONINCK** comment on the FARMER grants lead time for equipment.

Being no further business, Chair **MERL ABEL** adjourned the meeting at **10:50 a.m.** to the next Regular Meeting of *January 24, 2022*.

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

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #3

DATE: January 24, 2022

RECOMMENDATION: Receive and file the District Activity Report.

BACKGROUND: The following reports reflect information regarding the District's activities in the following areas:

- Operations – including permitting and compliance
- Communications – including events where the District participates and is represented, and upcoming events.

Staff is available to answer questions as needed.

REASON FOR RECOMMENDATION: These reports are for information only.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Brad Poiriez, Executive Director on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director/APCO.

Interoffice Memo

From: Alan De Salvio *ADS*
Deputy Air Pollution Control Officer
adesalvio@mdaqmd.ca.gov

To: Brad Poiriez
Executive Director
bradp@mdaqmd.ca.gov

Date: 1/6/2022

Subject: December 2021 Operations Activity Report



Permit Inspections Completed – 416 (93% in compliance)
Notices to Comply (NTCs) Issued – 16
Notices of Violation (NoVs) Issued – 16
Outstanding NoVs – 45 (11 in settlement)
Delinquent Permit Follow-Ups – 14
Breakdowns – 10
Vapor Recovery Tests Witnessed – 3
Complaints – 13
Complaint Investigations – 13
Asbestos Notifications – 5
Asbestos Project Inspections – 0

Permit Applications Received – 5 [and 1 for AVAQMD]
Permit Changes Processed – 70 [including AVAQMD]
Title V Permit Actions In Progress - 12 [including AVAQMD]
Permits Issued – 560 [28]
Active Companies - 710 [281]
Active Facilities - 1397 [532] (39 [4] Title V Facilities)
Active Permits - 4595 [1122]
Certificate of Occupancy/Building Permit Reviews – 33

Project Comment Letters – 3

Full SLAMS Air Monitoring Sites:

Barstow (full met,¹ CO, NO_x, O₃, PM₁₀)
Hesperia (full met, O₃, PM₁₀)
Lucerne Valley (full met, PM₁₀)
Phelan (full met, O₃)
Trona (full met, H₂S, NO_x, O₃, SO₂, PM₁₀)
Victorville (full met, CO, NO_x, O₃, SO₂, PM₁₀, PM_{2.5})

Community Sensors:

Two TAPI T640 PM_{2.5} portable trailer-mounted units (one also has PM₁₀)
39 PurpleAir particulate sensors (Apple Valley (3), Baker (2), Barstow, Blythe (2), Earp, Fort Irwin, Gene Intake, Helendale, Hesperia, Joshua Tree, JTNP, Lucerne Valley (2), Morongo Valley (2), Needles (2), Newberry Springs (2), Nipton, Oak Hills/Hesperia (2), Parker Dam, Phelan (2), Pinon Hills, Primm, Trona, Twentynine Palms (2), Victorville (2), Wrightwood, Yermo, Yucca Valley)

¹ Full met is full meteorology (exterior temperature, wind speed, wind direction, exterior pressure and relative humidity)

From: Martial Haprov
Communications Analyst
mhaprov@mdaqmd.ca.gov

To: Brad Poiriez
Executive Director
bradp@mdaqmd.ca.gov

Date: 1/10/2022
Subject: *January 2022*
Communications Activity Report

Interoffice Memo



Twitter verification

MDAQMD's Twitter page was granted official "Verified" status in December. Represented by a circled blue checkmark next to the District's Twitter name, this affirms for viewers/Twitter users that the account is proven to be an official and trustworthy source of information on the platform. MDAQMD is one of only three air districts in California to have earned this distinction on Twitter. Communications staff achieved the status for the Twitter account by completing the platform's extensive questionnaire.

CDAWG

The 2021 CDAWG event in Las Vegas yielded a remarkably positive response and significant profit for MEEC. The event included presentations from California Air Resources Board Executive Officer Richard Corey as returning keynote speaker, U.S. Forest Service, MP Materials, and legislative advocate Bruce Magnani, among others.

Communications staff began actively seeking proposals from venues in the greater San Diego area for the 2022 CDAWG conference. Collectively, the goal is to have a venue and dates secured so Save-the-Dates can be mailed and emailed to past and potential attendees by the beginning of spring.

Adopt-a-Family

Communications staff organized the effort to fulfill the holiday wish list of a local family struggling to make ends meet. This year's family included foster children. MDAQMD staff resounding supported the drive for gifts which included toys, clothes and gift cards. St. Mary Medical Center in Apple Valley provides MDAQMD with the family's list.

Holiday party and luncheon

A majority of MDAQMD staff participated in the annual holiday celebration with lunch from Olive Garden on Dec. 17. Communications has coordinated this event since 2018.

Carl Moyer Program

With Jan. 1 comes the opening of the Carl Moyer Program application submission period. The program is an incentive-based grant funding mechanism aimed at reducing local emissions by replacing older, diesel-

From: Martial Haprov
Communications Analyst
mhaprov@mdaqmd.ca.gov

To: Brad Poiriez
Executive Director
bradp@mdaqmd.ca.gov

Date: 1/10/2022
Subject: *January 2022*
Communications Activity Report

Interoffice Memo



powered heavy-duty equipment with cleaner technologies and procedures. The application period is open through March 31. Communications Analyst Martial Haprov spoke during the Greater High Desert Chamber of Commerce's January Valley Morning Insight meeting on Zoom about the program and application period. Staff is using District social media pages and website to regularly inform the public about the program during the application period.

Open positions

MDAQMD flew five open positions to applicants – two internal, three external – in November. Communications staff assisted Human Resources in this effort through designing and preparing the position announcement flyers/packets and advertising them on social media and the District website. The “We’re Hiring” posts on social media earned more engagements (likes, clicks and shares) than any other posts in November or December.

Learn Before You Burn

Staff utilized social media and the District website to raise awareness about its voluntary burn program which encourages residents in the MDAQMD jurisdiction to reduce woodsmoke pollution. The program, “Learn Before You Burn,” has its own page on the MDAQMD website with simple, easy-to-understand verbiage explaining how residents can help the effort.

The following page(s) contain the backup material for Agenda Item: [Receive and file Financial Reports through November 2021](#). Presenter: [Laquita Cole, Finance Manager](#). Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #4

DATE: January 24, 2022

RECOMMENDATION: Receive and file Financial Reports through November 2021.

SUMMARY: Receive and file the Financial Reports with activity through November 2021, which reflect the District's financial and budgetary performance to date.

BACKGROUND: The Financial Reports provide fiscal information for all funds. The **Balance Sheet** details the District's assets, liabilities, and net position. When combined with the stewardship information within the Statement of Activities, this information presents a comprehensive understanding of the District's financial position as of November 30, 2021.

The **Statement of Revenues and Expenditures** tracks the inflow and outflow of resources and expenditures by source or type. Information for September through November is included.

The **Statement of Activity** focuses on the total organization (as opposed to focusing on funds within the organization) and reports consolidated revenue and expenditure information for September through November. Grant activities are labeled 'Programs'. Grant activity to date has been adjusted to reflect the revenue recognition and matching principle. The target variances are 9% for September, 17% for October, and November is 25%.

The **Registers** list payments for goods and services, and fund transfers for District accounts. The **Grant Summary** includes grant activities for each of the available grants during the month indicated. The **Facilities and Fleet Summary** includes activities related to fixed assets.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director/APCO, on or before December 21, 2021.

FINANCIAL DATA: No change in appropriation is required at this time.

PRESENTER: Laquita Cole, Finance Manager.

Mojave Desert AQMD
Balance Sheet - Governmental Funds
As of November 30, 2021

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Fiduciary Fund</u>	<u>Total</u>
Assets					
Current Assets					
Cash	5,592,982.15	1,893,235.28	1,375,508.37	2,598,872.72	11,460,598.52
Cash Held For Other Fund	389,297.04	516.17	32,619.86	(422,433.07)	0.00
Receivables	1,110,468.58	0.00	0.00	0.00	1,110,468.58
Pre-Paid	74,536.06	0.00	0.00	0.00	74,536.06
Total Current Assets	7,167,283.83	1,893,751.45	1,408,128.23	2,176,439.65	12,645,603.16
Non-Current Assets					
Deferred Outflows	6,281,659.00	0.00	0.00	0.00	6,281,659.00
Total Assets	13,448,942.83	1,893,751.45	1,408,128.23	2,176,439.65	18,927,262.16
Liabilities and Net Position					
Current Liabilities					
Payables	75,823.75	0.00	0.00	0.00	75,823.75
Accruals	1,098,024.46	0.00	0.00	0.00	1,098,024.46
Due to Others	490.00	0.00	0.00	0.00	490.00
Payroll Taxes Liability	(12,662.46)	0.00	0.00	0.00	(12,662.46)
Retirement	(6,202.17)	0.00	0.00	0.00	(6,202.17)
Health	(25,852.54)	0.00	0.00	0.00	(25,852.54)
Other Payroll Deductions	1,391.44	0.00	0.00	0.00	1,391.44
Unearned Revenue	1,698,639.83	0.00	1,398,563.66	0.00	3,097,203.49
Total Current Liabilities	2,829,652.31	0.00	1,398,563.66	0.00	4,228,215.97
Net Pension Liability	13,570,334.00	0.00	0.00	0.00	13,570,334.00
Net OPEB Liability	506,364.00	0.00	0.00	0.00	506,364.00
Deferred Pension Inflows	1,029,814.00	0.00	0.00	0.00	1,029,814.00
Deferred OPEB Inflows	336,541.00	0.00	0.00	0.00	336,541.00
Total GASB Liabilities	15,443,053.00	0.00	0.00	0.00	15,443,053.00
Restricted Fund Balance	371,858.28	2,035,912.24	9,564.57	1,081,606.84	3,498,941.93
Committed Fund Balance	1,362,080.00	0.00	0.00	0.00	1,362,080.00
Budget Stabilization	250,000.00	0.00	0.00	0.00	250,000.00
Retirement Reserves	0.00	0.00	0.00	1,099,397.51	1,099,397.51
Unassigned Fund Balance	(405,328.62)	0.00	0.00	0.00	(405,328.62)
Adjustments to Fund Balance - GASB 68	(6,953,802.00)	0.00	0.00	0.00	(6,953,802.00)
Compensated Absences	450,000.00	0.00	0.00	0.00	450,000.00
Pre Paid	7,194.13	0.00	0.00	0.00	7,194.13
Change in Net Position	94,235.73	(142,160.79)	0.00	(4,564.70)	(52,489.76)
Total Liabilities & Net Position	13,448,942.83	1,893,751.45	1,408,128.23	2,176,439.65	18,927,262.16

Mojave Desert AQMD
Statement of Revenues & Expenditures
For the Period Ending September 30, 2021

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Fiduciary Fund</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>					
Antelope Valley Air Quality Mngmnt Contract	196,434.63	0.00	0.00	0.00	196,434.63
Other Contracts	0.00	0.00	0.00	0.00	0.00
Application and Permit Fees	640,128.57	0.00	0.00	0.00	640,128.57
AB 2766 and Other Program Revenues	91,643.37	61,048.91	0.00	0.00	152,692.28
Fines	4,598.02	0.00	0.00	0.00	4,598.02
Investment Earnings	0.00	0.00	0.00	(71,883.62)	(71,883.62)
Federal and State	63,471.02	0.00	0.00	0.00	63,471.02
Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Revenues	996,275.61	61,048.91	0.00	(71,883.62)	985,440.90
<u>Expenditures</u>					
Salaries and Benefits	634,329.97	0.00	0.00	0.00	634,329.97
Services and Supplies	55,729.91	0.00	0.00	1,142.94	56,872.85
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	690,059.88	0.00	0.00	1,142.94	691,202.82
Excess Revenue Over (Under) Expenditures	306,215.73	61,048.91	0.00	(73,026.56)	294,238.08

Mojave Desert AQMD
Statement of Revenues & Expenditures
For the Period Ending October 31, 2021

Financial Report

	<u>General</u> <u>Fund</u>	<u>Mobile</u> <u>Emissions</u> <u>Program</u>	<u>Carl</u> <u>Moyer</u> <u>Program</u>	<u>Fiduciary</u> <u>Fund</u>	<u>Total</u> <u>Governmental</u> <u>Funds</u>
<u>Revenues</u>					
Antelope Valley Air Quality Mngmnt Contract	120,402.02	0.00	0.00	0.00	120,402.02
Other Contracts	0.00	0.00	0.00	0.00	0.00
Application and Permit Fees	591,613.87	0.00	0.00	0.00	591,613.87
AB 2766 and Other Program Revenues	93,413.37	62,228.92	0.00	0.00	155,642.29
Fines	4,609.80	0.00	0.00	0.00	4,609.80
Investment Earnings	5,645.94	0.00	0.00	72,682.35	78,328.29
Federal and State	20,467.37	0.00	0.00	0.00	20,467.37
Other Revenue	7,044.68	0.00	0.00	0.00	7,044.68
Total Revenues	843,197.05	62,228.92	0.00	72,682.35	978,108.32
<u>Expenditures</u>					
Salaries and Benefits	545,127.49	0.00	0.00	0.00	545,127.49
Services and Supplies	65,955.74	325,437.18	0.00	1,208.58	392,601.50
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	611,083.23	325,437.18	0.00	1,208.58	937,728.99
Excess Revenue Over (Under) Expenditures	232,113.82	(263,208.26)	0.00	71,473.77	40,379.33

Mojave Desert AQMD
Statement of Revenues & Expenditures
For the Period Ending November 30, 2021

Financial Report

	<u>General Fund</u>	<u>Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Fiduciary Fund</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>					
Antelope Valley Air Quality Mngmnt Contract	129,554.76	0.00	0.00	0.00	129,554.76
Other Contracts	0.00	0.00	0.00	0.00	0.00
Application and Permit Fees	342,435.36	0.00	0.00	0.00	342,435.36
AB 2766 and Other Program Revenues	90,948.80	60,515.86	0.00	0.00	151,464.66
Fines	6,011.05	0.00	0.00	0.00	6,011.05
Investment Earnings	0.00	0.00	0.00	(39,728.93)	(39,728.93)
Federal and State	0.00	0.00	0.00	0.00	0.00
Other Revenue	0.00	0.00	0.00	0.00	0.00
Total Revenues	568,949.97	60,515.86	0.00	(39,728.93)	589,736.90
<u>Expenditures</u>					
Salaries and Benefits	576,717.94	0.00	0.00	0.00	576,717.94
Services and Supplies	44,204.66	372.32	0.00	1,291.37	45,868.35
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	5,600.00	0.00	0.00	0.00	5,600.00
Total Expenditures	626,522.60	372.32	0.00	1,291.37	628,186.29
Excess Revenue Over (Under) Expenditures	(57,572.63)	60,143.54	0.00	(41,020.30)	(38,449.39)

Mojave Desert AQMD
Statement of Activity - All Funds
For the Period Ending September 30, 2021

Financial Report

	<u>M-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>% Budget</u> <u>to Actual</u>
Revenues				
Revenue - Permitting	632,275.99	1,387,545.30	5,425,000.00	25.58
Revenue - Programs	152,692.28	592,646.98	2,955,000.00	20.06
Revenue - Application Fees	11,678.35	42,466.11	140,000.00	30.33
Revenue - State	63,471.02	63,471.02	1,029,000.00	6.17
Revenue - Federal	0.00	9,276.13	147,900.00	6.27
Fines & Penalties	4,598.02	30,800.71	102,000.00	30.20
Interest Earned	(71,883.62)	(7,542.05)	350,000.00	(2.15)
Revenue - Contracts & Unidentified	196,434.63	465,268.87	1,606,000.00	28.97
Permit Cancellations	(3,825.77)	(19,469.41)	0.00	0.00
Total Revenues	985,440.90	2,564,463.66	11,754,900.00	21.82
Expenditures				
Office Expenses	28,582.85	104,968.41	366,780.00	28.62
Communications	3,789.45	12,964.46	59,185.00	21.90
Vehicles	3,510.94	11,168.57	50,125.00	22.28
Program Costs	0.00	657,600.70	2,794,500.00	23.53
Travel	141.70	6,514.40	103,275.00	6.31
Professional Services	4,017.06	19,335.45	92,725.00	20.85
Maintenance & Repairs	4,386.85	13,685.06	73,535.00	18.61
Non-Depreciable Inventory	1,498.08	4,306.10	58,245.00	7.39
Dues & Subscriptions	4,022.43	9,896.53	33,560.00	29.49
Legal	6,988.32	13,214.34	44,875.00	29.45
Miscellaneous Expense	142.14	479.84	2,550.00	18.82
Suspense	(206.97)	7,772.37	0.00	0.00
Capital Expenditures	0.00	18,622.20	375,000.00	4.97
Total Expenditures	56,872.85	880,528.43	4,054,355.00	21.72
Salaries & Benefits				
Personnel Expenses	634,329.97	1,738,354.93	7,935,881.00	21.91
Total Salaries & Benefits	634,329.97	1,738,354.93	7,935,881.00	21.91
Excess Revenue Over (Under) Expenditures	294,238.08	(54,419.70)	(235,336.00)	23.12

Mojave Desert AQMD
Statement of Activity - All Funds
For the Period Ending October 31, 2021

Financial Report

	<u>M-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>% Budget</u> <u>to Actual</u>
Revenues				
Revenue - Permitting	599,513.35	1,987,058.65	5,425,000.00	36.63
Revenue - Programs	155,642.29	748,289.27	2,955,000.00	25.32
Revenue - Application Fees	13,262.71	55,728.82	140,000.00	39.81
Revenue - State	0.00	63,471.02	1,029,000.00	6.17
Revenue - Federal	20,467.37	29,743.50	147,900.00	20.11
Fines & Penalties	4,609.80	35,410.51	102,000.00	34.72
Interest Earned	78,328.29	70,786.24	350,000.00	20.22
Revenue - Contracts & Unidentified	127,446.70	592,715.57	1,606,000.00	36.91
Permit Cancellations	(21,162.19)	(40,631.60)	0.00	0.00
Total Revenues	978,108.32	3,542,571.98	11,754,900.00	30.14
Expenditures				
Office Expenses	25,550.70	130,519.11	366,780.00	35.59
Communications	3,841.68	16,806.14	59,185.00	28.40
Vehicles	3,387.65	14,556.22	50,125.00	29.04
Program Costs	325,437.18	983,037.88	2,794,500.00	35.18
Travel	5,413.91	11,928.31	103,275.00	11.55
Professional Services	13,855.50	33,190.95	92,725.00	35.80
Maintenance & Repairs	5,261.59	18,946.65	73,535.00	25.77
Non-Depreciable Inventory	1,254.23	5,560.33	58,245.00	9.55
Dues & Subscriptions	1,189.43	11,085.96	33,560.00	33.03
Legal	7,084.32	20,298.66	44,875.00	45.23
Miscellaneous Expense	494.48	974.32	2,550.00	38.21
Suspense	(169.17)	7,603.20	0.00	0.00
Capital Expenditures	0.00	18,622.20	375,000.00	4.97
Total Expenditures	392,601.50	1,273,129.93	4,054,355.00	31.40
Salaries & Benefits				
Personnel Expenses	545,127.49	2,283,482.42	7,935,881.00	28.77
Total Salaries & Benefits	545,127.49	2,283,482.42	7,935,881.00	28.77
Excess Revenue Over (Under) Expenditures	40,379.33	(14,040.37)	(235,336.00)	5.97

Mojave Desert AQMD
Statement of Activity - All Funds
For the Period Ending November 30, 2021

Financial Report

	<u>M-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Actual</u>	<u>Y-T-D</u> <u>Budget</u>	<u>% Budget</u> <u>to Actual</u>
Revenues				
Revenue - Permitting	332,918.29	2,319,976.94	5,425,000.00	42.76
Revenue - Programs	151,464.66	899,753.93	2,955,000.00	30.45
Revenue - Application Fees	15,337.16	71,065.98	140,000.00	50.76
Revenue - State	0.00	63,471.02	1,029,000.00	6.17
Revenue - Federal	0.00	29,743.50	147,900.00	20.11
Fines & Penalties	6,011.05	41,421.56	102,000.00	40.61
Interest Earned	(39,728.93)	31,057.31	350,000.00	8.87
Revenue - Contracts & Unidentified	129,554.76	722,270.33	1,606,000.00	44.97
Permit Cancellations	(5,820.09)	(46,451.69)	0.00	0.00
Total Revenues	589,736.90	4,132,308.88	11,754,900.00	35.15
Expenditures				
Office Expenses	16,339.42	146,858.53	366,780.00	40.04
Communications	3,575.91	20,382.05	59,185.00	34.44
Vehicles	4,238.86	18,795.08	50,125.00	37.50
Program Costs	372.32	983,410.20	2,794,500.00	35.19
Travel	4,232.85	16,161.16	103,275.00	15.65
Professional Services	7,147.40	40,338.35	92,725.00	43.50
Maintenance & Repairs	5,194.13	24,140.78	73,535.00	32.83
Non-Depreciable Inventory	4,991.17	10,551.50	58,245.00	18.12
Dues & Subscriptions	359.00	11,444.96	33,560.00	34.10
Legal	0.00	20,298.66	44,875.00	45.23
Miscellaneous Expense	301.91	1,276.23	2,550.00	50.05
Suspense	(884.62)	6,718.58	0.00	0.00
Capital Expenditures	5,600.00	24,222.20	375,000.00	6.46
Total Expenditures	51,468.35	1,324,598.28	4,054,355.00	32.67
Salaries & Benefits				
Personnel Expenses	576,717.94	2,860,200.36	7,935,881.00	36.04
Total Salaries & Benefits	576,717.94	2,860,200.36	7,935,881.00	36.04
Excess Revenue Over (Under) Expenditures	(38,449.39)	(52,489.76)	(235,336.00)	22.30

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0000005	9/01/2021	Credit Card Transactions - SBCo - ERM	0.00	1,658.12	-39,109.44
0002206	9/01/2021	Operating Fund Replenishment #06	0.00	204,309.80	165,200.36
0002205	9/01/2021	Operating Fund Replenishment #05	0.00	841,559.78	1,006,760.14
0000005	9/02/2021	Credit Card Transactions - Force Environmental	0.00	300.00	1,007,060.14
0000005	9/02/2021	Credit Card Transaction - Uprite Construction	0.00	317.00	1,007,377.14
0009888	9/02/2021	Refund: Refund - Application Fee - 14560 Palmdale Rd. Victorville 92392 - MVT 00000193	317.00	0.00	1,007,060.14
0009889	9/02/2021	Inv J8484957 - Antivirus 3 year	2,011.20	0.00	1,005,048.94
0009890	9/02/2021	Water and Trash Service - 07/07/21 - 08/03/21	260.14	0.00	1,004,788.80
0009891	9/02/2021	Water Service - Fire Sprinklers - 07/07/21 - 08/03/21	59.63	0.00	1,004,729.17
0009892	9/02/2021	Inv 2021017 - Scanning Services - HR & Payroll Filles	3,133.82	0.00	1,001,595.35
0009893	9/02/2021	Telephone Service - 08/22/21 - 09/21/21	779.63	0.00	1,000,815.72
0009894	9/02/2021	Inv 3857 - Landscaping & Parking Lot Clean Up - August 2021	480.00	0.00	1,000,335.72
0009895	9/02/2021	Invoices 021445, 021576	568.00	0.00	999,767.72
0009896	9/02/2021	Travel Reconciliation - Needles Inspections & Testing	152.50	0.00	999,615.22
0009897	9/02/2021	Inv 65569788 - Cylinder Rental - 07/20/21 - 08/20/21	138.71	0.00	999,476.51
0009898	9/02/2021	Gas Service - 07/28/21 - 08/25/21	12.40	0.00	999,464.11
0009899	9/02/2021	Inv 399738 - Video Conferencing Service Call	885.00	0.00	998,579.11
0009900	9/02/2021	Invoices 2021-15, 2021-16, Sept 2021	1,743.05	0.00	996,836.06
0009901	9/02/2021	Inv 1325 - Janitorial Service - August 2021	3,300.00	0.00	993,536.06
EFT	9/02/2021	Inv 8690215682135 - Fuel Purchases - 07/25/21 - 08/24/21	2,491.82	0.00	993,536.06
	9/07/2021	Wage Works FSA Claim	120.98	0.00	990,923.26
EFT	9/08/2021	Pay period ending 8/27/2021	128,529.50	0.00	862,393.76
	9/08/2021	PP 18/2021 State Taxes	7,688.92	0.00	854,704.84
	9/08/2021	PP 18/2021 457 Deductions	11,730.64	0.00	842,974.20
	9/08/2021	PP 18/2021 Federal Taxes	24,813.19	0.00	818,161.01
0000005	9/08/2021	Credit Card Transaction - Mesa Drive Ave. Interfection Blyth CA 9225	0.00	666.00	818,827.01
0000005	9/08/2021	Credit Card Transaction - NTC Public Works	0.00	2,520.52	821,347.53
0009902	9/09/2021	Inv J926101 - Polycom RP Trio 8500 IP w/Bluetooth	413.39	0.00	820,934.14
0009903	9/09/2021	Pay Period 18/2021 - GymDed	138.46	0.00	820,795.68
EFT	9/09/2021	Pay Period 18/2021 - FSADED	710.84	0.00	820,795.68
EFT	9/09/2021	Travel Reconciliation - CSDA Conference 08/30/21 - 09/03/21	171.00	0.00	820,795.68
0009904	9/09/2021	Pay Period 18/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	93,250.95	0.00	727,544.73
0009905	9/09/2021	Pay Period 18/2021 - GeneralUnitDues	540.57	0.00	727,004.16
0009906	9/09/2021	Pay Period 18/2021 - GeneralUnitMisc	3.00	0.00	727,001.16
0009907	9/09/2021	Pay Period 18/2021 - UnitedWay	26.00	0.00	726,975.16
	9/09/2021	VOYA 401a - Poiriez - September 2021	1,099.07	0.00	724,994.25
0000005	9/09/2021	Credit Card Transaction - R & R Chevron NOV MD00001214	0.00	1,000.00	725,994.25
0000005	9/09/2021	Credit Card Transaction - Harvard Travel Center - American Tower Asset Sub LLC - Hazmat Team	0.00	1,270.59	727,264.84
0000005	9/13/2021	Credit Card Transaction - Soltek Pacific Construction DCP 1918 Naws China Lake	0.00	666.00	727,930.84

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0000005	9/13/2021	Credit Card Transaction - The Hazmat Team - 1319 N Eastwood Ave. Santa Ana CA	0.00	636.59	728,567.43
0000005	9/14/2021	Credit Card Transaction - Derna Group ICE 80 KW for site 11865 Grayhawk Circle, Yucaipa CA	0.00	317.00	728,884.43
0002207	9/14/2021	Operating Fund Replenishment #07	0.00	285,659.39	1,014,543.82
	9/14/2021	Wage Works FSA Claim	209.03	0.00	1,014,334.79
0000005	9/15/2021	Credit Card Transaction - Desert Girlz LLC - Arena Americas	0.00	634.00	1,014,968.79
0009908	9/16/2021	Invoices 2021-17, 2021-18, Oct 2021	2,750.37	0.00	1,012,218.42
0009909	9/16/2021	800-635-4617 Complaint Line - 09/07/21 - 10/06/21	64.80	0.00	1,012,153.62
EFT	9/16/2021	Invoices 914090, 914091	4,627.55	0.00	1,012,153.62
0009910	9/16/2021	Inv K204321 - APC Home Office Surgearrest 12out	34.00	0.00	1,012,119.62
0009911	9/16/2021	Inv 2040671090721 - Internet - 09/07/21 - 10/06/21	990.00	0.00	1,011,129.62
0009912	9/16/2021	Inv 1050473090621 - TV Service /Internet - 09/06/21 - 10/05/21	105.16	0.00	1,011,024.46
0009913	9/16/2021	Invoices 4095780077, 9144819319	153.51	0.00	1,010,870.95
0009914	9/16/2021	Mobile 1 Trailer electricity reimbursement July, Aug, Sep 2021	450.00	0.00	1,010,420.95
0009915	9/16/2021	Acct# 405684 - Pre-Employment Physical - S. Sarabia	95.00	0.00	1,010,325.95
EFT	9/16/2021	Inv 143479 - Communication Cloud	6,420.00	0.00	1,010,325.95
0009916	9/16/2021	Inv 38448101 - Copier Lease - September 2021	2,137.33	0.00	1,008,188.62
EFT	9/16/2021	Inv 185279 - O-Rings	1,489.58	0.00	1,008,188.62
0009917	9/16/2021	Inv 3132 - Electric Use Fee 08/01/21 - 08/31/21	160.00	0.00	1,008,028.62
0009918	9/16/2021	Notice of Exemption (NOE) filing - Amendment MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area). Filing date September 27, 2021.	50.00	0.00	1,007,978.62
0009919	9/16/2021	Notice of Exemption (NOE) filing - Amendment MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area). Filing date September 27, 2021.	50.00	0.00	1,007,928.62
0009920	9/16/2021	Electricity Usage - 08/11/21 - 09/09/21	5,373.37	0.00	1,002,555.25
0009921	9/16/2021	Inv 234 - Services - September 2021	1,700.00	0.00	1,000,855.25
0009922	9/16/2021	Inv 80030 - Employee Support Services - August 2021	225.00	0.00	1,000,630.25
0009923	9/16/2021	Inv 71932798 - Telephone Services - 09/01/21 - 09/30/21	1,316.45	0.00	999,313.80
0009924	9/16/2021	Inv 437 - Car Washes - August 2021	64.00	0.00	999,249.80
0000005	9/16/2021	Credit Card Transaction - The Hazmat Team 1319 N Eastwood Ave Santa Ana CA	0.00	718.00	987,430.67
0000005	9/16/2021	Credit Card Transaction - Pub Construction 36600 Ghost Town Road Yermo CA	0.00	300.00	987,730.67
	9/21/2021	PP 19/2021 State Taxes	7,300.61	0.00	980,430.06
	9/21/2021	PP 19/2021 Federal Taxes	24,951.84	0.00	955,478.22
EFT	9/22/2021	Pay period ending 9/10/2021	123,343.18	0.00	832,135.04
	9/22/2021	PP19/2021 457 Deductions	11,730.64	0.00	820,404.40
0009925	9/22/2021	Inv 6212 - Scheduled Service	660.00	0.00	819,744.40
0009926	9/22/2021	Reimbursement for hanging file holder	32.54	0.00	819,711.86
EFT	9/22/2021	Invoices 2021-17, 2021-18, Oct 2021	41,773.91	0.00	819,711.86
0009927	9/22/2021	Inv 5076937041 - AED Check and Santizing	20.49	0.00	819,691.37
0009928	9/22/2021	Inv 850584 - Car Washes	143.92	0.00	819,547.45
EFT	9/22/2021	Inv FBN4294170 - Vehicle Leases	1,237.95	0.00	819,547.45

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0009929	9/22/2021	Inv 2805-93984 - Window Washing	58.00	0.00	819,489.45
0009930	9/22/2021	Wellness Program Reimbursement - Nutrisystem weight loss program	240.00	0.00	819,249.45
0009931	9/22/2021	Pay Period 19/2021 - GymDed	138.46	0.00	819,110.99
EFT	9/22/2021	Bank Transfer - Credit Card A/R Receipts - August 2021	26,698.23	0.00	819,110.99
EFT	9/22/2021	Inv N9043794 - Postage Meter Lease	536.43	0.00	819,110.99
0009932	9/22/2021	Pay Period 19/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	90,028.00	0.00	729,082.99
0009933	9/22/2021	Pay Period 19/2021 - GeneralUnitDues	540.57	0.00	728,542.42
0009934	9/22/2021	Pay Period 19/2021 - GeneralUnitMisc	3.00	0.00	728,539.42
0009935	9/22/2021	Office Supplies	392.39	0.00	728,147.03
0009936	9/22/2021	Pay Period 19/2021 - UnitedWay	26.00	0.00	728,121.03
0009937	9/22/2021	Refund: Invoice 15678-MD15451	5,676.24	0.00	722,444.79
	9/22/2021	Inv 3745098-0811030 - August 2021	1,671.46	0.00	650,526.81
	9/22/2021	Inv 3745098-0908072 - September 2021	1,671.46	0.00	648,855.35
	9/22/2021	Service Charge	0.00	0.86	648,856.21
0000005	9/23/2021	Credit Card Transaction - Biogas Power Systems	0.00	7,031.72	655,887.93
0000005	9/23/2021	Credit Card Transaction - Victorville Collision - Evergreen Management Services	0.00	3,050.30	658,938.23
0000005	9/23/2021	Credit Card Transaction - Storopack Inc	0.00	317.00	659,255.23
0000005	9/23/2021	Credit Card Transaction - American Tower Asset Sub LLC	0.00	279.04	659,534.27
0000005	9/23/2021	Credit Card Transaction - Aeropro Corporation	0.00	251.29	659,785.56
0000005	9/23/2021	Credit Card Transaction - Spring Valley Lake Country Club - Cemex	0.00	984.65	660,770.21
	9/24/2021	Wage Works FSA Claim	97.25	0.00	660,672.96
0000005	9/27/2021	Credit Card Transactions - Samara and Sons Inc. -NH Environmental - California Towers Inc.	0.00	2,137.53	662,810.49
0000005	9/27/2021	Credit Card Transaction - Phelan Pinion Hills Community	0.00	317.00	663,127.49
0000005	9/27/2021	Credit Card Transaction - Integrated Demolition 68920 Wheeler Street	0.00	300.00	663,427.49
0000005	9/27/2021	Credit Card Transaction - Caposio Buik GMC LLC	0.00	317.00	663,744.49
0000005	9/27/2021	Credit Card Transactions - ATC Sequoia LLC	0.00	272.21	664,016.70
0000005	9/27/2021	Credit Card Transactions - Integrated Demolition - Applicant (Bernard Construction)	0.00	1,157.00	665,173.70
0000005	9/27/2021	Credit Card Transactin - Outrageous Family Activity Center	0.00	317.00	665,490.70
0000005	9/28/2021	Wells Fargo ACH - SBCo Solid Waste Mngmt	0.00	778.51	666,269.21
0002208	9/28/2021	Operating Fund Replenishment #08	0.00	151,599.30	817,868.51
	9/28/2021	VOYA 401a - Poiriez - Retro	2,198.13	0.00	815,670.38
0002209	9/28/2021	Operating Fund Replenishment #09	0.00	185,491.00	1,001,161.38
	9/28/2021	Wage Works FSA Claim	209.03	0.00	1,000,952.35
0000005	9/29/2021	Credit Card Transaction - Application for Helicopter Refuel Truck	0.00	317.00	1,001,269.35
EFT	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	187.36	0.00	1,001,269.35
EFT	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	1,001,269.35
0009938	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	1,001,169.35
0009939	9/30/2021	Anti-fatigue standing mat	58.17	0.00	1,001,111.18
0009940	9/30/2021	Tuition reimbursement for J. Camacho - Project Management Certificate Classes-Project Leadership, Communication, and Team Building	498.20	0.00	1,000,612.98
0009941	9/30/2021	Refund: A/R Credit for Service Equipment paid by cc	317.00	0.00	1,000,295.98

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0009942	9/30/2021	Water & Trash Service - 08/03/21 - 09/07/21	265.36	0.00	1,000,030.62
0009943	9/30/2021	Fire Sprinkler Service - 08/03/21 - 09/07/21	59.63	0.00	999,970.99
0009944	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	999,870.99
0009945	9/30/2021	Refund: Over payment of Invoice 15993	57.34	0.00	999,813.65
EFT	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	999,813.65
0009946	9/30/2021	Telephone Service - 09/22/21 - 10/21/21	775.21	0.00	999,038.44
0009947	9/30/2021	Inv 10709964 - Copier Paper	598.94	0.00	998,439.50
0009948	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	998,339.50
0009949	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	998,239.50
EFT	9/30/2021	Pay Period 19/2021 - FSADed	710.84	0.00	998,239.50
0009950	9/30/2021	Refund: REFUND - Application Fee	317.00	0.00	997,922.50
0009951	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	997,822.50
EFT	9/30/2021	Governing Board Meeting expense for Governing Board meeting Monday, September 27, 2021.	12.00	0.00	997,822.50
0009952	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	997,722.50
EFT	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	100.00	0.00	997,722.50
0009953	9/30/2021	Attendance Governing Board Meeting Monday, September 27, 2021.	138.42	0.00	997,584.08
0009954	9/30/2021	Inv 70718 - Addition Insured Certificate - City of Victorville	47.98	0.00	997,536.10
0009955	9/30/2021	Inv 1339 - Janitorial Service - September 2021	3,300.00	0.00	994,236.10
0000005	9/30/2021	Credit Card Transaction - Hydrochem	0.00	5,115.57	998,141.47
0000005	10/01/2021	Credit Card Transaction - Phelan Pinion Hills - 31251 Goffs Road Essex, CA	0.00	1,268.00	999,409.47
	10/01/2021	VOYA 401a - Poiriez - October 2021	1,831.79	0.00	997,577.68
	10/04/2021	PP 20/2021 State Taxes	12,510.34	0.00	985,067.34
	10/04/2021	PP 20/2021 Federal Taxes	42,288.09	0.00	942,779.25
	10/05/2021	457 Deductions PP 20/2021	43,530.64	0.00	899,248.61
	10/05/2021	457 Deduction Powell to be taken in PP21	200.00	0.00	899,048.61
	10/05/2021	Card # 6685 - 09/05/21 - 10/04/21	700.04	0.00	898,348.57
	10/05/2021	Card # 6685 - 08/05/21 - 09/04/21	962.46	0.00	897,386.11
	10/05/2021	Card # 7908 - 08/05/21 - 09/04/21	214.38	0.00	897,171.73
	10/05/2021	Card # 7908 - 09/05/21 - 10/04/21	638.84	0.00	896,532.89
	10/05/2021	Card # 7885- 08/05/21 - 09/04/21	1,525.18	0.00	895,007.71
	10/05/2021	Card # 7885- 09/05/21 - 10/04/21	2,993.75	0.00	892,013.96
	10/05/2021	Card # 8204 - 08/05/21 - 09/04/21	963.99	0.00	891,049.97
	10/05/2021	Card # 8204 - 09/05/21 - 10/04/21	1,107.17	0.00	889,942.80
	10/05/2021	Card # 9081- 08/05/21 - 09/04/21	123.34	0.00	889,819.46
	10/05/2021	Card # 9081 - 09/05/21 - 10/04/21	600.51	0.00	889,218.95
	10/05/2021	Card # 4500 - 08/05/21 - 09/04/21	2,489.94	0.00	886,729.01
	10/05/2021	Card # 4500 - 09/05/21 - 10/04/21	4,099.74	0.00	882,629.27
	10/05/2021	Card # 4837 - 08/05/21 - 09/04/21	2,566.48	0.00	880,062.79
	10/05/2021	Card # 4837 - 09/05/21 - 10/04/21	4,375.35	0.00	875,687.44
	10/05/2021	Card # 6210 - 08/05/21 - 09/04/21	3,173.46	0.00	872,513.98
	10/05/2021	Card # 6210 - 09/05/21 - 10/04/21	4,906.08	0.00	867,607.90
	10/05/2021	Card # 8110 - 08/05/21 - 09/04/21	1,207.45	0.00	866,400.45
	10/05/2021	Card # 8110 - 09/05/21 - 10/04/21	1,886.11	0.00	864,514.34

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	10/05/2021	Card # 0357 - 09/05/21 - 10/04/21	1,982.97	0.00	862,531.37
	10/05/2021	Wage Works FSA Claim	609.20	0.00	861,922.17
EFT	10/06/2021	Pay period ending 9/24/2021	131,968.65	0.00	729,953.52
EFT	10/06/2021	Pay period ending 9/24/2021	21,543.88	0.00	708,409.64
	10/06/2021	Wage Works FSA Claim	512.98	0.00	707,896.66
0000005	10/06/2021	Credit Card Transaction - Rhino Tex Inc. - Klondike Construction Services Inc.	0.00	1,480.00	709,376.66
0009956	10/07/2021	Inv 20211247 - Maintenance & Enhancements - Adding Leave Request	388.45	0.00	708,988.21
0009957	10/07/2021	Membership - O. Salinas	98.00	0.00	708,890.21
0009958	10/07/2021	Inv 1-92871 - Table and Linen Rental for District Event	197.99	0.00	708,692.22
EFT	10/07/2021	Invoices 916065, 916066	3,204.20	0.00	708,692.22
0009959	10/07/2021	Invoices 2805-43984, 2805-94643	807.00	0.00	707,885.22
0009960	10/07/2021	Pay Period 20/2021 - GymDed	138.46	0.00	707,746.76
0009961	10/07/2021	Inv 111812 - Coffee Brewers & Water Cooler Rental	238.11	0.00	707,508.65
EFT	10/07/2021	Pay Period 20/2021 - FSADed	710.84	0.00	707,508.65
0009962	10/07/2021	Invoices 5095, 5171	855.46	0.00	706,653.19
0009963	10/07/2021	Inv 3159 - Electric Use Fee	160.00	0.00	706,493.19
0009964	10/07/2021	Inv 66159519 - Cylinder Rental	138.71	0.00	706,354.48
0009965	10/07/2021	Inv 136005 - Knurled Ferrule Nut & Ferrule Hex Nut	43.81	0.00	706,310.67
0009966	10/07/2021	Pay Period 20/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	110,396.92	0.00	595,913.75
0009967	10/07/2021	Pay Period 20/2021 - GeneralUnitDues	540.57	0.00	595,373.18
0009968	10/07/2021	Pay Period 20/2021 - GeneralUnitMisc	3.00	0.00	595,370.18
0009969	10/07/2021	Gas Service - 08/26/21 - 09/24/21	11.00	0.00	595,359.18
EFT	10/07/2021	Inv S020482833 - Zero Air Module	18,622.20	0.00	595,359.18
0009970	10/07/2021	Pay Period 20/2021 - UnitedWay	26.00	0.00	595,333.18
0009971	10/07/2021	Inv 8/31/2021 - High Desert Opportunity Summit	2,500.00	0.00	592,833.18
0009972	10/07/2021	Inv 451 - District Vehicle - Car Wash	56.00	0.00	592,777.18
EFT	10/07/2021	Inv 8690215682139 - District Vehicle Fuel	1,656.26	0.00	592,777.18
	10/07/2021	Wage Works FSA Claim	209.03	0.00	568,374.65
0009973	10/07/2021	Invoices 2021-17, 2021-18, Oct 2021	1,753.05	0.00	566,621.60
0009974	10/07/2021	Invoices 2021-17, 2021-18, Oct 2021	745.28	0.00	565,876.32
0002210	10/07/2021	Operating Fund Replenishment #10	0.00	442,347.20	1,008,463.52
	10/13/2021	Wage Works FSA Claim	209.03	0.00	1,008,254.49
0009975	10/14/2021	Invoices 2021-19, 2021-20, Nov 2021	3,120.22	0.00	1,005,134.27
0009976	10/14/2021	Refund Application Fee for helicopter refuel truck 31251 Goffs Rd. Essex, Ca. 32332	317.00	0.00	1,004,817.27
0009977	10/14/2021	Refund - Duplicate Payment of Inv MD15651	547.35	0.00	1,004,269.92
0009978	10/14/2021	Inv 38629384 - Copier Lease	2,137.33	0.00	1,002,132.59
0009979	10/14/2021	Inv 68858 - Flat Tire Repair	20.00	0.00	1,002,112.59
0009980	10/14/2021	Wellness Program Reimbursement	240.00	0.00	1,001,872.59
0009981	10/14/2021	Inv 238 - October 2021 Services	1,700.00	0.00	1,000,172.59
0009982	10/14/2021	Inv 80315 - Employee Support Services - September 2021	150.00	0.00	1,000,022.59
0009983	10/14/2021	Travel Reconciliation - Blythe 09/8/21 - 09/9/21	61.00	0.00	999,961.59
0000005	10/18/2021	Credit Card Transaction - Mica Associates	0.00	317.00	1,000,278.59

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	10/19/2021	PP 21/2021 Federal Taxes	23,648.94	0.00	976,629.65
	10/19/2021	PP 21/2021 State Taxes	6,815.22	0.00	969,814.43
EFT	10/20/2021	Pay period ending 10/08/2021	116,933.26	0.00	852,881.17
	10/20/2021	PP 21/2021 457 Deductions	11,773.67	0.00	841,107.50
	10/20/2021	Lincoln National Life Insurance - Premiums - B Poiriez	2,201.00	0.00	838,906.50
0009984	10/21/2021	Wellness Program Reimbursement	240.00	0.00	838,666.50
0009985	10/21/2021	Compliance Line - 800-635-4617	60.81	0.00	838,605.69
EFT	10/21/2021	Inv 916065 Revised - Matter #27671.00100 General Counsel	696.00	0.00	838,605.69
0009986	10/21/2021	Inv 2040671100721 - Internet - 10/07/21 - 11/06/21	990.00	0.00	837,615.69
0009987	10/21/2021	Invoices 4098455583, 9148582035	153.51	0.00	837,462.18
0009988	10/21/2021	Travel Reconciliation - Ventura County - 10/10/21 - 10/15/21	379.50	0.00	837,082.68
EFT	10/21/2021	Inv FBN4315782 - Vehicle Leases	1,237.95	0.00	837,082.68
0009989	10/21/2021	Inv 3861 - Landscaping & Parking Lot Cleanup	480.00	0.00	836,602.68
0009990	10/21/2021	Pay Period 21/2021 - GymDed	126.93	0.00	836,475.75
0009991	10/21/2021	Wellness Program Reimbursement	240.00	0.00	836,235.75
EFT	10/21/2021	Bank Transfer - Credit Card A/R Receipts - September 2021	33,946.64	0.00	836,235.75
EFT	10/21/2021	Pay Period 21/2021 - FSADed	660.84	0.00	836,235.75
0009992	10/21/2021	Invoices 113516a, 4708	41.87	0.00	836,193.88
EFT	10/21/2021	Inv 16507569 - Ink Cartridge for Postage Meter	151.96	0.00	836,193.88
0009993	10/21/2021	Inv 136141 - Knurled Ferrule Nut	106.66	0.00	836,087.22
0009994	10/21/2021	Pay Period 21/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	86,693.84	0.00	749,393.38
0009995	10/21/2021	Pay Period 21/2021 - GeneralUnitDues	540.57	0.00	748,852.81
0009996	10/21/2021	Pay Period 21/2021 - GeneralUnitMisc	3.00	0.00	748,849.81
0009997	10/21/2021	Electricity Usage - 09/10/21 - 10/11/21	4,350.75	0.00	744,499.06
0009998	10/21/2021	Travel Reconciliation - Ventrua County - 10/10/21 - 10/15/21	379.50	0.00	744,119.56
0009999	10/21/2021	Inv 293116511 & 293126531 - Office Supplies	771.03	0.00	743,348.53
0010000	10/21/2021	Safety Shoe Reimbursement - S. Sarabia	112.79	0.00	743,235.74
0010001	10/21/2021	Pay Period 21/2021 - UnitedWay	26.00	0.00	743,209.74
0010002	10/21/2021	Inv 71964039 - Telephone Service - 10/01/21 - 10/31/21	1,297.34	0.00	741,912.40
0000005	10/21/2021	Credit Card Transaction - Aeropro Corporation	0.00	317.00	705,536.01
0000005	10/21/2021	Credit Card Transaction - Castle Mountain Venture	0.00	1,902.00	707,438.01
0000005	10/21/2021	Credit Card Transaction - 5 Star Collision Center	0.00	319.59	707,757.60
0000005	10/21/2021	Credit Card Transaction - Progressive Fueling Construction Inc - Healing World Botanicals LLC	0.00	633.12	708,390.72
0002211	10/21/2021	Operating Fund Replenishment #11	0.00	337,844.87	1,046,235.59
0000005	10/22/2021	Credit Card Transaction - JM Carden sprinkler Co Inc (2)	0.00	634.00	1,046,869.59
	10/25/2021	Wage Works FSA Claim	97.25	0.00	1,046,772.34
	10/26/2021	Inv 37450981006028 - Supplemental Insurance Deductions	1,671.46	0.00	1,045,100.88
	10/26/2021	Wage Works FSA Claim	209.03	0.00	1,044,891.85
0000005	10/27/2021	Credit Card Transaction - Barghausen Consulting Engineers Inc. (For Costco Wholesale)	0.00	317.00	1,045,208.85
0000005	10/27/2021	Credit Card Transaction - 18580 Gateway Dr Victroville, CA 92301	0.00	317.00	1,045,525.85
0000005	10/27/2021	Credit Card Transaction - D9 Alliance	0.00	1,264.97	1,046,790.82

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0000005	10/27/2021	Credit Card Transaction - LUZ Solar Partners - Brickley Construction	0.00	968.00	1,047,758.82
0000005	10/27/2021	Credit Card Transaction - SBCO Feel MGMT - Sprint Communications	0.00	712.24	1,048,471.06
0000005	10/27/2021	Credit Card Transaction - United Rentals Northwest Inc.	0.00	1,500.00	1,049,971.06
0000005	10/27/2021	Credit Card Transaction - TRC Government Services LLC	0.00	1,931.99	1,051,903.05
EFT	10/28/2021	Invoices 2021-19, 2021-20, Nov 2021	40,492.51	0.00	1,051,903.05
0010003	10/28/2021	Invoices 2021-19, 2021-20, Nov 2021	1,590.83	0.00	1,050,312.22
0010004	10/28/2021	Invoices 2021-19, 2021-20, Nov 2021	745.28	0.00	1,049,566.94
0000005	10/28/2021	Credit Card Transaction - VPSS1 Inc. 701 East Santa Ckara St.	0.00	1,302.00	1,010,376.43
0000005	10/28/2021	Credit Card Transaction - Brickley Construction ASB 957	0.00	907.00	1,011,283.43
0000005	10/29/2021	Credit Card Transactions - Mojave National Preserve - Brickley Construction - Trigg Development LLC	0.00	1,438.65	1,012,722.08
0000005	10/29/2021	Credit Card Transactions - Applicant	0.00	256.00	1,012,978.08
0000005	11/01/2021	Credit Card Transactions -JVCA Investments - US Border Patrol - Brickley Construction	0.00	2,503.74	1,015,481.82
EFT	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	187.36	0.00	1,015,481.82
EFT	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,015,481.82
0010005	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,015,381.82
0010006	11/02/2021	Reimbursement for Fire Retardant Shirt	76.11	0.00	1,015,305.71
0010007	11/02/2021	Inv 5080945072 - AED Check and Sanitizing	20.49	0.00	1,015,285.22
0010008	11/02/2021	Fire Water Service - 09/07/21 - 10/05/21	59.63	0.00	1,015,225.59
0010009	11/02/2021	Water & Trash Services - 09/07/21 - 10/05/21	262.75	0.00	1,014,962.84
0010010	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,014,862.84
EFT	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,014,862.84
0010011	11/02/2021	Invoices ,	7,775.00	0.00	1,007,087.84
0010012	11/02/2021	Telephone Service - 10/22/21 - 11/21/21	775.90	0.00	1,006,311.94
0010013	11/02/2021	Inv 3864 - Landscaping & Parking Lot Clean Up - October 2021	480.00	0.00	1,005,831.94
0010014	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,005,731.94
0010015	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,005,631.94
0010016	11/02/2021	Inv 3184 - Electric Use - October 2021	160.00	0.00	1,005,471.94
EFT	11/02/2021	Governing Board Meeting expense for Governing Board meeting Monday, October 25, 2021.	15.49	0.00	1,005,471.94
0010017	11/02/2021	Inv 2584-68174 - S. Sarabia	35.00	0.00	1,005,436.94
0010018	11/02/2021	Refund: Refund Application Fee	317.00	0.00	1,005,119.94
0010019	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,005,019.94
EFT	11/02/2021	Attendance Governing Board Meeting Monday, October 25, 2021.	100.00	0.00	1,005,019.94
0010020	11/02/2021	Refund: Over Payment of Invoice 16094	532.66	0.00	1,004,487.28
0010021	11/02/2021	Natural Gas Usage - 09/25/21 - 10/25/21	29.67	0.00	1,004,457.61
0010022	11/02/2021	RO #6053572/1 - Replace Wiper Blades - 2014 Ford Escape	45.44	0.00	1,004,412.17
0010023	11/02/2021	Inv 1352 - Janitorial Service - October 2021	3,300.00	0.00	1,001,112.17
0010024	11/02/2021	Inv 753331 - Oil Change - 2019 Chevy Mailbu	105.46	0.00	1,001,006.71
EFT	11/02/2021	Inv 8690215682144 - Distirct Vehicle Fuel	1,988.24	0.00	1,001,006.71
	11/02/2021	PP 22/2021 State Taxes	6,653.32	0.00	991,862.30
	11/02/2021	PP 22/2021 Federal taxes	22,995.60	0.00	968,866.70
	11/02/2021	PP 22/2021 - 3rd party sick - Employer Portion FICA	11.24	0.00	968,855.46

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EFT	11/03/2021	Pay period ending 10/22/2021	116,157.44	0.00	852,698.02
	11/03/2021	PP 22/2021 457 Deductions	13,247.39	0.00	839,450.63
0000005	11/03/2021	Credit Card Transaction - Graham Crackers Demolition - SBCO Fleet - Protech Minerals - ATI Restoration - Wal-Mart - Ch2m Hill Services - Brickley Construction	0.00	19,932.24	859,382.87
0000005	11/04/2021	Credit Card Transaction - Brickley Construction - Graham Crackers Demolition	0.00	898.00	860,280.87
	11/04/2021	Card #7885 - Additional Payment	3,249.38	0.00	857,031.49
	11/04/2021	Card #0357 - Additional Payment	1,982.97	0.00	855,048.52
0000005	11/08/2021	Credit Card Transaction - Loves Travel Stop NOV	0.00	1,250.00	856,298.52
0000005	11/08/2021	Credit Card Transaction - Loves Travel Stop	0.00	317.00	856,615.52
	11/09/2021	Wage Works FSA Claim	138.63	0.00	856,476.89
0010025	11/10/2021	Refund: Overpayment of Late Fee	175.32	0.00	856,301.57
0010026	11/10/2021	Travel Reconciliation - CDAWG 2021	172.50	0.00	856,129.07
0010027	11/10/2021	Invoices 4101165682, 9152202122	153.51	0.00	855,975.56
0010028	11/10/2021	Travel Authorization - 2021 CDAWG Conference.	172.50	0.00	855,803.06
0010029	11/10/2021	Travel Reconciliation - CDAWG 2021	177.50	0.00	855,625.56
0010030	11/10/2021	MDAQMD Logo Shirts for staff member	219.25	0.00	855,406.31
0010031	11/10/2021	Travel Reconciliation - CDAWG 2021	172.50	0.00	855,233.81
0010032	11/10/2021	Pay Period 22/2021 - GymDed	126.93	0.00	855,106.88
0010033	11/10/2021	Inv 38817313 - Copier Lease	2,137.33	0.00	852,969.55
0010034	11/10/2021	Inv 66763253 - Cylinder Rental	137.69	0.00	852,831.86
0010035	11/10/2021	Wellness Program Reimbursement	240.00	0.00	852,591.86
0010036	11/10/2021	Travel Reconciliation - CDAWG 2021	309.58	0.00	852,282.28
EFT	11/10/2021	Pay Period 22/2021 - FSADED	660.84	0.00	852,282.28
0010037	11/10/2021	Travel Reconciliation - Source Test - Blythe - 11/02/21 - 11/05/21	144.00	0.00	852,138.28
0010038	11/10/2021	Travel Reconciliation - CDAWG 2021	383.58	0.00	851,754.70
EFT	11/10/2021	Invoices ,	403.50	0.00	851,754.70
0010039	11/10/2021	Travel Reconciliation - CDAWG 2021	172.50	0.00	851,582.20
0010040	11/10/2021	Refund Permit Fee - Inv MD15932	253.02	0.00	851,329.18
0010041	11/10/2021	Pay Period 22/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	87,754.20	0.00	763,574.98
0010042	11/10/2021	Pay Period 22/2021 - GeneralUnitDues	540.57	0.00	763,034.41
0010043	11/10/2021	Pay Period 22/2021 - GeneralUnitMisc	3.00	0.00	763,031.41
0010044	11/10/2021	Travel Reconciliation - CDAWG 2021	172.50	0.00	762,858.91
0010045	11/10/2021	RO #6053996/1 - 2014 Ford Escape - Skid Plate Replacement	370.94	0.00	762,487.97
0010046	11/10/2021	Travel Reconciliation - Blythe Inspections - 11/02/21 - 11/05/21	183.00	0.00	762,304.97
0010047	11/10/2021	Refund: Duplicate Payment of Inv MD16020	706.77	0.00	761,598.20
0010048	11/10/2021	Pay Period 22/2021 - UnitedWay	26.00	0.00	761,572.20
0010049	11/10/2021	Inv 72005554 - Telephone Services	1,298.34	0.00	760,273.86
0010050	11/10/2021	Inv 465 - District Car Washes	52.00	0.00	760,221.86
0000005	11/10/2021	Credit Card Transaction - Sherwin-William - Quadri Fazle Rab	0.00	12,394.48	771,552.00
0000005	11/10/2021	Credit Card Transaction - Hal Hayes Construction - Victorville Fuel Center - M.S. Hatch Consultaning - FNF Construction	0.00	1,466.00	773,018.00
0002212	11/10/2021	Operating Fund Replenishment #12	0.00	448,849.49	1,221,867.49

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0000005	11/12/2021	Credit Card Transaction - AFCEE/EXC - CH2M Hill Services	0.00	5,063.09	1,226,930.58
0000005	11/12/2021	Credit Card Transaction - Harper Construction	0.00	666.00	1,227,596.58
0000005	11/15/2021	Credit Card Transaction - FNF Construction	0.00	634.00	1,228,230.58
0000005	11/15/2021	Credit Card Transaction - Mobile Coating Solutions	0.00	2,534.00	1,230,764.58
	11/16/2021	PP 23/2021 State Taxes	8,770.27	0.00	1,221,994.31
	11/16/2021	PP 23/2021 Federal Taxes	27,673.42	0.00	1,194,320.89
	11/16/2021	PP 23/2021 - 3rd party sick - Employer Share FICA	19.68	0.00	1,194,301.21
EFT	11/17/2021	Pay period ending 11/05/2021	131,010.09	0.00	1,063,291.12
	11/17/2021	PP 23/2021 457 Deductions	13,412.83	0.00	1,049,878.29
	11/17/2021	Wage Works FSA Claim	70.40	0.00	1,049,807.89
	11/19/2021	Wage Works FSA Claim	128.27	0.00	1,049,679.62
0000005	11/19/2021	Credit Card Transactions - MP Mine Operations LLC - Victorville Motors Chrysler Jeep Dosge Ram Fiat Oremor of Victorville LLC	0.00	3,804.00	1,053,483.62
0000005	11/19/2021	Credit Card Transaction - D H Blattner & Sons Inc	0.00	3,467.00	1,056,950.62
	11/22/2021	Wage Works FSA Claim	30.00	0.00	1,056,920.62
0000005	11/22/2021	Credit Card Transaction - M.S. Hatch Consulting	0.00	317.00	1,057,237.62
0000005	11/22/2021	Credit Card Transaction - Mec Enviornmental	0.00	1,931.00	1,059,168.62
0010051	11/23/2021	Invoices , 2021-21, 2021-22	2,818.55	0.00	1,056,350.07
0010052	11/23/2021	Compliance Line - 800 635-4617	60.46	0.00	1,056,289.61
0010053	11/23/2021	Tuition reimbursement for J. Camacho - Project Management Certificate Classes-Project Management Procurement	612.13	0.00	1,055,677.48
0010054	11/23/2021	Inv N686018 - HP MFPM681F Printer	3,790.11	0.00	1,051,887.37
0010056	11/23/2021	Inv 5084507499 - AED Check and Sanitizing	20.49	0.00	1,051,761.72
EFT	11/23/2021	Inv FBN4338188 - Vehicle Leases	1,237.95	0.00	1,051,761.72
0010057	11/23/2021	Inv 2805-95937 - Window Washing	134.00	0.00	1,051,627.72
0010058	11/23/2021	Pay Period 23/2021 - GymDed	126.93	0.00	1,051,500.79
0010059	11/23/2021	Policy T400065642 - Life Insurance - B Poiriez	1,300.00	0.00	1,050,200.79
EFT	11/23/2021	Pay Period 23/2021 - FSADed	660.84	0.00	1,050,200.79
0010060	11/23/2021	Fabrication of stairs to reach Met tower safely - Phelan site	822.03	0.00	1,049,378.76
0010061	11/23/2021	Pay Period 23/2021 - SBCERADefer, SBCERAMatch, SBCERAPickUp, SurvivorInsBen, SurvivorInsDed, RetireCashBen	98,503.74	0.00	950,875.02
0010062	11/23/2021	Pay Period 23/2021 - GeneralUnitDues	540.57	0.00	950,334.45
0010063	11/23/2021	Pay Period 23/2021 - GeneralUnitMisc	3.00	0.00	950,331.45
0010064	11/23/2021	Electricity Usage - 10/12/21 - 11/09/21	2,574.64	0.00	947,756.81
0010065	11/23/2021	Inv 241 - November 2021 Services	1,700.00	0.00	946,056.81
0010066	11/23/2021	Invoices 6054073/1, 6054102/1	230.07	0.00	945,826.74
0010067	11/23/2021	Inv 80631 - Employee Support Services - October 2021	450.00	0.00	945,376.74
0010068	11/23/2021	Inv 45545262 - Repair 5 Water Hydrants	4,131.00	0.00	941,245.74
0010069	11/23/2021	Pay Period 23/2021 - UnitedWay	26.00	0.00	941,219.74
0010070	11/23/2021	Inv 755121 - 2020 Equinox - Oil Change	101.51	0.00	941,118.23
0010071	11/23/2021	Inv 2040671110721 - Internet Service - 11/07/21 - 12/06/21	990.00	0.00	938,334.60
	11/23/2021	Wage Works FSA Claim	209.03	0.00	938,125.57
	11/24/2021	Wage Works FSA Claim	364.10	0.00	937,761.47
	11/24/2021	Wage Works FSA Claim	97.25	0.00	937,664.22

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0000005	11/24/2021	Credit Card Transaction - Costco	0.00	317.00	937,981.22
0000005	11/24/2021	Credit Card Transaction - Sunwest Engineering Constructors Inc.	0.00	1,000.00	938,981.22
0000005	11/26/2021	Credit Card Transactions - John Zink Company LLC - Federal Avations Admin/Pacific - T2 Properties LLC	0.00	5,605.71	944,586.93
0000005	11/26/2021	Credit Card Transaction - Shambaugh & Son	0.00	336.61	944,923.54
	11/26/2021	Cards #6251 - 10/05/21 - 11/04/21	95.00	0.00	944,828.54
	11/26/2021	Card #7885 - 10/05/21 - 11/04/21	145.65	0.00	944,682.89
	11/26/2021	Card #6685 - 10/05/21 - 11/04/21	311.96	0.00	944,370.93
	11/26/2021	Card #9081 - 10/05/21 - 11/04/21	861.44	0.00	943,509.49
	11/26/2021	Card #8110 - 10/05/21 - 11/04/21	950.10	0.00	942,559.39
	11/26/2021	Card #0357 - 10/05/21 - 11/04/21	2,704.13	0.00	939,855.26
	11/26/2021	Card #3428 - 10/05/21 - 11/04/21	2,982.26	0.00	936,873.00
	11/26/2021	Card #6210 - 10/05/21 - 11/04/21	3,071.16	0.00	933,801.84
	11/29/2021	VOYA 401a - Poiriez - November 2021	1,831.79	0.00	931,970.05
0000005	11/30/2021	Credit Card Transaction - Boeing Comany, The	0.00	302.00	932,272.05
	11/30/2021	PP 24/2021 State Taxes	8,163.54	0.00	924,108.51
	11/30/2021	PP 24/2021 - Federal Taxes	27,652.54	0.00	896,455.97
	11/30/2021	PP 24/2021 - 3rd party sick - Employer Sahre FICA	39.35	0.00	896,416.62
Total for Report:			2,077,188.58	3,014,132.76	

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
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>
0002206	9/01/2021		204,309.80	0.00	7,088,289.14
0002205	9/01/2021		841,559.78	0.00	6,246,729.36
0000005	9/02/2021	Daily Deposit	0.00	24,660.52	6,271,389.88
0000005	9/03/2021	SBCo ACH - Unicor FPI	0.00	4,882.32	6,276,272.20
0000005	9/03/2021	SBCo ACH - MDAQMD	0.00	710.84	6,276,983.04
0000005	9/08/2021	Daily Deposit	0.00	94,182.18	6,371,165.22
#####	9/08/2021		65,675.98	0.00	6,305,489.24
20210830A	9/08/2021		114,880.00	0.00	6,190,609.24
0000005	9/09/2021	Daily Deposit	0.00	17,118.56	6,207,727.80
0000005	9/10/2021	Daily Deposit	0.00	5,311.76	6,213,039.56
0000005	9/10/2021	SBCo ACH - MP Mine	0.00	813.21	6,213,852.77
0000005	9/10/2021	SBCo ACH - NTC	0.00	1,000.00	6,214,852.77
0000005	9/13/2021	Daily Deposit	0.00	10,524.64	6,225,377.41
0000005	9/14/2021	Daily Deposit	0.00	35,339.48	6,260,716.89
0000005	9/14/2021	SBCo ACH - MDAQMD	0.00	710.84	6,261,427.73
0002207	9/14/2021		285,659.39	0.00	5,975,768.34
0000005	9/15/2021	SBCo ACH - Mojave Solar	0.00	14,148.07	5,989,916.41
0000005	9/16/2021	Daily Deposit	0.00	4,104.93	5,994,021.34
0000005	9/17/2021	SBCo ACH - NASA	0.00	15,532.99	6,009,554.33
0000005	9/20/2021	SBCo ACH - MAGTFTC	0.00	437.01	6,009,991.34
0000005	9/20/2021	Daily Deposit	0.00	63,822.87	6,073,814.21
#####	9/20/2021		1,007,132.00	0.00	5,066,682.21
0000005	9/21/2021	Daily Deposit	0.00	23,817.96	5,090,500.17
0000005	9/22/2021	Daily Deposit	0.00	1,016,837.97	6,107,338.14
0000005	9/22/2021	SBCo ACH - NTC Public Works	0.00	1,000.00	6,108,338.14
0000005	9/23/2021	Daily Deposit	0.00	8,763.26	6,117,101.40
0000005	9/23/2021	SBCO ACH - MDAQMD	0.00	26,698.23	6,143,799.63
0000005	9/24/2021	Daily Deposit	0.00	8,390.40	6,152,190.03
0000005	9/27/2021	Daily Deposit	0.00	21,004.19	6,173,194.22
#####	9/27/2021		61,048.91	0.00	6,112,145.31
0002208	9/28/2021		151,599.30	0.00	5,960,546.01
0000005	9/28/2021	Daily Deposit	0.00	262,100.01	6,222,646.02
0002209	9/28/2021		185,491.00	0.00	6,037,155.02
	9/30/2021	Service Charge	143.00	0.00	6,037,012.02
0000005	10/04/2021	Daily Deposit	0.00	21,383.80	6,058,395.82
0000005	10/04/2021	Daily Deposit	0.00	67,532.64	6,125,928.46
0000005	10/05/2021	Daily Deposit	0.00	155,906.71	6,281,835.17
0000005	10/06/2021	SBCo ACH - Babak Denirro	0.00	4,127.71	6,285,962.88
0002210	10/07/2021		442,347.20	0.00	5,843,615.68
0000005	10/08/2021	Daily Deposit	0.00	18,041.15	5,861,656.83
0000005	10/08/2021	SBCo ACH - MDAQMD	0.00	710.84	5,862,367.67
0000005	10/12/2021	Daily Deposit	0.00	24,788.37	5,887,156.04
0000005	10/13/2021	SBCo ACH - MDAQMD	0.00	710.84	5,887,866.88
0000005	10/13/2021	Daily Deposit	0.00	360,655.31	6,248,522.19

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
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>
CCAA	10/13/2021	CCAA FY 21/22	3,491,526.43	0.00	2,756,995.76
0000005	10/18/2021	Daily Deposit	0.00	13,700.05	2,770,695.81
0000005	10/19/2021	Daily Deposit	0.00	168,718.77	2,939,414.58
0000005	10/20/2021	Daily Deposit	0.00	6,878.53	2,946,293.11
0002211	10/21/2021		337,844.87	0.00	2,608,448.24
0000005	10/22/2021	Daily Deposit	0.00	125,451.26	2,733,899.50
0000005	10/25/2021	SBCo ACH MDAQMD	0.00	33,946.64	2,767,846.14
0000005	10/26/2021	SBCO ACH MDAQMD	0.00	660.84	2,768,506.98
0000005	10/26/2021	Daily Deposit	0.00	81,059.11	2,849,566.09
	10/27/2021	Interest Earned	0.00	5,645.94	2,855,212.03
0000005	10/28/2021	Daily Deposit	0.00	2,779.63	2,857,991.66
0000005	10/29/2021	SBCo ACH - MP Mine	0.00	976.27	2,858,967.93
	10/31/2021	Service Charge	136.50	0.00	2,858,831.43
0000005	11/01/2021	Daily Deposit	0.00	9,054.05	2,867,885.48
0000005	11/01/2021	SBCo ACH - MTC Public Works	0.00	7,697.07	2,875,582.55
0000005	11/02/2021	Daily Deposit	0.00	24,367.85	2,899,950.40
0000005	11/03/2021	SBCo ACH - Arcadis - Charter	0.00	356.12	2,900,306.52
0000005	11/05/2021	Daily Deposit	0.00	18,285.10	2,918,591.62
0000005	11/08/2021	Daily Deposit	0.00	9,878.57	2,928,470.19
0000005	11/08/2021	SBCO ACH - NTC Public Works	0.00	344.72	2,928,814.91
0000005	11/10/2021	SBCo ACH - NTC Pubilic Works	0.00	155,671.92	3,084,486.83
0002212	11/10/2021		448,849.49	0.00	2,635,637.34
#####	11/10/2021		62,228.92	0.00	2,573,408.42
0000005	11/12/2021	SBCo ACH - MDAQMD	0.00	660.84	2,574,069.26
0000005	11/15/2021	Daily Deposit	0.00	6,157.48	2,580,226.74
0000005	11/16/2021	Daily Deposit	0.00	162,145.94	2,742,372.68
0000005	11/24/2021	SBCo ACH - MDAQMD	0.00	660.84	2,743,033.52
0000005	11/29/2021	Daily Deposit	0.00	22,239.03	2,765,272.55
0000005	11/29/2021	SBCo ACH - Cal State Milling - Advanced Bio-Mineral	0.00	15,689.54	2,780,962.09
0000005	11/30/2021	Daily Deposit	0.00	56,276.30	2,837,238.39
Total for Report:			7,700,432.57	3,245,072.02	

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
WF AB2766

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0003104	9/02/2021	AB2766 Grant	490.86	0.00	2,030,090.97
#####	9/08/2021	Transfer AB2766 - June 2021	0.00	65,675.98	2,095,766.95
#####	9/27/2021	Transfer AB2766 - July 2021	0.00	61,048.91	2,156,815.86
0003105	10/07/2021	AB2766 Grant	437.18	0.00	2,156,378.68
0003106	11/02/2021	AB2766 Grant	15,000.00	0.00	2,141,378.68
0003107	11/02/2021	AB2766 Grant	372.32	0.00	2,141,006.36
0003108	11/02/2021	AB2766 Grant	40,000.00	0.00	2,101,006.36
0003109	11/02/2021	AB2766 Grant	20,000.00	0.00	2,081,006.36
0003110	11/02/2021	AB2766 Grant	250,000.00	0.00	1,831,006.36
#####	11/10/2021	Transfer AB2766 - August 2021	0.00	62,228.92	1,893,235.28
Total for Report:			326,300.36	188,953.81	

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
WF Carl Moyer

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0001027	9/02/2021	Moyer Grant	164,048.00	0.00	315,806.25
20210830A	9/08/2021	Transfer Moyer - Year 23 Reserve Funds	0.00	114,880.00	430,686.25
0001028	9/16/2021	Moyer Admin Reimbursement FY 21	62,309.88	0.00	368,376.37
#####	9/20/2021	Transfer Moyer Year 23	0.00	1,007,132.00	1,375,508.37
Total for Report:			226,357.88	1,122,012.00	

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
PARS TRUST - OPEB

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	9/30/2021	Service Charge	447.39	0.00	917,175.32
	9/30/2021	Interest Earned	28,852.82	0.00	888,322.50
	10/31/2021	Service Charge	449.84	0.00	887,872.66
	10/31/2021	Interest Earned	0.00	28,340.65	916,213.31
	11/30/2021	Service Charge	447.30	0.00	915,766.01
	11/30/2021	Interest Earned	15,261.37	0.00	900,504.64
Total for Report:			45,458.72	28,340.65	

Mojave Desert AQMD
Bank Register from 9/01/2021 to 11/30/2021
PARS TRUST - PENSION

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	9/02/2021	PARS Contribution FY21	0.00	307,280.60	1,723,823.10
	9/30/2021	Service Charge	695.55	0.00	1,723,127.55
	9/30/2021	Interest Earned	43,030.80	0.00	1,680,096.75
	10/31/2021	Service Charge	758.74	0.00	1,679,338.01
	10/31/2021	Interest Earned	0.00	44,341.70	1,723,679.71
	11/30/2021	Service Charge	844.07	0.00	1,722,835.64
	11/30/2021	Interest Earned	24,467.56	0.00	1,698,368.08
Total for Report:			69,796.72	351,622.30	

From: Jorge Camacho
 Grants Analyst
 760.245.1661, ext. 2020
 Fax 760.245.2699
 jcamacho@mdaqmd.ca.gov



To: Brad Poiriez
 bradp@mdaqmd.ca.gov

Date: January 24, 2022
Subject: October, November and December Grant Report

Interoffice Memo

Updates

- The District has partnered with STIHL again for our 2022 Lawn & Garden Residential Equipment Exchange Program. The program will commence April 1st, 2022 and will run until the end of June 2022 or when funds are liquidated.
- As part of the Mobile Sources Emission Reductions Plan Transit Allocations grant were paid out in October 2021.

Current Project List December 2021

<u>Funding Source</u>			
<u>Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program)</u>			
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>	
Chaffin Farms Project # 1_2021_1990 MF 383	\$ 59,841.60	Pending	
Coxco LLC Project #1 2021_JD 8420 and JD 770BH	295,035.00	Pending	
DeConinck Farms Project #1 2021-1987 New Holland Bale Wagon	162,087.00	Pending	
Red River Farms Project #1 2021_JD 7210 (3-2)	164,400.00	Pending	
Robinson Farms Project #1 2021-1993 JD 7400	108,832.00	Pending	
Total Carl Moyer Grant Awards	\$ 790,195.60		

<u>Funding Source</u>			
<u>FARMER Year 2</u>			
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>	
Fisher Ranch LLC Project 5A Off-Road Agricultural Equipment	\$ 44,000.00	Pending	
Fisher Ranch LLC Project 6A Off-Road Agricultural Equipment	46,688.00	Pending	
Fisher Ranch LLC Project 7A Off-Road Agricultural Equipment	41,915.43	Pending	
Fisher Ranch LLC Project 8A Off-Road Agricultural Equipment	41,915.43	Pending	
Total	\$ 174,518.86		

<u>Funding Source</u>		
<u>AB 134/617-Community Action Program</u>		
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>
AVUSD Electric Bus Infrastructure	\$ 30,738.97	Pending
AESD Electric Bus Infrastructure	29,900.63	Pending
Total AB 134/617 Grant Awards	\$ 60,639.60	

<u>Funding Source</u>		
<u>Mobile Source Emissions Reduction</u>		
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>
Lawn and Garden Residential Exchange Program	\$ 150,000.00	Ongoing/Yearly
Moronggo Basin Transit	40,000.00	Ongoing/Yearly
Needles Area Transit	15,000.00	Ongoing/Yearly
Palo Verde Transit	20,000.00	Ongoing/Yearly
San Bernardino County	75,000.00	Ongoing/Yearly
Victor Valley Transit Authority	250,000.00	Ongoing/Yearly
Voluntary Accelerated Vehicle Retirement Program	100,000.00	Ongoing/Yearly
City of 29 Palms-Infrastructure Project	170,372.00	Pending
Total AB2766 Grant Awards	\$ 820,372.00	

<u>Funding Source Moyer Reserve and MSERP</u>		
<u>Electric Vehicle Charging Stations</u>		
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>
Copper Mountain College	\$ 49,999.00	Pending
EV Charging Solutions (VVGMC)	40,000.00	Pending
EV Range (Via Del Sol Hotel, Needles)	49,999.00	Pending
Total Grant Awards	\$ 139,998.00	

<u>Funding Source</u>		
<u>Targeted Air Shed Grant</u>		
<u>Project Name</u>	<u>Grant Award</u>	<u>Status</u>
MNRC/CEMEX Locomotive Replacement	\$ 2,694,670.00	
Total Grant Awards	\$ 2,694,670.00	

Glossary of Terms and Definitions

On-Going Yearly

Funds are encumbered on a yearly and ongoing basis.

Pending

Grantee is under a contractual agreement with the District.

Work in Progress

Application is currently being reviewed by the Grants Section.

From: Michelle Powell
Fiscal Specialist II
 760.245.1661, ext. 2020
 Fax 760.245.2699
 mpowell@mdaqmd.ca.gov

To: Brad Poiriez
 bradp@mdaqmd.ca.gov

Date: December 15, 2021
Subject: Facilities and Fleet



Interoffice Memo

MDAQMD FACILITIES UPDATES

<u>Project</u>	<u>Expense</u>	<u>Status</u>
Plumber, Water Leak - Hydrants	\$ 4,990.00	Completed
Electrical, Switch Replacement Hallway	Awaiting Invoice	Completed
Plumber, Main Water Line Leak	\$ 6,984.00	Completed
Air Conditioning Re-Ducting	\$5,600.00	Completed
Carpet Cleaning	\$2,200	Pending
Total	\$ 19,774.00	

MDAQMD FLEET UPDATES

<u>Vehicles</u>	<u>Expense</u>	<u>Status</u>
2022 Ford Escape (2)	\$ 55,176.00	On Order
Total	\$ 55,176.00	

The following page(s) contain the backup material for Agenda Item: [Receive and file the Legislative Report for January 2022. Presenter: Brad Poiriez, Executive Director/APCO.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #5

DATE: January 24, 2022

RECOMMENDATION: Receive and file.

SUMMARY: The Legislative Report for January 2022.

BACKGROUND: Legislative actions proposed at the federal and state level have the potential to impact the implementation of the District's mission as well as its regulatory operations. An important tool for the District is to monitor the flood of information and its status which allows for comment early in the process and preparation for any changes that may be required. The District contracts this service and receives periodic reports with summaries to help sort the pertinent legislative proposals.

Strategic Partners Group (SPG) is the consultant to the District providing this service to monitor certain legislative and regulatory activities at the state and local level. Staff will direct questions to SPG regarding any of the material presented or follow up on any matter of interest to the Governing Board. Following the table of proposed legislation are several Articles of Interest of relevant information.

REASON FOR RECOMMENDATION: This item is provided for information subject to direction of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director/APCO, on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director/APCO.



Government Affairs and Communication Consulting

FRANK T. SHEETS, III
LAURIE HANSEN SHEETS

MEMORANDUM

DATE: January 5, 2021

TO: Brad Poiriez

FROM: Frank Sheets
Laurie Hansen

We hope you all had a wonderful holiday season and are anxious to get back to the grind. As such, in order to help in that regard, below please find our report for January 2022.

With the legislature reconvening on January 3rd, it is a bit early for us to be seeing much in the way of new bills. As such, the bill list we are providing consists of mostly two-year bills. The reader will notice that some of the bills will show a last amendment date in 2022. If such is the case, the bill is no longer designated as two-year, but rather shows its current location. You will also note some of these bills have already been scheduled for hearing. The houses of origin of these two-year and amended bills have until January 31, 2022 to pass these bills to the other house. Otherwise the bills will die. Two-year bills that have already passed out of their house of origin are subject to the same deadlines as newly introduced legislation.

The following bills have been scheduled for hearing as of this writing:

- AB 365 ([O'Donnell D](#)) **Sales and use taxes: exemption: zero-emission and near-zero-emission drayage trucks,**
- AB 672 ([Garcia, Cristina D](#)) **Publicly owned golf courses: conversion: affordable housing,**
- AB 943 ([Garcia, Eduardo D](#)) **California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: competitive grant programs: funding objectives,**
- AB 1001 ([Garcia, Cristina D](#)) **Environment: mitigation measures for air and water quality impacts: environmental justice,**
- AB 1240 ([Ting D](#)) **Indoor air pollution,**
- AB 1369 ([Bennett D](#)) **Buy Clean California Act: eligible materials: product-specific global warming potential emissions,**
- AB 1445 ([Levine D](#)) **Planning and zoning: regional housing need allocation: climate change impacts,**
- AB 1519 ([Gallagher R](#)) **Forestry: fuels transportation program: biomass energy facility: grant program,**
- AB 1559 ([O'Donnell D](#)) **Energy: Innovative Renewable Energy for Buildings Act of 2022,**
- ACR 109 ([Gonzalez, Lorena D](#)) **Extreme heat: state response.**

Of these bills, we invite the reader to specifically note Garcia's AB 1001. This bill expands CEQA in two ways (1) requiring lead agencies to consider Environmental Justice when approving projects under CEQA and 2) requiring that all mitigation measures be done in the disadvantage community impacted. These revised conditions under CEQA are considered troublesome by some in the regulated community.

For you golfers out there we have included Garcia’s bill AB 672 which would provide incentives to communities with public golf courses to close such facilities to allow for the construction of low income housing.

Other bills of interest in this list include the following:

- AB 363 deals with the Carl Moyer program.
- AB 426 would expand District responsibilities in evaluation of health risks from toxics emissions by including new categories.
- AB 766 deals with corporate disclosures of emissions outside of California and could be of concern. Although perhaps not a concern to Air Districts,
- AB 905 proposes new regulations on mobile fueling equipment.
- AB 1296 proposes to add two (2) additional board members to SCAQMD.
- AB 1322 proposes the evaluation of sustainable aviation fuels and considering aviation activity within the District could be of interest.
- AB 1365 deals with clean concrete and is of interest to the District’s Portland cement operations.
- AB 1395, entitled **The California Climate Crisis Act**, proposes a 90% reduction of anthropological GHG emissions from 1990 levels by 2045. This proposal is not a net reduction, but rather an actual reduction.
- AB 1463 expands the categories of fuels to be included in the low carbon fuel standard.
- AB 1523 calls for the revision of the 2006 California Global Warming Solutions Act of 2006 (AB 32) to state that CARB has the responsibility of regulating mobile sources of greenhouse gas emissions while the air districts have the responsibility of regulating stationary sources of greenhouse gas emissions. We doubt this bill proceed.
- AB 1547 by Reyes seems to shift the regulation of warehouse facilities, at least in part, from the Districts to ARB. This last year has seen some efforts by SCAQMD to impose regulations on warehouse operations and efforts by the author may have been influenced by such activity.

Of course, we may have miss some of the listed bills that might be of interest to individual readers. As such, we invite the reader to review the following list in more detail.

As always, should there questions or comments, please feel free to contact us at your convenience.

MDAQMD 2022 bills

Tuesday, January 04, 2022

[AB 1](#)

(Garcia, Cristina D) Hazardous waste.

Current Analysis: 05/26/2021 [Assembly Floor Analysis \(text 12/7/2020\)](#)

Introduced: 12/7/2020

Location: 7/14/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would create the Board of Environmental Safety in the California Environmental Protection Agency. The bill would provide requirements for the membership of the board and would require the board to conduct no less than 6 public meetings per year. The bill would provide for the duties of the board, which would include, among others, reviewing specified policies, processes, and programs within the hazardous waste control laws; proposing statutory, regulatory, and policy changes; and hearing and deciding appeals of hazardous waste facility permit decisions and certain financial assurance decisions.

Vote Events:

05/27/2021 ASM. THIRD READING (Y:58 N:3 A:17) (P)

05/20/2021 ASM. APPR. (Y:12 N:0 A:4) (P)

04/07/2021 ASM. E.S. & T.M. (Y:7 N:0 A:2) (P)

AB 5

(Fong R) Greenhouse Gas Reduction Fund: High-Speed Rail Authority: K-12 education: transfer.

Introduced: 12/7/2020

Last Amend: 3/17/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2023-24 and 2024-25 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund.

AB 11

(Ward D) Climate change: regional climate change authorities.

Introduced: 12/7/2020

Last Amend: 1/21/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

AB 50

(Boerner Horvath D) Climate change: Climate Adaptation Center and Regional Support Network: sea level rise.

Introduced: 12/7/2020

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, and update biannually, a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.

AB 51

(Quirk D) Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.

Introduced: 12/7/2020

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as specified. This bill would require the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.

AB 52

(Frazier D) California Global Warming Solutions Act of 2006: scoping plan updates: wildfires.

Introduced: 12/7/2020

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include in its regulation of emissions of greenhouse gases the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund (fund) and to be available upon appropriation by the Legislature. Current law continuously appropriates 35% of the annual proceeds of the fund for transit, affordable housing, and sustainable communities programs and 25% of the annual proceeds of the fund for certain components of a specified high-speed rail project. This bill would require the state board, in each scoping plan update prepared by the state board after January 1, 2022, to include, consistent with the act, recommendations for achieving the maximum technologically feasible and cost-effective reductions of emissions of greenhouse gases and black carbon from wildfires.

[AB 96](#)

(O'Donnell D) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

Introduced: 12/7/2020

Last Amend: 3/22/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero-emission truck, bus, and off-road vehicle and equipment technologies and related projects. The program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology, and requires, until December 31, 2021, no less than 20% of funding made available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The program defines “zero- and near-zero-emission” for its purposes. This bill would extend the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology until December 31, 2026.

[AB 111](#)

(Boerner Horvath D) Transportation: zero-emission vehicles.

Introduced: 12/17/2020

Last Amend: 1/3/2022

Location: 4/30/2021-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Secretary of Transportation, in consultation with certain state entities, to implement a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- and heavy-duty vehicle parking and electric vehicle charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles.

[AB 117](#)

(Boerner Horvath D) Air Quality Improvement Program: electric bicycles.

Current Analysis: 08/13/2021 [Senate Appropriations \(text 7/16/2021\)](#)

Introduced: 12/18/2020

Last Amend: 7/16/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality. Pursuant to its existing statutory authority, the state board has established the Clean Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to promote the production and use of zero-emission vehicles by providing rebates for the purchase of new zero-emission vehicles. Current law specifies the types of projects eligible to receive funding under the program. This bill would specify projects providing incentives for purchasing electric bicycles, as defined, as projects eligible for funding under the program.

Vote Events:

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

07/12/2021 SEN. E.Q. (Y:6 N:1 A:0) (P)
 06/24/2021 SEN. TRANS. (Y:14 N:0 A:3) (P)
 06/01/2021 ASM. THIRD READING (Y:74 N:2 A:3) (P)
 05/20/2021 ASM. APPR. (Y:12 N:3 A:1) (P)
 04/05/2021 ASM. TRANS. (Y:11 N:0 A:4) (P)

AB 158

(Committee on Budget) Hazardous waste.

Current Analysis: 06/28/2021 [Senate Floor Analyses \(text 6/25/2021\)](#)

Introduced: 1/8/2021

Last Amend: 6/25/2021

Location: 9/10/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Board of Environmental Safety in the department, consisting of 5 members, with 3 members appointed by the Governor subject to confirmation by the Senate, one member appointed by the Senate Committee on Rules, and one member appointed by the Speaker of the Assembly. The bill would require the board to perform certain activities, including setting of fees related to the handling of hazardous substances and hazardous waste, hearing appeals of the hazardous waste facility permitting decisions, and conducting a specified analysis. The bill would establish an office of the ombudsperson in the board to receive complaints and suggestions from the public, to evaluate complaints received, to report findings and make recommendations to the Director of Toxic Substances Control and the board, and to render assistance to the public.

Vote Events:

06/28/2021 SEN. BUDGET & F.R. (Y:13 N:3 A:2) (P)
 02/25/2021 ASM. THIRD READING (Y:56 N:18 A:5) (P)

AB 220

(Voepel R) Smog check: exemption.

Current Analysis: 03/19/2021 [Assembly Transportation \(text 1/11/2021\)](#)

Introduced: 1/11/2021

Last Amend: 4/13/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes a motor vehicle inspection and maintenance (smog check) program that is administered by the Department of Consumer Affairs. The smog check program requires inspection of motor vehicles upon initial registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Current law exempts specified vehicles from being inspected biennially upon renewal of registration, including, among others, all motor vehicles manufactured prior to the 1976 model year. This bill would also exempt from the biennial smog check inspections all motor vehicles manufactured after the 1976 model year but prior to the 1983 model year if the owner submits proof that the motor vehicle is insured as a collector motor vehicle.

AB 267

(Valladares R) California Environmental Quality Act: exemption: prescribed fire, thinning, and fuel reduction projects.

Current Analysis: 04/16/2021 [Assembly Floor Analysis \(text 3/16/2021\)](#)

Introduced: 1/15/2021

Last Amend: 6/2/2021

Location: 7/14/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, until January 1, 2023, exempts from the requirements of CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969, as provided. Current law requires the Department of Forestry and Fire Protection, beginning December 31, 2019, and annually thereafter until January 1, 2023, to report to the relevant policy committees of the Legislature the number of times the exemption was used. This bill would extend the exemption from CEQA and the requirement on the department to report to the relevant policy committees of the Legislature to January 1, 2026.

Vote Events:

04/29/2021 ASM. THIRD READING (Y:62 N:2 A:14) (P)
 04/14/2021 ASM. APPR. (Y:13 N:0 A:3) (P)

[AB 284](#)**(Rivas, Robert D) California Global Warming Solutions Act of 2006: climate goal: natural and working lands.****Current Analysis:** 09/01/2021 [Senate Floor Analyses \(text 7/14/2021\)](#)**Introduced:** 1/21/2021**Last Amend:** 7/14/2021**Location:** 9/10/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, as part of the next scoping plan update, in collaboration with the Natural Resources Agency and other relevant state agencies and departments and no later than January 1, 2023, to identify a 2045 climate goal, with interim milestones, for the state's natural and working lands, as defined, and to integrate into the scoping plan update recommendations developed by the Natural Resources Agency and the Department of Food and Agriculture regarding practices, policy and financial incentives, market needs, and potential reductions in barriers that would help achieve the 2045 climate goal, among other recommendations. The bill would require the state board, in collaboration with the Natural Resources Agency and other relevant state agencies and departments, to include this information in each subsequent update to the scoping plan and update that information, as appropriate.

Vote Events:

08/26/2021 SEN. APPR. (Y:5 N:2 A:0) (P)

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

07/13/2021 SEN. N.R. & W. (Y:7 N:1 A:1) (P)

06/28/2021 SEN. E.Q. (Y:4 N:2 A:1) (P)

06/01/2021 ASM. THIRD READING (Y:52 N:18 A:9) (P)

05/20/2021 ASM. APPR. (Y:12 N:4 A:0) (P)

03/24/2021 ASM. NAT. RES. (Y:8 N:1 A:2) (P)

[AB 363](#)**(Medina D) Carl Moyer Memorial Air Quality Standards Attainment Program.****Current Analysis:** 07/09/2021 [Senate Transportation \(text 5/25/2021\)](#)**Introduced:** 2/1/2021**Last Amend:** 7/5/2021**Location:** 7/14/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Air Resources Board to establish or update grant criteria and guidelines for covered vehicle and infrastructure projects as soon as practicable, but not later than July 1, 2017. The state board's program guidelines describe the minimum criteria and requirements for on-road heavy-duty vehicles and the types of projects that can be incentivized to provide surplus emissions reductions from on-road heavy-duty vehicles through contracts or through the On-Road Heavy-Duty Voucher Incentive Program (VIP). The VIP guidelines allow for the early retirement of existing on-road heavy-duty vehicles, allowing these high-polluting vehicles to be replaced with newer, lower emission vehicles. The VIP guidelines further describe the minimum criteria and requirements for eligibility in the VIP, including, but not limited to, limiting the fleet size and vehicle weight class of eligible vehicles, excluding from program eligibility vehicles subject to the solid waste collection vehicle rule and the fleet rule for transit agencies, and prohibiting the leasing of replacement vehicles. This bill would require the state board, upon appropriation by the Legislature, to develop project grant criteria and guidelines for a new On-Road Heavy-Duty Vehicle Incentive Program (VIP2) that shall provide additional incentives for projects eligible for program funding that are deployed in disadvantaged communities, as provided, and in low-income communities, as defined.

Vote Events:

06/28/2021 SEN. E.Q. (Y:6 N:0 A:1) (P)

06/01/2021 ASM. THIRD READING (Y:64 N:3 A:12) (P)

05/20/2021 ASM. APPR. (Y:12 N:0 A:4) (P)

04/26/2021 ASM. TRANS. (Y:12 N:0 A:3) (P)

[AB 365](#)**(O'Donnell D) Sales and use taxes: exemption: zero-emission and near-zero-emission drayage trucks.****Introduced:** 2/1/2021**Last Amend:** 1/3/2022**Location:** 12/22/2021-A. REV. & TAX

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION, BURKE

Summary: Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law provides various exemptions from these taxes. This bill would, on and after January 1, 2023, and before January 1, 2028, exempt from those taxes the gross receipts from the sale of a qualified drayage truck.

AB 380 (**Sevarto R**) **Forestry: priority fuel reduction projects.**

Introduced: 2/2/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under the authority provided pursuant to the California Emergency Services Act, the Governor, on March 22, 2019, issued a proclamation of a state of emergency directing the Department of Forestry and Fire Protection to implement, without delay, fuel reduction projects identified using a methodology developed by the department to determine which communities are at greatest risk of wildfire based on best available science and socioeconomic factors and to identify projects that would reduce the risk of catastrophic wildfire, if completed. The proclamation of a state of emergency exempts those identified fuel reduction projects from various legal requirements, including, among others, requirements regarding public contracting for those projects, requirements for environmental review under the California Environmental Quality Act for those projects, and licensure requirements for individual conducting certain activities for those projects, as provided. This bill would require the department, before December 31, 2022, and before December 31 of each year thereafter, to identify priority fuel reduction projects, as provided.

AB 426 (**Bauer-Kahan D**) **Toxic air contaminants.**

Introduced: 2/4/2021

Last Amend: 3/17/2021

Location: 5/7/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives. This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district’s jurisdiction from indirect and areawide sources of air pollution, including mobile sources drawn by those sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

AB 467 (**Grayson D**) **Smog check: exemption: historic vehicles.**

Introduced: 2/8/2021

Last Amend: 1/3/2022

Location: 1/3/2022-A. REV. & TAX

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Motor Vehicles, upon application, to issue a specialty license plate to an owner of a motor vehicle that is operated primarily for purposes of historical exhibition or other similar purposes and the vehicle meets certain requirements. This bill would exempt a motor vehicle for which a specialty plate described above has been issued from the requirement that it be inspected biennially upon registration if specified criteria are met, including a requirement that proof that the motor vehicle is insured as a collector motor vehicle is submitted to the Department of Motor Vehicles.

AB 585 (**Rivas, Luz D**) **Climate change: Extreme Heat and Community Resilience Program.**

Current Analysis: 08/13/2021 [Senate Appropriations \(text 7/13/2021\)](#)

Introduced: 2/11/2021

Last Amend: 7/13/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
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1st House	2nd House				
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Summary: Would establish the Extreme Heat and Community Resilience Program for the purpose of coordinating state efforts and supporting local and regional efforts to mitigate the impacts of, and reduce the public health risks of, extreme heat and the urban heat island effect, and would require the Office of Planning and Research to administer the program through the Integrated Climate Adaptation and Resiliency Program.

Vote Events:

- 08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 07/12/2021 SEN. E.Q. (Y:5 N:0 A:2) (P)
- 06/29/2021 SEN. N.R. & W. (Y:9 N:0 A:0) (P)
- 06/02/2021 ASM. THIRD READING (Y:67 N:1 A:11) (P)
- 05/20/2021 ASM. APPR. (Y:13 N:1 A:2) (P)
- 03/24/2021 ASM. NAT. RES. (Y:9 N:0 A:2) (P)

AB 672

(Garcia, Cristina D) Publicly owned golf courses: conversion: affordable housing.

Introduced: 2/12/2021

Last Amend: 1/3/2022

Location: 1/3/2022-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/12/2022 9:30 a.m. - State Capitol, Room 126 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, WICKS, Chair

Summary: Would, upon appropriation by the Legislature, require the Department of Housing and Community Development to administer a program to provide incentives in the form of grants to local agencies that enter into a development agreement to convert a golf course owned by the local agency into housing and publicly accessible open space, as specified.

AB 713

(Garcia, Cristina D) State Air Resources Board: greenhouse gas emissions scoping plan: comprehensive health analysis.

Current Analysis: 07/13/2021 [Senate Appropriations \(text 5/24/2021\)](#)

Introduced: 2/16/2021

Last Amend: 5/24/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse This bill would require the state board to conduct a comprehensive health analysis in conjunction with the development of each update of the scoping plan that includes a framework to provide an overview of the breadth of health impacts and health benefits that may accrue from the outcomes in the scoping plan, as specified.

Vote Events:

- 07/15/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 06/28/2021 SEN. E.Q. (Y:4 N:1 A:2) (P)
- 06/01/2021 ASM. THIRD READING (Y:66 N:9 A:4) (P)
- 05/20/2021 ASM. APPR. (Y:12 N:4 A:0) (P)
- 04/28/2021 ASM. NAT. RES. (Y:10 N:0 A:1) (P)

AB 745

(Gipson D) Air pollution: Clean Cars 4 All Program.

Current Analysis: 11/23/2021 [Assembly Appropriations \(text 4/21/2021\)](#)

Introduced: 2/16/2021

Last Amend: 4/21/2021

Location: 5/25/2021-A. 2 YEAR

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, as a part of the Clean Cars 4 All Program, to provide vouchers

for the purchase of zero-emission vehicles to persons of low income living in disadvantaged communities to replace those persons' vehicles that have failed a smog check inspection, as provided. The bill would require the state board, by January 1, 2024, to take specified actions to meet the goals of the Clean Cars 4 All Program.

Vote Events:

04/26/2021 ASM. TRANS. (Y:15 N:0 A:0) (P)

AB 762

(Lee D) Hazardous emissions and substances: schoolsites: private and charter schools.

Current Analysis: 08/13/2021 [Senate Appropriations \(text 6/29/2021\)](#)

Introduced: 2/16/2021

Last Amend: 6/29/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: CEQA prohibits an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless specified conditions are met, relating to, among other things, whether the property is located on a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, or a site that contains a pipeline that carries specified substances, and the property's proximity to facilities that might reasonably be anticipated to emit hazardous emissions or handle hazardous or extremely hazardous substances or waste, as provided. This bill would prohibit a lead agency from certifying an environmental impact report or approving a negative declaration for a project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a charter school or a private school, unless those specified conditions are met.

Vote Events:

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

07/07/2021 SEN. ED. (Y:4 N:2 A:1) (P)

06/28/2021 SEN. E.Q. (Y:4 N:2 A:1) (P)

06/01/2021 ASM. THIRD READING (Y:61 N:2 A:16) (P)

05/20/2021 ASM. APPR. (Y:12 N:0 A:4) (P)

04/28/2021 ASM. ED. (Y:5 N:1 A:1) (P)

04/07/2021 ASM. E.S. & T.M. (Y:6 N:0 A:3) (P)

AB 766

(Gabriel D) Climate change: corporate disclosures.

Introduced: 2/16/2021

Last Amend: 3/18/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, beginning January 1, 2025, and annually thereafter, a covered corporation to disclose to the State Air Resources Board and the Secretary of State specified information for the prior calendar year, including, but not limited to, the potential financial impacts of, and any risk management strategies relating to the physical and transition risks, as defined, posed to the covered corporation by climate change. The bill would require the state board to establish climate change-related disclosure guidance that, to the extent practicable would be specialized for industries within specified sectors of the economy, establish reporting standards for estimating and disclosing direct and indirect greenhouse gas emissions, as defined, include reporting standards for fossil fuel-related assets, establish a minimum social cost of carbon, as defined, and require a covered corporation to conduct climate scenario analyses, as provided.

AB 776

(Mathis R) Methane: dairy digesters.

Introduced: 2/16/2021

Location: 5/7/2021-A. 2 YEAR

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoe d	Chaptered
1st House				2nd House							

Summary: Current law requires the State Air Resources Board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations consistent with the strategy, as specified. This bill would state the intent of the Legislature to enact subsequent legislation relating to methane and dairy digesters.

AB 897

(Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and

resilience action plans.

Current Analysis: 08/13/2021 [Senate Appropriations \(text 7/14/2021\)](#)

Introduced: 2/17/2021

Last Amend: 7/14/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state’s climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor’s office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Vote Events:

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

07/13/2021 SEN. N.R. & W. (Y:7 N:1 A:1) (P)

06/28/2021 SEN. E.Q. (Y:4 N:1 A:2) (P)

06/02/2021 ASM. THIRD READING (Y:64 N:6 A:9) (P)

05/20/2021 ASM. APPR. (Y:12 N:3 A:1) (P)

04/14/2021 ASM. NAT. RES. (Y:8 N:1 A:2) (P)

[AB 905](#)

(Quirk D) Mobile fueling on-demand tank vehicles: performance standards.

Introduced: 2/17/2021

Last Amend: 4/5/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to regulate a mobile fueling on-demand tank vehicle, as defined, as a mobile source, and, contingent upon an appropriation by the Legislature for this purpose, to adopt regulations on or before a specified date to control emissions attributable to mobile fueling on-demand tank vehicles and to certify equipment for those vehicles, as provided. The bill would authorize the state board to allow the use of onboard refueling vapor recovery (ORVR) systems to achieve or maintain the standards and procedures adopted in those regulations for the control of gasoline vapors resulting from the motor vehicle fueling operations of a mobile fueling on-demand tank vehicle.

[AB 943](#)

(Garcia, Eduardo D) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: competitive grant programs: funding objectives.

Introduced: 2/17/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: Would, beginning July 1, 2023, would require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application timeline, and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.

[AB 1001](#)

(Garcia, Cristina D) Environment: mitigation measures for air and water quality impacts: environmental justice.

Introduced: 2/18/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air or water quality of a disadvantaged community, to mitigate those effects directly in the affected disadvantaged community.

[AB 1240](#)

(Ting D) Indoor air pollution.

Introduced: 2/19/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: Current law requires the State Air Resources Board, in consultation with other state agencies and interested members of the public, to provide a report to the Legislature on issues relating to indoor air pollution by January 1, 2004. This bill would require the state board to provide to the Legislature an addendum, as specified, to the above-described report by January 1, 2024. The bill would repeal these provisions on January 1, 2028.

[AB 1270](#)

(Rivas, Luz D) Natural gas plants: methane monitoring systems and reporting.

Introduced: 2/19/2021

Last Amend: 3/18/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require an owner or operator of a natural gas plant, as defined, to develop, install, operate, and maintain, in accordance with guidance developed by the appropriate air district, a fence-line monitoring system, as defined, to measure and record methane concentrations at or adjacent to a natural gas plant. The bill would require the air district and the owner or operator of a natural gas plant to collect real-time data from these fence-line monitoring systems, provide that data to the public as quickly as possible in a publicly accessible format, and maintain records of that data. The bill would require an owner or operator of a natural gas plant to report methane concentrations readings that exceed background levels to the air district and would require the air district to report those readings to Members of the Legislature representing the district in which the natural gas plant is located.

[AB 1296](#)

(Kamlager D) South Coast Air Quality Management District: district board: membership.

Introduced: 2/19/2021

Location: 5/7/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the South Coast Air Quality Management District as the district with the responsibility for controlling air pollution from sources other than vehicular sources in the South Coast Air Basin. Current law establishes a district board consisting of 13 members to govern the south coast district. Current law requires one member of the district board to be appointed by the Senate Committee on Rules and one member to be appointed by the Speaker of the Assembly. This bill would increase the number of members of the district board of the south coast district to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.

[AB 1312](#)

(Rodriguez D) Vehicular fuels: renewable and clean hydrogen: income tax: credit.

Introduced: 2/19/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would allow a green hydrogen, as defined, production facility and distribution credit against the personal income and corporate income taxes for each taxable year beginning on or after January 1, 2023, and before January 1, 2033, to a qualified taxpayer for qualified building or qualified distribution costs, or both, as defined. The bill would also allow a hydrogen infrastructure credit against those taxes for each taxable year beginning on or after January 1, 2023, and before January 1, 2033, to a qualified taxpayer for qualified building costs, as defined. The bill would decrease the green hydrogen production facility and distribution credit as the amount of green hydrogen produced on average per day in the state increases and would decrease the hydrogen infrastructure credit as the number of public hydrogen fueling stations in operation in the state increases.

[AB 1317](#)

(Berman D) Clean energy.

Introduced: 2/19/2021

Location: 1/3/2022-A. P. & C.P.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law establishes as policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would state the intent of the Legislature to enact subsequent legislation to accelerate the state’s progress toward having 100% of electricity provided by renewable or other zero-carbon sources while maintaining a reliable and resilient electricity grid.

[AB 1322](#)

(Rivas, Robert D) California Global Warming Solutions Act of 2006: scoping plan: sustainable aviation fuels.

Current Analysis: 05/05/2021 [Assembly Floor Analysis \(text 5/4/2021\)](#)

Introduced: 2/19/2021

Last Amend: 9/2/2021

Location: 9/10/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, as part of the next scoping plan update, to develop a plan, consistent with federal law, to use sustainable aviation fuels to reduce greenhouse gas emissions from aircrafts in the state by 40% below 1990 levels by 2030 and to achieve net-zero greenhouse gas emissions by 2045. The bill would require, no later than January 1, 2023, the state board to undertake certain actions in developing the plan, including, among others, consulting with designated state agencies and, if feasible, commercial airports, commercial and business airlines that operate in the state, aircraft manufacturers, sustainable aviation fuels producers and developers, and infrastructure providers to develop the plan.

Vote Events:

05/10/2021 ASM. THIRD READING (Y:49 N:22 A:7) (P)

04/29/2021 ASM. H. & C.D. (Y:6 N:2 A:0) (P)

04/14/2021 ASM. L. GOV. (Y:5 N:3 A:0) (P)

[AB 1365](#)

(Bonta D) Public contracts: clean concrete.

Current Analysis: 04/13/2021 [Assembly Accountability And Administrative Review \(text 3/25/2021\)](#)

Introduced: 2/19/2021

Last Amend: 3/25/2021

Location: 9/10/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Contract Act governs the bidding and award of public works contracts by specific state departments and requires an awarding department, before entering into any contract for a project, to prepare full, complete, and accurate plans and specifications and estimates of cost. This bill would require the Department of General Services, on or before January 1, 2024, to establish and publish a maximum acceptable global warming potential for concrete, as specified. The bill would, beginning January 1, 2022, require an awarding authority to require a winning bidder for an eligible project to submit an Environmental Product Declaration developed in accordance with specified standards prior to installation of any concrete products..

Vote Events:

04/14/2021 ASM. A. & A.R. (Y:5 N:1 A:1) (P)

[AB 1369](#)

(Bennett D) Buy Clean California Act: eligible materials: product-specific global warming potential emissions.

Current Analysis: 04/13/2021 [Assembly Accountability And Administrative Review \(text 3/25/2021\)](#)

Introduced: 2/19/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoe	Chaptered
1st House				2nd House				Conc.		d	

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: The Buy Clean California Act requires the Department of General Services, by January 1, 2021, to establish and publish in the State Contracting Manual, in a department management memorandum, or on the department’s internet website, a maximum acceptable global warming potential for each category of eligible materials, set at the industry average of facility-specific global warming potential emissions for that material, expressed as specified. Current law defines eligible materials for those purposes to mean carbon steel rebar, flat glass, mineral wool board insulation, or structural steel. This bill would define eligible materials to additionally include gypsum board, insulation, carpet and carpet tiles, ceiling tiles, and any other major structural, high-impact architectural, civil, or high-impact materials for which there is either a product category rule or an environmental product declaration.

Vote Events:

04/14/2021 ASM. A. & A.R. (Y:5 N:1 A:1) (P)

[AB 1395](#)

(Muratsuchi D) The California Climate Crisis Act.

Current Analysis: 09/09/2021 [Senate Floor Analyses \(text 9/3/2021\)](#)

Introduced: 2/19/2021

Last Amend: 9/3/2021

Location: 9/10/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf.	Enrolled	Vetoe	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill, the California Climate Crisis Act, would declare the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 90% below the 1990 levels.

Vote Events:

09/10/2021 SEN. Assembly 3rd Reading (Y:14 N:12 A:14) (F)

09/10/2021 SEN. Assembly 3rd Reading (Y:37 N:0 A:3) (P)

08/26/2021 SEN. APPR. (Y:4 N:2 A:1) (P)

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

07/12/2021 SEN. E.Q. (Y:5 N:2 A:0) (P)

06/03/2021 ASM. THIRD READING (Y:42 N:21 A:16) (P)

05/20/2021 ASM. APPR. (Y:11 N:4 A:1) (P)

04/28/2021 ASM. NAT. RES. (Y:8 N:3 A:0) (P)

[AB 1431](#)

(Frazier D) Forestry: forest carbon and resilience goals.

Current Analysis: 08/13/2021 [Senate Appropriations \(text 7/14/2021\)](#)

Introduced: 2/19/2021

Last Amend: 7/14/2021

Location: 8/27/2021-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf.	Enrolled	Vetoe	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the Department of Forestry and Fire Protection to implement various fire protection programs intended to protect forest resources and prevent uncontrolled wildfires. This bill would establish state goals for fuels treatment, vegetation management, and wildfire risk reduction, including, but not limited to, increasing vegetation management on nonfederal lands and urging the federal government to increase vegetation management on federal lands, as provided, and increasing the pace and scale of home hardening efforts to harden at least 100,000 existing homes per year by 2025. The bill would require that the established vegetation management goals be for activities that improve fire resiliency and reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns, as applicable.

would require the state to implement, or cause to be implemented, the established vegetation management and home hardening goals in a specified manner, including prioritizing the implementation of these goals in the most vulnerable communities.

Vote Events:

08/16/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
 07/13/2021 SEN. N.R. & W. (Y:8 N:0 A:1) (P)
 05/28/2021 ASM. THIRD READING (Y:76 N:0 A:2) (P)
 05/20/2021 ASM. APPR. (Y:16 N:0 A:0) (P)
 04/28/2021 ASM. NAT. RES. (Y:11 N:0 A:0) (P)

AB 1445

(Levine D) Planning and zoning: regional housing need allocation: climate change impacts.

Introduced: 2/19/2021

Last Amend: 1/3/2022

Location: 1/3/2022-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/12/2022 9:30 a.m. - State Capitol, Room 126 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, WICKS, Chair

Summary: Would, commencing January 1, 2025, require that a council of governments, a delegate subregion, or the Department of Housing and Community Development, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.

AB 1463

(O'Donnell D) California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard regulations.

Introduced: 2/19/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to recognize as a method to generate credits under the Low Carbon Fuel Standard regulations the use of renewable natural gas or biogas that both displaces the existing use of natural gas and reduces the carbon intensity of fuels, as specified.

AB 1519

(Gallagher R) Forestry: fuels transportation program: biomass energy facility: grant program.

Introduced: 2/19/2021

Last Amend: 3/11/2021

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: Would require the Natural Resources Agency to develop and implement a fuels transportation program that provides competitive grants or other financial incentives for projects in eligible communities to offset the costs of transporting fuels to a biomass energy facility, as specified. The bill would authorize the agency to allocate moneys from the Greenhouse Gas Reduction Fund consistent with the purposes of the fund. The bill would exempt these provisions from the Administrative Procedure Act.

AB 1523

(Gallagher R) Greenhouse gases.

Introduced: 2/19/2021

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would revise the California Global Warming Solutions Act of 2006 by designating the State Air Resources Board with the responsibility of regulating vehicular sources of emissions of greenhouse gases and each district with the responsibility of regulating all sources, other than vehicular sources, of emissions of greenhouse gases within its jurisdiction.

[AB 1547](#)

(Reves D) Air pollution: warehouse facilities.

Introduced: 2/19/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law regulates the emissions of air pollution. Current law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Current law designates the state board as having the primary responsibility for the control of air pollution from vehicular sources. This bill would authorize the State Air Resources Board to regulate indirect sources, as defined.

[AB 1559](#)

(O'Donnell D) Energy: Innovative Renewable Energy for Buildings Act of 2022.

Introduced: 2/19/2021

Last Amend: 1/3/2022

Location: 12/9/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: Current law requires the State Energy Resources Conservation and Development Commission to administer the Alternative and Renewable Fuel and Vehicle Technology Program to provide financial assistance for the development and deployment of innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. This bill, the Innovative Renewable Energy for Buildings Act of 2021, 2022, would, until January 1, 2032, require the commission to establish and implement a program to provide financial incentives to producers for the production of renewable propane, renewable hydrogen, and renewable dimethyl ether meeting certain requirements and that is used as an energy source for buildings in the state.

[ACR 109](#)

(Gonzalez, Lorena D) Extreme heat: state response.

Introduced: 8/30/2021

Last Amend: 1/3/2022

Location: 9/2/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 1/10/2022 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary: Would declare the California Legislature’s recognition of the threat that extreme heat poses to our communities and calls on the state’s agencies and departments to take immediate action to prepare and protect our communities from its impacts.

[SB 18](#)

(Skinner D) Hydrogen: green hydrogen: emissions of greenhouse gases.

Current Analysis: 08/16/2021 [Assembly Appropriations \(text 6/30/2021\)](#)

Introduced: 12/7/2020

Last Amend: 6/30/2021

Location: 8/27/2021-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, by December 31, 2022, as a part of the scoping plan and the state’s goal for carbon neutrality, to identify the role of hydrogen, and particularly green hydrogen, in helping California achieve the goals of the act and the state’s other climate goals. The bill would require the state board, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and Public Utilities Commission (PUC), to prepare an evaluation posted to the state board’s internet website by June 1, 2023, that includes specified information relative to the deployment, development, and use of hydrogen. The bill would require the state board, in making these evaluations, to consult with the California Workforce Development Board and labor and workforce organizations.

Vote Events:

07/07/2021 ASM. NAT. RES. (Y:11 N:0 A:0) (P)

06/16/2021 ASM. U. & E. (Y:15 N:0 A:0) (P)
 05/28/2021 SEN. Senate 3rd Reading (Y:38 N:0 A:2) (P)
 05/20/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
 05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
 04/29/2021 SEN. E.Q. (Y:6 N:0 A:1) (P)
 03/15/2021 SEN. E. U., & C. (Y:12 N:0 A:2) (P)

SB 30

(Cortese D) Building decarbonization.

Introduced: 12/7/2020

Location: 4/30/2021-S. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, on or after January 1, 2022, prohibit a state agency from designing or constructing a state facility that is connected to the natural gas grid. The bill would require the department to develop the California State Building Decarbonization Plan that will lead to the operational carbon-neutrality of all state-owned buildings by January 1, 2035. The bill would, except as provided, prohibit state agencies from providing funding or other support for projects for the construction of residential and nonresidential buildings that are connected to the natural gas grid.

SB 31

(Cortese D) Building decarbonization.

Current Analysis: 05/07/2021 [Senate Appropriations \(text 4/27/2021\)](#)

Introduced: 12/7/2020

Last Amend: 4/27/2021

Location: 5/25/2021-S. 2 YEAR

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Energy Commission to identify and implement programs to promote existing and new building decarbonization, as defined. The bill would, to the extent clean energy or energy efficiency funds are made available from the federal government to address economic recovery and development due to the COVID-19 pandemic, authorize the Energy Commission to expend federal moneys, to the extent authorized by federal law, for projects for existing and new building decarbonization. The bill would expressly require the Energy Commission, under the EPIC program, to award funds for projects for the development and deployment of commercial and residential building decarbonization technologies and investments that reduce or eliminate greenhouse gas generation in those buildings, as specified.

Vote Events:

05/10/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
 04/19/2021 SEN. E. U., & C. (Y:9 N:3 A:2) (P)

SB 45

(Portantino D) Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.

Current Analysis: 05/22/2021 [Senate Floor Analyses \(text 4/8/2021\)](#)

Introduced: 12/7/2020

Last Amend: 1/3/2022

Location: 1/3/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoe d	Chaptered
1st House				2nd House							

Calendar: 1/6/2022 #13 SENATE SENATE BILLS - SECOND READING FILE

Summary: Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.

Vote Events:

05/20/2021 SEN. APPR. (Y:5 N:2 A:0) (P)
 05/03/2021 SEN. APPR. (Y:6 N:0 A:1) (P)
 04/15/2021 SEN. GOV. & F. (Y:5 N:0 A:0) (P)
 03/16/2021 SEN. N.R. & W. (Y:7 N:2 A:0) (P)

SB 260

(Wiener D) Climate Corporate Accountability Act.

Current Analysis: 05/14/2021 [Senate Appropriations \(text 4/19/2021\)](#)

Introduced: 1/26/2021

Last Amend: 1/3/2022

Location: 1/3/2022-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, on or before January 1, 2024, to develop and adopt regulations requiring United States-based partnerships, corporations, limited liability companies, and other business entities with total annual revenues in excess of \$1,000,000,000 and that do business in California, defined as “reporting entities,” to publicly disclose to the Secretary of State, and verify, starting in 2025 on a date to be determined by the state board, and annually thereafter, their greenhouse gas emissions, categorized as scope 1, 2, and 3 emissions, as defined, from the prior calendar year, as provided. The bill would require reporting entities to disclose their greenhouse gas emissions in a manner that is easily understandable and accessible to residents of the state.

Vote Events:

05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)

04/27/2021 SEN. JUD. (Y:8 N:2 A:1) (P)

04/12/2021 SEN. E.Q. (Y:4 N:2 A:1) (P)

SB 342

(Gonzalez D) South Coast Air Quality Management District: board membership.

Current Analysis: 06/01/2021 [Senate Floor Analyses \(text 5/26/2021\)](#)

Introduced: 2/9/2021

Last Amend: 5/26/2021

Location: 6/4/2021-S. 2 YEAR

Desk	Policy	Fiscal	2 year	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board, consisting of 13 members. This bill would add 2 members to the district board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. The bill would require the 2 additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice. The bill would also require a candidate for these positions to meet other specified requirements.

Vote Events:

05/06/2021 SEN. GOV. & F. (Y:3 N:1 A:1) (P)

04/12/2021 SEN. E.Q. (Y:5 N:0 A:2) (P)

SB 495

(Dahle R) California Global Warming Solutions Act of 2006: scoping plan.

Current Analysis: 04/28/2021 [Senate Environmental Quality \(text 4/20/2021\)](#)

Introduced: 2/17/2021

Last Amend: 4/20/2021

Location: 4/20/2021-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Global Warming Solutions Act of 2006 requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board to include greenhouse gas emissions from wildlands and forest fires in the scoping plan.

Vote Events:

04/29/2021 SEN. E.Q. (Y:2 N:0 A:5) (F)

SB 506

(Jones R) California Environmental Quality Act: Greenhouse Gas Reduction Fund monies: greenhouse gas emissions: vegetation management projects.

Introduced: 2/17/2021

Location: 4/30/2021-S. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
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1st House	2nd House				
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Summary: Would prohibit the Department of Forestry and Fire Protection from requiring applicants for a grant or other funds made available to the department from the Greenhouse Gas Reduction Fund to consider the greenhouse gas emissions impacts of vegetation management projects pursuant to the California Environmental Quality Act (CEQA) as a condition of applying for or receiving a grant or other funds from moneys made available to the department from the fund. The bill would define “vegetation management projects” as projects that improve forest health, reduce fuel loading, and reduce greenhouse gas emissions caused by uncontrolled wildfires that involve the thinning of overgrown brush and trees, as specified, by mechanical thinning, piling, pile burning, chipping, prescribed fire, cultural fire, or grazing.

[SB 527](#)

(Melendez R) Greenhouse Gas Reduction Fund: high-speed rail: Salton Sea restoration.

Introduced: 2/17/2021

Location: 4/30/2021-S. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain components of a specified high-speed rail project. This bill would eliminate the continuous appropriation of 25% of the annual proceeds of Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on June 30, 2022. The bill, beginning with the 2022–23 fiscal year, would annually transfer 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the Salton Sea Restoration Fund. This bill contains other existing laws.

[SB 542](#)

(Limón D) Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks.

Current Analysis: 05/25/2021 [Senate Floor Analyses \(text 5/25/2021\)](#)

Introduced: 2/18/2021

Last Amend: 5/25/2021

Location: 9/10/2021-S. 2 YEAR

Desk	Policy	Fiscal	2 year	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. The bill would define “qualified motor vehicle” as a specified zero-emission truck. The bill would disallow the exemption for sales or uses made on or after January 1, 2025, if the purchaser also received other specified benefits.

Vote Events:

- 05/20/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 05/06/2021 SEN. GOV. & F. (Y:4 N:1 A:0) (P)
- 04/13/2021 SEN. TRANS. (Y:14 N:0 A:3) (P)

[SB 551](#)

(Stern D) California Zero-Emission Vehicle Authority.

Current Analysis: 08/16/2021 [Assembly Appropriations \(text 7/8/2021\)](#)

Introduced: 2/18/2021

Last Amend: 7/8/2021

Location: 9/10/2021-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the California Zero-Emission Vehicle Authority within the Governor’s Office of Business and Economic Development. The bill would require the authority to coordinate activities among state agencies to advance zero-emission vehicle infrastructure deployment, including charging stations and hydrogen refueling stations, as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified. The bill would require the authority to publish on its internet website and report to the relevant policy

committees of the Legislature an update on its progress in prescribed activities, including metrics in specified areas, including vehicle sales and job training. The bill would repeal these provisions on January 1, 2029.

Vote Events:

- 07/05/2021 ASM. TRANS. (Y:12 N:0 A:3) (P)
- 06/30/2021 ASM. A. & A.R. (Y:5 N:1 A:1) (P)
- 05/28/2021 SEN. Senate 3rd Reading (Y:31 N:6 A:3) (P)
- 05/20/2021 SEN. APPR. (Y:5 N:2 A:0) (P)
- 05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 04/27/2021 SEN. TRANS. (Y:14 N:2 A:1) (P)
- 04/06/2021 SEN. G.O. (Y:10 N:3 A:2) (P)

SB 595

(Caballero D) Climate change adaptation: workforce development retraining.

Introduced: 2/18/2021

Location: 9/10/2021-S. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would express the intent of the Legislature to enact subsequent legislation that would require climate change adaptation regulations to take into account workforce development retraining needs and plans to meet those needs.

SB 662

(Archuleta D) Energy: transportation sector: hydrogen.

Current Analysis: 05/14/2021 [Senate Appropriations \(text 5/3/2021\)](#)

Introduced: 2/19/2021

Last Amend: 5/3/2021

Location: 5/25/2021-S. 2 YEAR

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Public Utilities (PUC) to additionally evaluate and implement policies to promote the development of equipment and infrastructure needed to facilitate the use of hydrogen to fuel low-emission vehicles, as provided. The bill would require the PUC, in consultation with the State Air Resources Board and the Energy Commission, to authorize gas corporations to file applications for investments in programs to accelerate zero-emission vehicle transportation, defined to include both transportation electrification and the use of hydrogen when it is used as a transportation fuel in fuel cell electric vehicles, to advance specified environmental objectives.

Vote Events:

- 05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 04/29/2021 SEN. E.Q. (Y:6 N:0 A:1) (P)
- 04/12/2021 SEN. E. U., & C. (Y:10 N:3 A:1) (P)

SB 697

(Hueso D) Cap-and-Trade Program: Green Hydrogen Credit Program.

Current Analysis: 05/14/2021 [Senate Appropriations \(text 5/10/2021\)](#)

Introduced: 2/19/2021

Last Amend: 5/10/2021

Location: 5/25/2021-S. 2 YEAR

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, on or before December 31, 2023, the State Air Resources Board to consider developing and implementing a Green Hydrogen Credit Program to accelerate the deployment and production of green hydrogen, as defined, at large industrial facilities and to promote the transition to a carbon-free economy. The bill would require the state board to determine whether a Green Hydrogen Credit Program would be an effective and appropriate approach to using the state's Cap-and-Trade Program to incentivize green hydrogen production.

Vote Events:

- 05/17/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
- 04/29/2021 SEN. E.Q. (Y:5 N:2 A:0) (P)

SB 726

(Gonzalez D) Alternative fuel and vehicle technologies: sustainable transportation.

Current Analysis: 08/31/2021 [Assembly Floor Analysis \(text 8/30/2021\)](#)

Introduced: 2/19/2021

Last Amend: 8/30/2021

Location: 9/10/2021-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Current law requires the commission to give preference to those projects that maximize the goals of the program based on specified criteria and to fund specified eligible projects, including, among others, alternative and renewable fuel projects to develop and improve alternative and renewable low-carbon fuels. Current law creates the Alternative and Renewable Fuel and Vehicle Technology Fund, to be administered by the commission, and requires the moneys in the fund, upon appropriation by the Legislature, to be expended by the commission to implement the program. This bill would revise and recast the program to expand the purpose of the program to include developing and deploying innovative technologies that transform California's fuel and vehicle types to help reduce criteria air pollutants and air toxics.

Vote Events:

08/26/2021 ASM. APPR. (Y:12 N:4 A:0) (P)
07/05/2021 ASM. TRANS. (Y:8 N:4 A:3) (P)
06/23/2021 ASM. NAT. RES. (Y:8 N:2 A:1) (P)
06/02/2021 SEN. Senate 3rd Reading (Y:31 N:6 A:3) (P)
05/20/2021 SEN. APPR. (Y:5 N:2 A:0) (P)
05/10/2021 SEN. APPR. (Y:7 N:0 A:0) (P)
04/27/2021 SEN. TRANS. (Y:13 N:1 A:3) (P)
04/12/2021 SEN. E.Q. (Y:5 N:1 A:1) (P)

SB 778

(Becker D) Buy Clean California Act: Environmental Product Declarations: concrete.

Current Analysis: 06/28/2021 [Assembly Accountability And Administrative Review \(text 6/21/2021\)](#)

Introduced: 2/19/2021

Last Amend: 6/21/2021

Location: 7/14/2021-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require as part of the Buy Clean California Act, beginning July 1, 2022, an awarding authority to require a successful bidder for a contract for an eligible project, as separately defined for purposes of these requirements, to submit a current Environmental Product Declaration, as defined, for each concrete product before the product is installed in the project, as provided. The bill would require the awarding authority, beginning January 1, 2023, when letting contracts that include concrete for use in an eligible project to require all bids to include the global warming potential, as defined, for each concrete product that will be delivered, the total concrete production CO2e, as defined, for all concrete products included in the bid, and an estimate of delivery emissions, as defined, from transporting the concrete. The bill would require the State Air Resources Board, on or before January 1, 2024, to establish, and the department to publish in the State Contracting Manual, in a department management memorandum, or on the department's internet website, the maximum global warming potential for concrete at the industry average global warming potential for concrete within each project region and performance class, as provided.

Vote Events:

05/20/2021 SEN. Senate 3rd Reading (Y:30 N:1 A:9) (P)
04/29/2021 SEN. HOUSING (Y:9 N:0 A:0) (P)
04/15/2021 SEN. GOV. & F. (Y:5 N:0 A:0) (P)

Total Measures: 62

Total Tracking Forms: 62

The following page(s) contain the backup material for Agenda Item: [Set Date of February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District Rule 404 — Particulate Matter – Concentration as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District \(MDAQMD or District\) in Riverside County and replacement with current MDAQMD Rule 404 -Particulate Matter – Concentration. Presenter: Alan De Salvio, Deputy APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #6

DATE: January 24, 2022

RECOMMENDATION: Set Date of February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District *Rule 404 – Particulate Matter – Concentration* as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replacement with current MDAQMD *Rule 404 - Particulate Matter – Concentration*.

SUMMARY: The proposed SIP cleanup of the MDAQMD Rule 404 – *Particulate Matter - Concentration*, aims to update the SIP so that the Riverside Country portion of the MDAQMD is subject to the same SIP approved rule as the San Bernardino County jurisdictions of the District.

BACKGROUND: In the late 1950s air pollution control in the entire County of San Bernardino was governed by the San Bernardino County Air Pollution Control District (SBCAPCD – Full County District). Given the regional nature of the air pollution problem in Southern California the Boards of Supervisors of Los Angeles, Orange, Riverside and San Bernardino counties entered into a Joint Powers Authority (JPA) Agreement on July 1, 1975 to form the Southern California Air Pollution Control District (SoCalAPCD), a short-lived regional agency. This agency adopted Rule 404 – *Particulate Matter – Concentration* on May 7, 1976, which applied to Los Angeles, Orange, Riverside and San Bernardino Counties and was approved into the SIP (43 FR 25684, 6/14/1978).

About a year later the South Coast Air Quality Management District (SCAQMD) was formed effective February 1, 1977. Only those areas of San Bernardino County located within the South Coast Air Basin (SCAB), including the San Bernardino Valley, were included in SCAQMD’s jurisdiction. Non-SCAB areas were presumed to revert to county districts despite the fact that the SoCalAPCD had not yet been dissolved. Based upon this presumption, CARB adopted a rulebook for the non-SCAB areas of Los Angeles, Riverside and San Bernardino counties via Executive Order G-73 including Rule 404. This version was disapproved as a SIP revision for Los Angles & Riverside county air districts but no action was taken on the San Bernardino version due to a subsequent submission of the Rule (43 FR 40011, 9/8/1978).

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AGENDA ITEM #6

PAGE 2

By June of 1977 the SoCalAPCD had been officially dissolved into its component county air districts covering the non-SCAB areas of the respective counties. The San Bernardino County Air Pollution Control District (SBCAPCD – Desert District) thereafter, on July 25, 1977, readopted the entire rule book including Rule 404 with minimal changes. This version of Rule 404 was approved as a SIP revision (43 FR 52489, 12/21/1978). Rule 404 has not been amended since that time making the July 25, 1977 version the current SIP approved version for SBCAPCD – Desert District.

At the end of 1977, the non-SCAB areas of Riverside County (The Riverside County Air Pollution Control District) opted in to SCAQMD. CARB submitted this resolution as a SIP revision to replace all the Riverside County rules with SCAQMD rules in the SIP. USEPA approved the replacement of the Riverside County APCD SIP Rules with the SCAQMD rules currently in effect (47 FR 25013, 6/9/1982).

In the interim between the Riverside County APCD “opt in” and USEPA’s approval of the wholesale replacement of the Riverside County APCD SIP rules with SCAQMD SIP rules, SCAQMD adopted amendments to Rule 404 on October 5, 1979. Since this rule was after the “opt in” resolution effective date this version of Rule 404 was submitted as a SIP revision for the entirety of SCAQMD including the Riverside County area. USEPA approved this version of Rule 404 into the SIP (49 FR 40128, 10/19/1984).

On July 1, 1993, the SBCAPCD became, pursuant to statute, the autonomous agency known as the Mojave Desert Air Quality Management District (MDAQMD) acquiring both the SBCAPCD-Desert District rules and SIP. Since Rule 404 had not been amended since its July 25, 1977 readoption that version remains the current SIP approved rule for the MDAQMD.

Utilizing a provision of the MDAQMD’s enabling legislation, Riverside County’s Palo Verde Valley including the City of Blythe left SCAQMD and joined the MDAQMD effective July 1, 1994. Since Rule 404 was not amended and no SIP action had been taken on it prior to July 1, 1994 the SIP rule for this area remains the SCAQMD October 5, 1979 version.

The current action is intended to request that USEPA rescind the SCAQMD October 5, 1979 version of Rule 404 from the SIP for the Palo Verde Valley/Blythe area of Riverside County within the jurisdiction of the MDAQMD from the SIP and replace it with the current SIP version effective within the rest of the MDAQMD namely the SBCAPCD July 25, 1977 version of Rule 404.

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VICTORVILLE, CALIFORNIA**

AGENDA ITEM #6

PAGE 3

A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the Rescission of SCAQMD Rule 404 — Particulate Matter – Concentration as in the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD (MDAQMD or District) in Riverside County and replacement with current MDAQMD Rule 404 -Particulate Matter - Concentration.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy APCO on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy APCO

The following page(s) contain the backup material for Agenda Item: [Set Date of February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District Rule 405 — Solid Particulate Matter – Weight as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District \(MDAQMD or District\) in Riverside County and replacement with current MDAQMD Rule 405 -Solid Particulate Matter – Weight. Presenter: Alan De Salvio, Deputy APCO.](#)

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #7

DATE: January 24, 2022

RECOMMENDATION: Set Date February 28, 2022 to conduct a public hearing to consider the rescission of South Coast Air Quality Management District *Rule 405 – Solid Particulate Matter – Weight* as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District (MDAQMD or District) in Riverside County and replacement with current MDAQMD *Rule 405 -Solid Particulate Matter – Weight*.

SUMMARY: The proposed SIP cleanup of the MDAQMD *Rule 405 – Solid Particulate Matter - Weight*, aims to update the SIP so that the Riverside Country portion of the MDAQMD is subject to the same SIP approved rule as the San Bernardino County jurisdictions of the District.

BACKGROUND: In the late 1950s air pollution control in the entire County of San Bernardino was governed by the San Bernardino County Air Pollution Control District (SBCAPCD – Full County District). Given the regional nature of the air pollution problem in Southern California the Boards of Supervisors of Los Angeles, Orange, Riverside and San Bernardino counties entered into a Joint Powers Authority (JPA) Agreement on July 1, 1975 to form the Southern California Air Pollution Control District (SoCalAPCD), a short-lived regional agency. This agency presumably adopted Rule 405 – *Particulate Matter – Weight* on May 7, 1976, which applied to Los Angeles, Orange, Riverside and San Bernardino Counties and was later approved into the SIP (42 FR 2700, 5/26/1977 and 43 FR 26584, 6/14/1978).

The South Coast Air Quality Management District (SCAQMD) was formed effective February 1, 1977. Only those areas of San Bernardino County located within the South Coast Air Basin (SCAB), including the San Bernardino Valley, were included in SCAQMD's jurisdiction. Non-SCAB areas were presumed to revert to county districts despite the fact that the SoCalAPCD had not yet been dissolved. Based upon this presumption, CARB adopted a rulebook for the non-SCAB areas of Los Angeles, Riverside and San Bernardino counties via Executive Order G-73 including Rule 405. This version was disapproved as a SIP revision for Riverside County APCD (43 FR 40011, 9/8/1978) but no action was taken on the San Bernardino version due to a subsequent submission of the Rule.

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

AGENDA ITEM #7

PAGE 2

By June of 1977 the SoCalAPCD had been officially dissolved into its component county air districts covering the non-SCAB areas of the respective counties. The San Bernardino County Air Pollution Control District (SBCAPCD – Desert District) thereafter, on July 25, 1977, readopted the entire rule book including Rule 405 with minimal changes. This version of Rule 405 was approved as a SIP revision (43 FR 52489, 12/21/1978). Rule 405 has not been amended since that time making the July 25, 1977 version the current SIP approved version for SBCAPCD – Desert District.

At the end of 1977, the non-SCAB areas of Riverside County (The Riverside County Air Pollution Control District) opted in to SCAQMD. CARB submitted this resolution as a SIP revision to replace all the Riverside County rules with SCAQMD rules in the SIP. USEPA approved the replacement of the Riverside County APCD SIP Rules with the SCAQMD rules currently in effect (46 FR 47451, 9/28/1981).

After the USEPA's approval of the wholesale replacement of the Riverside County APCD SIP rules with SCAQMD SIP rules, SCAQMD adopted amendments to Rule 405 on February 7, 1986. Since this rule was after the "opt in" resolution effective date this version of Rule 405 was submitted as a SIP revision for the entirety of SCAQMD including the Riverside County area. However, USEPA did not approve SCAQMD Rule 405 into the SIP until 1998, well after Blythe and the rest of the Palo Verde Valley became a part of the MDAQMD, meaning that the May 7, 1976 is the current SIP version of Rule 405 for the Riverside County portion of the MDAQMD (46 FR 47451, 9/28/1981).

On July 1, 1993, the SBCAPCD became, pursuant to statute, the autonomous agency known as the Mojave Desert Air Quality Management District (MDAQMD) acquiring both the SBCAPCD-Desert District rules and SIP. Since Rule 405 had not been amended since its July 25, 1977 adoption that version remains the current SIP approved rule for the San Bernardino portion of the MDAQMD.

Utilizing a provision of the MDAQMD's enabling legislation, Riverside County's Palo Verde Valley including the City of Blythe left SCAQMD and joined the MDAQMD effective July 1, 1994. Since Rule 405 was not amended and no SIP action had been taken on it prior to July 1, 1994 the SIP rule for this area remains the SCAQMD May 7, 1976 version.

The current action is intended to request that USEPA rescind the SCAQMD May 7, 1976 version of Rule 405 from the SIP for the Palo Verde Valley/Blythe area of Riverside County within the jurisdiction of the MDAQMD from the SIP and replace it with the current SIP version effective within the rest of the MDAQMD namely the SBCAPCD July 25, 1977 version of Rule 405.

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

AGENDA ITEM #7

PAGE 3

A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the Rescission of SCAQMD Rule 405 — Particulate Matter – Concentration as in the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD (MDAQMD or District) in Riverside County and replacement with current MDAQMD Rule 405 -Particulate Matter - Concentration.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy APCO on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy APCO

The following page(s) contain the backup material for Agenda Item: [Discuss composition of the Budget Committee and the Personnel Committee](#). Presenter: [Brad Poiriez, Executive Director/APCO, on behalf of the Governing Board Chair](#).
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #10

DATE: January 24, 2022

RECOMMENDATION: Discuss composition of the Budget Committee and the Personnel Committee.

SUMMARY: The Budget Committee currently consist of three Board Members and provides direction to staff regarding the preparation of the annual budget. The Personnel Committee currently consist of five Board Members plus one alternate Board Member and handles personnel matters during the year including the performance evaluation of the Executive Director/APCO. Currently, the Chair of the Governing Board acts as the Chair of the Personnel Committee and the Vice Chair of the Governing Board acts as the Chair of the Budget Committee.

Consistent with past Board practices, the Board Chair historically has appointed, and the entire Board ratifies, the Committee members based on the availability, willingness, and ability of Board members to serve. Because both the Budget Committee and the Personnel Committee are standing committees, future Board action will be necessary to proceed with Board's recommendations and direct staff action consistent with the Board's decision.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel to the Governing Board as to legal form, on or about January 10, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated for this recommendation.

PRESENTER: Brad Poiriez, Executive Director/APCO, on behalf of the Governing Board Chair.

Cc: Laquita Cole

The following page(s) contain the backup material for Agenda Item: [Conduct a public hearing to consider the amendment of Rule 900 – Standards of Performance for New Stationary Sources \(NSPS\) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants \(NESHAP\) as well as to receive and file updates to the Airborne Toxic Control Measures \(ATCMs\) and Maximum Achievable Control Technology \(MACT\) standards Notifications: 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 900 and Rule 100, and directing staff actions. Presenter: Alan De Salvio, Deputy APCO.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #11

DATE: January 24, 2022

RECOMMENDATION: Conduct a public hearing to consider the amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)* as well as to receive and file updates to the Airborne Toxic Control Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications: 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 900 and Rule 100, and directing staff actions.

SUMMARY: Rule 900 and Rule 1000 are proposed for amendment to update citations and adopt by reference amended Federal Standards. The ATCM and MACT Notifications will also be updated by reference to the most current versions as well.

CONFLICT OF INTEREST: None

BACKGROUND: Local air districts may receive delegation of authority to implement and enforce Federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP) by submitting a petition to the United States Environmental Protection Agency (USEPA). The Mojave Desert Air Quality Management District (MDAQMD), has in the past submitted such petitions and received delegations for certain NSPS and NESHAP standards.

Since the last District amendment on February 25, 2019, the USEPA has made amendments to variety of NSPS and NESHAP standards. The proposed amendments will update both Rule 900 and Rule 1000 to include the amendments to the NSPS and NESHAP standards which have occurred since the last submission.

In addition, the MDAQMD is authorized, pursuant to statute (Health & Safety Code §39666 to enforce certain state adopted ATCMs and a variety of a MACT standards. As an informational measure, the MDAQMD has included two Notifications in the District's rulebook which list the ATCMs and MACT standards enforceable within the District's jurisdiction. Both CARB and USEPA have added and updated various ATCMs and MACT standards since the last time these were updated. Therefore, this action will receive and file Notification: California Airborne Toxic Control Measures (ATCMs) and Notification: Maximum Available Control Technology (MACT) and direct their inclusion into the MDAQMD rulebook.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #11

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A Notice of Exemption, Categorical Exemption (Class 8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendments of Rule 900 and 1000 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board of the MDAQMD to hold a public hearing before adopting rules and regulations.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy APCO on or before January 6, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy APCO

RESOLUTION 22-02

1 A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR
2 QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF
3 EXEMPTION, AMENDING RULE 900 – *STANDARDS OF PERFORMANCE FOR NEW*
4 *STATIONARY SOURCES (NSPS) AND RULE 1000 – NATIONAL EMISSION STANDARDS FOR*
5 *HAZARDOUS AIR POLLUTANTS (NESHAP) UPDATING NOTIFICATIONS REGARDING*
6 *AIRBORNE TOXIC MEASURES (ATCMs) AND MAXIMUM ACHIEVABLE CONTROL*
7 *TECHNOLOGY (MACT) STANDARDS AND DIRECTING STAFF ACTIONS.*

8 On January 24, 2022, on motion by Member _____, seconded by Member _____,
9 and carried, the following resolution is adopted:

10 **WHEREAS**, the Mojave Desert Air Quality Management District (MDAQMD) has authority
11 pursuant to California Health and Safety Code (H&S Code) §§40702, 40725-40728 to adopt, amend or
12 repeal rules and regulations; and

13 **WHEREAS**, local air districts may receive delegation of authority to implement and enforce
14 Federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air
15 Pollutants (NESHAP) by submitting a petition to the United States Environmental Protection Agency
16 (USEPA); and

17 **WHEREAS**, the MDAQMD has in the past submitted such petitions and received delegations for
18 certain of the NSPS and NESHAP standards; and

19 **WHEREAS**, since February 25, 2019, the last amendment date for Rules 900 and 1000, USEPA
20 has updated a variety of its NSPS and NESHAPs; and

21 **WHEREAS**, the proposed amendments will update both Rule 900 – *Standards for Performance for*
22 *New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air*
23 *Pollutants (NESHAP)* as set forth in 40 Code of Federal Regulations, Part 60 (40 CFR 60) and Part 61 (40
24 CFR 61), respectively; and

25 **WHEREAS**, these amendments will allow the MDAQMD to petition USEPA to retain delegation
26 of NSPS and NESHAP authority; and

27 **WHEREAS**, in addition, the District is authorized, pursuant to statute Health & Safety Code §39666
28 to enforce certain state adopted Airborne Toxic Control Measures (ATCMs) and a variety of Maximum
Achievable Control Technology standards (MACT standards); and

WHEREAS, as an informational measure the MDAQMD has included two Notifications in the
District’s rulebook which list the ATCMs and MACT standards enforceable within the District’s

RESOLUTION 22-02

1 jurisdiction; and

2 **WHEREAS**, since February 25, 2019, the last amendment date for Rules 900 and 1000, both CARB
3 and USEPA have updated various ATCMs and MACT standards; and

4 **WHEREAS**, this action will also receive and file the following documents: *Notification: California*
5 *Airborne Toxic Control Measures (ATCMs)* and *Notification: Maximum Available Control Technology*
6 *(MACT)* and direct their inclusion into the MDAQMD rule book; and

7 **WHEREAS**, the proposed amendments to Rule 900 and Rule 1000, as well as the ATCM and
8 MACT standards Notifications, are necessary to adopt by reference various amended and updated
9 NESHAPs as set forth in 40 CFR 60, 40 CFR 61, 17 CCR, 40 CFR 63, respectively, and to enable the
10 MDAQMD to retain delegation of authority from USEPA for certain NSPS and NESHAP standards, as
11 well as the ATCMs and MACT standards; and

12 **WHEREAS**, the MDAQMD has the authority pursuant to H&S Code §40702 to amend rules and
13 regulations; and

14 **WHEREAS**, the proposed amendments are clear in that the meaning can be easily understood by
15 the persons impacted by the rule; and

16 **WHEREAS**, the proposed amendments are in harmony with, and not in conflict with, or
17 contradictory to existing statutes, court decisions, or state or federal regulations because this rule is enacted
18 to adopt by reference updated and amended NSPS and NESHAPs as set forth in 40 CFR 60 and 40 CFR
19 61, respectively; and

20 **WHEREAS**, the proposed amendments do not impose the same requirements as any existing state
21 or federal regulation because this rule is enacted to adopt by reference all the applicable provisions of
22 updated and amended NSPS and NESHAPs as set forth in 40 CFR 60 and 40 CFR 61, respectively; and

23 **WHEREAS**, the proposed amendments are needed to adopt by reference various amended and
24 updated NSPS and NESHAPs as set forth in 40 CFR 60 and 40 CFR 61, and to enable the MDAQMD to
25 obtain delegation of authority from USEPA for certain NSPS and NESHAP standards; and

26 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H&S Code
27 §40725, concerning the proposed amendments to Rule 900, Rule 1000, and ATCMs and MACT standards
28 Notifications; and

RESOLUTION 22-02

1 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR §15308) for the
2 proposed amendments to Rule 900, Rule 1000, and ATCMs and MACT standards Notifications completed
3 in compliance with the California Environmental Quality Act (CEQA), has been presented to the Governing
4 Board of the MDAQMD; each member having reviewed, considered and approved the information
5 contained therein prior to acting on the proposed amendments to Rule 900, Rule 1000, and ATCMs and
6 MACT standards Notifications, and the Governing Board of the MDAQMD having determined that the
7 proposed amendments will not have any potential for resulting in any adverse impact upon the environment;
8 and

9 **WHEREAS**, the Governing Board of the MDAQMD has considered the evidence presented at the
10 public hearing; and

11 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the MDAQMD finds
12 that the proposed amendments to Rule 900 – *Standards of Performance for Hazardous Air Pollutants*
13 (*NESHAP*), Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*, and
14 ATCMs and MACT standards Notifications are necessary, authorized, clear, consistent, non-duplicative
15 and properly referenced; and

16 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby makes a
17 finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies the Notice of
18 Exemption for the proposed amendments to Rule 900 – *Standards of Performance for Hazardous Air*
19 *Pollutants (NESHAP)*, Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*,
20 and ATCMs and MACT standards Notifications; and

21 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD does hereby adopt,
22 pursuant to the authority granted by law, the proposed amendments to Rule 900 – *Standards of Performance*
23 *for Hazardous Air Pollutants (NESHAP)*, Rule 1000 – *National Emission Standards for Hazardous Air*
24 *Pollutants (NESHAP)*, and ATCMs and MACT standards Notifications, as set forth in the attachments to
25 this resolution and incorporated herein by this reference; and

26 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption,
27 that the Clerk of the Board is directed to file the Notice of Exemption in compliance with the provisions of
28 CEQA.

RESOLUTION 22-02

1 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Mojave Desert Air Quality
2 Management District by the following vote:

3 AYES: MEMBER:
4 NOES: MEMBER:
5 ABSENT: MEMBER:
6 ABSTAIN: MEMBER:

7 STATE OF CALIFORNIA)
8) SS:
9 COUNTY OF SAN BERNARDINO)

10
11 I, Deanna Hernandez, Senior Executive Analyst of the Governing Board of the Mojave Desert Air
12 Quality Management District, hereby certify the foregoing to be a full, true and correct copy of the record
13 of the action as the same appears in the Official Minutes of said Governing Board at its meeting of
14 January 24, 2022.

15 _____,
16 Senior Executive Analyst
17 Mojave Desert Air Quality Management District
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RULE 900

Standards of Performance for New Stationary Sources (NSPS)

(A) General.

(1) Purpose.

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 Code of Federal Regulations, Part 60 (40 CFR 60).

(2) Applicability.

- (a) This rule shall be applicable to any new, modified or reconstructed sources of air pollution as specified in any subpart of 40 CFR 60 which is applicable to such source and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 60 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards, or alternate work practices.

(B) Definitions

- (1) For the purposes of this Rule the definitions contained in District Rule 102 – *Definitions of Terms* and any definition contained in subparts of 40 CFR 60 shall apply as applicable. In case of a conflict the definition(s) contained in particular subpart of 40 CFR 60 shall control followed by those definitions contained in 40 CFR 60 Subpart A followed by those contained in District Rule 102 unless such term is otherwise defined herein.

- (a) “Administrator” - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO may be considered a designee upon delegation or other action by USEPA except that the APCO is not empowered to approve alternative test methods or opacity limits.

(C) Standards of Performance for New Stationary Sources.

- (1) Any new, modified or reconstructed source of air pollution which is subject to any subpart of 40 CFR 60 as adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart(s) or in the applicable District Rules and Regulations.
- (2) With the exception of subsections (C)(2)(b), (c), (c_a), (c_b), (c_d), and (c_e) below which are included herein for informational purposes only, the following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein:
 - (a) 40 CFR 60, Subpart A - General Provisions (Commencing with 40 CFR 60.1).
 - (b) 40 CFR 60, Subpart B - Adoption and Submittal of State Plans for Designated Facilities (Commencing with 40 CFR 60.20).
 - (b_a) 40 CFR 60, Subpart B_a – Adoption and Submittal of State Plans for Designated Facilities.
 - (c) 40 CFR 60, Subpart C - Emission Guidelines and Compliance Times (Commencing with 40 CFR 60.30).
 - (c_a) 40 CFR 60, Subpart C_a - Reserved.
 - (c_b) 40 CFR 60, Subpart C_b - Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before September 20, 1994 (Commencing with 40 CFR 60.30b).
 - (c_c) 40 CFR 60, Subpart C_c - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.30c).
 - (c_d) 40 CFR 60, Subpart C_d - Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units (Commencing with 40 CFR 60.30d).
 - (c_e) 40 CFR 60, Subpart C_e - Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators (Commencing with 40 CFR 60.30e).
 - (c_f) 40 CFR 60, Subpart C_f - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Commencing with 40 60.30f).
 - (d) 40 CFR 60, Subpart D - Standards of Performance for Fossil-Fuel-Fired Steam Generators (Commencing with 40 CFR 60. 40).
 - (d_a) 40 CFR 60, Subpart D_a - Standards of Performance for Electric Utility Steam Generating Units (Commencing with 40 CFR 60.40Da).

- (db) 40 CFR 60, Subpart Db - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40b).
- (dc) 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40c).
- (e) 40 CFR 60, Subpart E - Standards of Performance for Incinerators (Commencing with 40 CFR 60.50).
- (ea) 40 CFR 60, Subpart Ea - Standards of Performance for Municipal Waste Combustors for Which Construction Is Commenced After December 20, 1989 and on or Before September 20, 1994 (Commencing with 40 CFR 60.50a).
- (eb) 40 CFR 60, Subpart Eb - Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996 (Commencing with 40 CFR 60.50b)
- (ec) 40 CFR 60, Subpart Ec - Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators (Commencing with 40 CFR 60.50c)
- (f) 40 CFR 60, Subpart F - Standards of Performance for Portland Cement Plants (Commencing with 40 CFR 60.60).
- (g) 40 CFR 60, Subpart G - Standards of Performance for Nitric Acid Plants (Commencing with 40 CFR 60.70).
- (ga) 40 CFR 60, Subpart Ga - Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011 (Commencing with 40 CFR 60.70a)
- (h) 40 CFR 60, Subpart H - Standards of Performance for Sulfuric Acid Plants (Commencing with 40 CFR 60.80).
- (i) 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities (Commencing with 40 CFR 60.90).
- (j) 40 CFR 60, Subpart J - Standards of Performance for Petroleum Refineries (Commencing with 40 CFR 60.100).

- (j_a) 40 CFR 60, Subpart Ja - Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 (Commencing with 40 CFR 60.100a).
- (k) 40 CFR 60, Subpart K - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973 and Prior to May 19, 1978 (Commencing with 40 CFR 60.110).
- (k_a) 40 CFR 60, Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 and Prior to July 23, 1984 (Commencing with 40 CFR 60.110a).
- (k_b) 40 CFR 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 (Commencing with 40 CFR 60.110b).
- (l) 40 CFR 60, Subpart L - Standards of Performance for Secondary Lead Smelters (Commencing with 40 CFR 60.120).
- (m) 40 CFR 60, Subpart M - Standards of Performance for Secondary Brass and Bronze Production Plants (Commencing with 40 CFR 60.130).
- (n) 40 CFR 60, Subpart N - Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973 (Commencing with 40 CFR 60.140).
- (n_a) 40 CFR 60, Subpart Na - Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983 (Commencing with 40 CFR 60.140a).
- (o) 40 CFR 60, Subpart O - Standards of Performance for Sewage Treatment Plants (Commencing with 40 CFR 60.150).
- (p) 40 CFR 60, Subpart P - Standards of Performance for Primary Copper Smelters (Commencing with 40 CFR 60.160).
- (q) 40 CFR 60, Subpart Q - Standards of Performance for Primary Zinc Smelters (Commencing with 40 CFR 60.170).
- (r) 40 CFR 60, Subpart R - Standards of Performance for Primary Lead Smelters (Commencing with 40 CFR 60.180).

- (s) 40 CFR 60, Subpart S - Standards of Performance for Primary Aluminum Reduction Plants (Commencing with 40 CFR 60.190).
- (t) 40 CFR 60, Subpart T - Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants (Commencing with 40 CFR 60.200).
- (u) 40 CFR 60, Subpart U - Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants (Commencing with 40 CFR 60.210).
- (v) 40 CFR 60, Subpart V - Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants (Commencing with 40 CFR 60.220).
- (w) 40 CFR 60, Subpart W - Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants (Commencing with 40 CFR 60.230).
- (x) 40 CFR 60, Subpart X - Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities (Commencing with 40 CFR 60.240).
- (y) 40 CFR 60, Subpart Y - Standards of Performance for Coal Preparation and Processing Plants (Commencing with 40 CFR 60.250).
- (z) 40 CFR 60, Subpart Z - Standards of Performance for Ferroalloy Production Facilities (Commencing with 40 CFR 60.260).
- (aa) 40 CFR 60, Subpart AA - Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983 (Commencing with 40 CFR 60.270).
- (aa_a) 40 CFR 60, Subpart AA_a - Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 (Commencing with 40 CFR 60.270a).
- (bb) 40 CFR 60, Subpart BB - Standards of Performance for Kraft Pulp Mills (Commencing with 40 CFR 60.280).
- (bb_a) 40 CFR 60, Subpart BB_a - Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (Commencing with 40 CFR 60.280a)

- (cc) 40 CFR 60, Subpart CC - Standards of Performance for Glass Manufacturing Plants (Commencing with 40 CFR 60.290).
- (dd) 40 CFR 60, Subpart DD - Standards of Performance for Grain Elevators (Commencing with 40 CFR 60.300).
- (ee) 40 CFR 60, Subpart EE - Standards of Performance for Surface Coating of Metal Furniture (Commencing with 40 CFR 60.310).
- (ff) 40 CFR 60, Subpart FF - Reserved.
- (gg) 40 CFR 60, Subpart GG - Standards of Performance for Stationary Gas Turbines (Commencing with 40 CFR 60.330).
- (hh) 40 CFR 60, Subpart HH - Standards of Performance for Lime Manufacturing Plants (Commencing with 40 CFR 60.340).
- (ii) Reserved. *[Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (kk) 40 CFR 60, Subpart KK - Standards of Performance for Lead-Acid Battery Manufacturing Plants (Commencing with 40 CFR 60.370).
- (ll) 40 CFR 60, Subpart LL - Standards of Performance for Metallic Mineral Processing Plants (Commencing with 40 CFR 60.380).
- (mm) 40 CFR 60, Subpart MM - Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations (Commencing with 40 CFR 60.390).
- (nn) 40 CFR 60, Subpart NN - Standards of Performance for Phosphate Rock Plants (Commencing with 40 CFR 60.400).
- (oo) Reserved. *[Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (pp) 40 CFR 60, Subpart PP - Standards of Performance for Ammonium Sulfate Manufacture (Commencing with 40 CFR 60.420).
- (qq) 40 CFR 60, Subpart QQ - Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing (Commencing with 40 CFR 60.430).
- (rr) 40 CFR 60, Subpart RR - Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations (Commencing with 40 CFR 60.440).

- (ss) 40 CFR 60, Subpart SS - Standards of Performance for Industrial Surface Coating: Large Appliances (Commencing with 40 CFR 60.450).
- (tt) 40 CFR 60, Subpart TT - Standards of Performance for Metal Coil Surface Coating (Commencing with 40 CFR 60.460).
- (uu) 40 CFR 60, Subpart UU - Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture (Commencing with 40 CFR 60.470).
- (vv) 40 CFR 60, Subpart VV - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 (Commencing with 40 CFR 60.480).
- (vva) 40 CFR 60, Subpart VVa - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Commencing with 40 CFR 60.480a)
- (ww) 40 CFR 60, Subpart WW - Standards of Performance for the Beverage Can Surface Coating Industry (Commencing with 40 CFR 60.490).
- (xx) 40 CFR 60, Subpart XX - Standards of Performance for Bulk Gasoline Terminals (Commencing with 40 CFR 60.500).
- (aaa) 40 CFR 60, Subpart AAA - Standards of Performance for New Residential Wood Heaters (Commencing with 40 CFR 60.530).
- (bbb) 40 CFR 60, Subpart BBB - Standards of Performance for the Rubber Tire Manufacturing Industry (Commencing with 40 CFR 60.540).
- (ccc) 40 CFR 60, Subpart CCC - Reserved.
- (ddd) 40 CFR 60, Subpart DDD - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry (Commencing with 40 CFR 60.560).
- (eee) 40 CFR 60, Subpart EEE - Reserved.
- (fff) 40 CFR 60, Subpart FFF - Standards of Performance for Flexible Vinyl and Urethane Coating and Printing (Commencing with 40 CFR 60.580).

- (ggg) 40 CFR 60, Subpart GGG - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006 (Commencing with 40 CFR 60.590).
- (ggga) 40 CFR 60, Subpart GGGa - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Commencing with 40 CFR 60.590a).
- (hhh) 40 CFR 60, Subpart HHH - Standards of Performance for Synthetic Fiber Production Facilities (Commencing with 40 CFR 60.600).
- (iii) 40 CFR 60, Subpart III - Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes (Commencing with 40 CFR 60.610).
- (jjj) 40 CFR 60, Subpart JJJ - Standards of Performance for Petroleum Dry Cleaners (Commencing with 40 CFR 60.620).
- (kkk) 40 CFR 60, Subpart KKK - Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 (Commencing with 40 CFR 60.630).
- (lll) 40 CFR 60, Subpart LLL - Standards of Performance for SO₂ Emissions from Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 (Commencing with 40 CFR 60.640).
- (mmm) 40 CFR 60, Subpart MMM - Reserved.
- (nnn) 40 CFR 60, Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (Commencing with 40 CFR 60.660).
- (ooo) 40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants (Commencing with 40 CFR 60.670).
- (ppp) 40 CFR 60, Subpart PPP - Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants (Commencing with 40 CFR 60.680).
- (qqq) 40 CFR 60, Subpart QQQ - Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems (Commencing with 40 CFR 60.690).

- (rrr) 40 CFR 60, Subpart RRR - Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (Commencing with 40 CFR 60.700).
- (sss) 40 CFR 60, Subpart SSS - Standards of Performance for Magnetic Tape Coating Facilities (Commencing with 40 CFR 60.710).
- (ttt) 40 CFR 60, Subpart TTT - Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines (Commencing with 40 CFR 60.720).
- (uuu) 40 CFR 60, Subpart UUU - Standards of Performance for Calciners and Dryers in Mineral Industries (Commencing with 40 CFR 60.730).
- (vvv) 40 CFR 60, Subpart VVV - Standards of Performance for Polymeric Coating of Supporting Substrates Facilities (Commencing with 40 CFR 60.740).
- (www) 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.750).
- (xxx) 40 CFR 60, Subpart XXX - Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014 (Commencing with 40 CFR 60.760)
- (yyy) 40 CFR 60, Subpart YYY - Reserved.
- (zzz) 40 CFR 60, Subpart ZZZ - Reserved.
- (aaaa) 40 CFR 60, Subpart AAAA - Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001 (Commencing with 40 CFR 60.1000).
- (bbbb) 40 CFR 60, Subpart BBBB - Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (Commencing with 40 CFR 60.1500).
- (cccc) 40 CFR 60, Subpart CCCC - Standards of Performance for Commercial and Industrial Solid Waste Incineration (Commencing with 40 CFR 60.2000).

- (dddd) 40 CFR 60, Subpart DDDD - Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units (Commencing with 40 CFR 60.2500).
- (eeee) 40 CFR 60, Subpart EEEE - Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006 (Commencing with 40 CFR 60.2880).
- (ffff) 40 CFR 60, Subpart FFFF - Emission Guidelines and Compliance Times of Other Solid Waste Incineration Units that Commenced Construction on or Before December 9, 2004 (Commencing with 40 CFR 60.2980).
- (gggg) 40 CFR 60, Subpart GGGG - Reserved.
- (hhhh) 40 CFR 60, Subpart HHHH - Reserved.
- (iiii) 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4200).
- (jjjj) 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4230).
- (kkkk) 40 CFR 60, Subpart KKKK - Standards of Performance for Stationary Combustion Turbines (Commencing with 40 CFR 60.4300).
- (llll) 40 CFR 60, Subpart LLLL - Standards of Performance for New Sewage Sludge Incineration Units (Commencing with 40 CFR 60.4760).
- (mmmm) 40 CFR 60, Subpart MMMM - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Commencing with 40 CFR 60.5000).
- (nnn) 40 CFR 60, Subpart NNNN – Reserved.
- (oooo) 40 CFR 60, Subpart OOOO - Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution for which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015 (Commencing with 40 CFR 60.5360).
- (oooo_a) 40 CFR 60, Subpart OOOO_a - Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced After September 18, 2015 (Commencing with 40 CFR 60.5360_a).

- (pppp) 40 CFR 60, Subpart PPPP - Reserved.
- (qqqq) 40 CFR 60, Subpart QQQQ - Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (Commencing with 40 CFR 60.5472).
- (rrrr) Reserved. *[Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (ssss) Reserved. *[Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (tttt) 40 CFR 60, Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Commencing with 40 CFR 60.5508).
- (uuuu) 40 CFR 60, Subpart UUUU - Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units (Commencing 40 CFR 60.5700).

[SIP: Not SIP]

NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*

<https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86cc673b7ad16&mc=true&page=browse>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

<https://www.fdlp.gov/>

Hard copies are available for purchase at:

<https://pueblo.gpo.gov/Publications/PuebloPubs.php> or

by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW, Washington, DC 20401-0001 (202) 512-1800

RULE 1000

National Emission Standards for Hazardous Air Pollutants (NESHAP)

(A) General

- (1) Purpose.
 - (a) This rule is enacted to adopt by reference all the applicable provisions regarding National Emissions Standards for Hazardous Air Pollutants as set forth in 40 Code of Federal Regulations, Part 61 (40 CFR 61).
- (2) Applicability.
 - (a) This rule shall be applicable to the owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and is adopted herein by reference.
 - (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 61 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards, or alternate work practices.

(B) Definitions

- (1) For the purposes of this Rule the definitions contained in District Rule 102 – *Definitions of Terms* and any definition contained in subparts of 40 CFR 61 shall apply as applicable. In case of a conflict the definition(s) contained in particular subpart of 40 CFR 60 shall control followed by those definitions contained in 40 CFR 61 Subpart A followed by those contained in District Rule 102 unless such term is otherwise defined herein.
 - (a) “Administrator” - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO may be considered a designee upon delegation or other action by USEPA except that the APCO is not empowered to approve alternative test methods or opacity limits.

(C) National Emission Standards for Hazardous Air Pollutants

- (1) Any owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart, the applicable law of the State of California, or the applicable District Rules and Regulations.
- (2) The following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein:
 - (a) 40 CFR 61, Subpart A - General Provisions (Commencing with 40 CFR 61.01).
 - (b) 40 CFR 61, Subpart B - National Emission Standards for Radon Emissions from Underground Uranium Mines (Commencing with 40 CFR 61.20).
 - (c) 40 CFR 61, Subpart C - National Emission Standard for Beryllium (Commencing with 40 CFR 61.30).
 - (d) 40 CFR 61, Subpart D - National Emission Standard for Beryllium Rocket Motor Firing (Commencing with 40 CFR 61.40).
 - (e) 40 CFR 61, Subpart E - National Emission Standard for Mercury (Commencing with 40 CFR 61.50).
 - (f) 40 CFR 61, Subpart F - National Emission Standard for Vinyl Chloride (Commencing with 40 CFR 61.60).
 - (g) 40 CFR 61, Subpart G - Reserved.
 - (h) 40 CFR 61, Subpart H - National Emission Standards for Emissions of Radionuclides Other than Radon from Department of Energy Facilities (Commencing with 40 CFR 61.90).
 - (i) 40 CFR 61, Subpart I - National Emission Standards for Radionuclide Emissions From Federal Facilities Other than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H (Commencing with 40 CFR 61.100).
 - (j) 40 CFR 61, Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene (Commencing with 40 CFR 61.110).
 - (k) 40 CFR 61, Subpart K - National Emission Standards for Radionuclide Emissions from Elemental Phosphorus Plants (Commencing with 40 CFR 61.120).

- (l) 40 CFR 61, Subpart L - National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants (Commencing with 40 CFR 61.130).
- (m) 40 CFR 61, Subpart M - National Emission Standard for Asbestos (Commencing with 40 CFR 61.140).
- (n) 40 CFR 61, Subpart N - National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants (Commencing with 40 CFR 61.160).
- (o) 40 CFR 61, Subpart O - National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters (Commencing with 40 CFR 61.170).
- (p) 40 CFR 61, Subpart P - National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities (Commencing with 40 CFR 61.180).
- (q) 40 CFR 61, Subpart Q - National Emission Standards for Radon Emissions from Department of Energy Facilities (Commencing with 40 CFR 61.190).
- (r) 40 CFR 61, Subpart R - National Emission Standards for Radon Emissions from Phosphogypsum Stacks (Commencing with 40 CFR 61.200).
- (s) 40 CFR 61, Subpart S - Reserved.
- (t) 40 CFR 61, Subpart T - National Emission Standards for Radon Emissions from the Disposal of Uranium Mill Tailings (Commencing with 40 CFR 61.220).
- (u) 40 CFR 61, Subpart U - Reserved.
- (v) 40 CFR 61, Subpart V - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) (Commencing with 40 CFR 61.240).
- (w) 40 CFR 61, Subpart W - National Emission Standards for Radon Emissions from Operating Mill Tailings (Commencing with 40 CFR 61.250).
- (x) 40 CFR 61, Subpart X - Reserved.
- (y) 40 CFR 61, Subpart Y - National Emission Standard for Benzene Emissions from Benzene Storage Vessels (Commencing with 40 CFR 61.270).

- (z) 40 CFR 61, Subpart Z - Reserved.
- (aa) 40 CFR 61, Subpart AA - Reserved.
- (bb) 40 CFR 61, Subpart BB - National Emission Standard for Benzene Emissions from Benzene Transfer Operations (Commencing with 40 CFR 61.300).
- (cc) 40 CFR 61, Subpart CC - Reserved.
- (dd) 40 CFR 61, Subpart DD - Reserved.
- (ee) 40 CFR 61, Subpart EE - Reserved.
- (ff) 40 CFR 61, Subpart FF - National Emission Standard for Benzene Waste Operations (Commencing with 40 CFR 61.340).

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NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*

<https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86cc673b7ad16&mc=true&page=browse>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

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Hard copies are available for purchase at:

<https://pueblo.gpo.gov/Publications/PuebloPubs.php> or

by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW, Washington, DC 20401-0001 (202) 512-1800

Notification

California Airborne Toxic Control Measures (ATCMs)

PLEASE TAKE NOTICE that the requirements of the following Airborne Toxic Control Measures (ATCMs) as found in the California Code of Regulations (CCR) are enforceable by the MDAQMD as local district rules pursuant to the provisions of California Health & Safety Code §39666.

17 CCR §93101.5 - ATCM to Reduce Emissions of Hexavalent Chromium and Nickel from Thermal Spraying.

17 CCR §§93102 et seq. - ATCM for Chromium Plating and Chromic Acid Anodizing Facilities.

17 CCR §93103 – Regulation for Chromate Treated Cooling Towers.

17 CCR §93104 - Dioxins ATCM - Medical Waste Incinerators.

17 CCR §93105 – Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.

17 CCR §93106 - Asbestos ATCM for Surfacing Applications.

17 CCR §93107 - ATCM for Emissions of Toxic Metals from Non-Ferrous Metal Melting.

17 CCR §93108 - Ethylene Oxide ATCM - Part 1 - Non-Commercial Sterilizers and Aerators and Commercial Sterilizers and Aerators Using Less Than 2,000 Pounds of Ethylene Oxide per 12 Consecutive Months.

17 CCR §93108.5 - Ethylene Oxide ATCM - Part 2 - Commercial Sterilizers and Aerators Using 2,000 Pounds or More of Ethylene Oxide per 12 Consecutive Months.

17 CCR §§93109 et seq. - ATCM for Emissions of Perchloroethylene from Dry Cleaning and Water-Repelling Operations.

17 CCR §93111 – Chlorinated Toxic Air Contaminants ATCM - Automotive Maintenance and Repair Activities.

17 CCR §93112 - Hexavalent Chromium and Cadmium ATCM - Motor Vehicle and Mobile

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Notification (ATCMs)
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ATCM - 1

Equipment Coatings.

17 CCR §93113 – ATCM to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning.

17 CCR 93114 – ATCM to Reduce Particulate Emissions from Diesel-Fueled Engines – Standards for Nonvehicular Diesel Fuel.

17 CCR §§93115 et seq. – ATCM for Stationary Compression Ignition (CI) Engines.

17 CCR §§93116 et seq. - ATCM for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater.

17 CCR §93117 - ATCM to Reduce Particulate Emissions from Diesel-Fueled Engines - Standards for Nonvehicular Diesel Fuel Used in Intrastate Diesel-Electric Locomotives and Harborcraft.

17 CCR §93118 - ATCM for Auxiliary Diesel Engines and Diesel-Electric Engines Operated on Ocean-Going Vessels Within California Waters and 24 Nautical Miles of the California Baseline.

17 CCR §93119 - ATCM Limiting Onboard Incineration on Cruise Ships and Oceangoing Ships.

17 CCR §§93120 et seq. - ATCM to Reduce Formaldehyde Emissions from Composite Wood Products.

PLEASE ALSO TAKE NOTICE that pursuant to the provisions of California Health & Safety Code §39666(d) the MDAQMD has adopted equally effective or more stringent control measures for the following ATCMs as contained in the rules listed below:

- (a) MDAQMD Rules 461 - *Gasoline Transfer and Dispensing*, 462 - *Organic Liquid Loading* and 463 - *Storage of Organic Liquids* contain equally effective or more stringent control measures as those found in 17 CCR §93101 - Benzene ATCM - Retail Service Stations.”

Copies of the California Code of Regulations referenced herein may be obtained on-line at <http://www.arb.ca.gov/toxics/atcm.htm>, https://govt.westlaw.com/calregs/index?__lrTS=20211007211053535&transitionType=Default&contextData=%28sc.Default%29 or by contacting the MDAQMD.

Notification

Maximum Available Control Technology (MACTs)

PLEASE TAKE NOTICE that the requirements of the following National Emissions Standards for Hazardous Air Pollutants (NESHAPs) are enforceable within the MDAQMD pursuant to the provisions of California Health and Safety Code §39658(b)(1) and §39666(d). These NESHAPs prescribe standards and practices which are considered Maximum Available Control Technology (MACT) for the control of emissions of hazardous air pollutants.

40 CFR 63 Subpart A – General Provisions (commencing with §63.1).

40 CFR 63 Subpart B – Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections 112(g) and 112(j) (commencing with §63.40).

40 CFR 63 Subpart C – List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List (commencing with §63.60).

40 CFR 63 Subpart D – Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants (commencing with §63.70).

40 CFR 63 Subpart E – Approval of State Programs and Delegation of Federal Authorities (commencing with §63.90).

40 CFR 63 Subpart F – National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (commencing with §63.100).

40 CFR 63 Subpart G – National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (commencing with §63.110).

40 CFR 63 Subpart H – National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (commencing with §63.160).

40 CFR 63 Subpart I – National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (commencing with §63.190).

40 CFR 63 Subpart J – National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production (commencing with §63.210).

40 CFR 63 Subpart K – Reserved.

- 40 CFR 63 Subpart L – National Emission Standards for Coke Oven Batteries (commencing with §63.300).
- 40 CFR 63 Subpart M – National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (commencing with §63.320).
- 40 CFR 63 Subpart N – National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (commencing with §63.340).
- 40 CFR 63 Subpart O – Ethylene Oxide Emissions Standards for Sterilization Facilities (commencing with §63.360).
- 40 CFR 63 Subpart P – Reserved.
- 40 CFR 63 Subpart Q – National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (commencing with §63.400).
- 40 CFR 63 Subpart R – National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (commencing with §63.420).¹
- 40 CFR 63 Subpart S – National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry (commencing with §63.440).
- 40 CFR 63 Subpart T – National Emission Standards for Halogenated Solvent Cleaning (commencing with §63.460).
- 40 CFR 63 Subpart U – National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (commencing with §63.480).
- 40 CFR 63 Subpart V – Reserved.
- 40 CFR 63 Subpart W – National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production (commencing with §63.520).
- 40 CFR 63 Subpart X – National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting (commencing with §63.541).
- 40 CFR 63 Subpart Y – National Emission Standards for Marine Tank Vessel Loading Operations (commencing with §63.560).
- 40 CFR 63 Subpart Z – Reserved.

1. Please see also MDAQMD Rules 462 - *Organic Liquid Loading* and 463 - *Storage of Organic Liquids*.

- 40 CFR 63 Subpart AA – National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants (commencing with §63.600).
- 40 CFR 63 Subpart BB – National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants (commencing with §63.620).
- 40 CFR 63 Subpart CC – National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (commencing with §63.640).
- 40 CFR 63 Subpart DD – National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (commencing with §63.680).
- 40 CFR 63 Subpart EE – National Emission Standards for Magnetic Tape Manufacturing Operations (commencing with §63.701).
- 40 CFR 63 Subpart FF – Reserved.
- 40 CFR 63 Subpart GG – National Emission Standards for Aerospace Manufacturing and Rework Facilities (commencing with §63.741).
- 40 CFR 63 Subpart HH – National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities (commencing with §63.760).
- 40 CFR 63 Subpart II – National Emission Standards for Shipbuilding and Ship Repair (Surface Coating) (commencing with §63.780).
- 40 CFR 63 Subpart JJ – National Emission Standards for Wood Furniture Manufacturing Operations (commencing with §63.800).
- 40 CFR 63 Subpart KK – National Emission Standards for the Printing and Publishing Industry (commencing with §63.820).
- 40 CFR 63 Subpart LL – National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants (commencing with §63.840).
- 40 CFR 63 Subpart MM – National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills (commencing with §63.860).
- 40 CFR 63 Subpart NN – National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources (Commencing with §63.880).
- 40 CFR 63 Subpart OO – National Emissions Standards for Tanks - Level 1 (commencing with §63.900).²

2. These MACT standards are only applicable if they are referenced in another regulation under 40 CFR 60 (NSPS), 40 CFR 61 (NESHAP), or 40 CFR 63 (MACT/NESHAP).

- 40 CFR 63 Subpart PP – National Emissions Standards for Containers (commencing with §63.920).²
- 40 CFR 63 Subpart QQ – National Emission Standards for Surface Impoundments (commencing with §63.940).²
- 40 CFR 63 Subpart RR – National Emission Standards for Individual Drain Systems (commencing with §63.960).²
- 40 CFR 63 Subpart SS – National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process (commencing with §63.980).
- 40 CFR 63 Subpart TT – National Emission Standards for Equipment Leaks - Control Level I (commencing with §63.1000).
- 40 CFR 63 Subpart UU – National Emissions Standards for Equipment Leaks - Control Level II (commencing with §63.1019).
- 40 CFR 63 Subpart VV – National Emission Standards for Oil-Water Separators and Organic-Water Separators (commencing with §63.1040).²
- 40 CFR 63 Subpart WW – National Emission Standards for Storage Vessels (Tanks) – Control Level 2 (commencing with §63.1060).
- 40 CFR 63 Subpart XX – National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations (commencing with §63.1080).
- 40 CFR 63 Subpart YY – National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards (commencing with §63.1100).
- 40 CFR 63 Subpart ZZ – Reserved.
- 40 CFR 63 Subpart AAA – Reserved.
- 40 CFR 63 Subpart BBB – Reserved.
- 40 CFR 63 Subpart CCC – National Emission Standards for Hazardous Air Pollutants for Steel Pickling – HCL Process Facilities and Hydrochloric Acid Regeneration Plants (commencing with §63.1155).
- 40 CFR 63 Subpart DDD – National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production (commencing with §63.1175).
- 40 CFR 63 Subpart EEE – National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (commencing with §63.1200).
- 40 CFR 63 Subpart FFF – Reserved.

- 40 CFR 63 Subpart GGG – National Emission Standards for Pharmaceuticals Production (commencing with §63.1250).
- 40 CFR 63 Subpart HHH – National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities (commencing with §63.1270).
- 40 CFR 63 Subpart III – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production (commencing with §63.1290).
- 40 CFR 63 Subpart JJJ – National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins (commencing with §63.1310).
- 40 CFR 63 Subpart KKK – Reserved.
- 40 CFR 63 Subpart LLL – National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (commencing with §63.1340).³
- 40 CFR 63 Subpart MMM – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production (commencing with §63.1360).
- 40 CFR 63 Subpart NNN – National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing (commencing with §63.1380).
- 40 CFR 63 Subpart OOO – National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins (commencing with §63.1400).
- 40 CFR 63 Subpart PPP – National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production (commencing with §63.1420).
- 40 CFR 63 Subpart QQQ – National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting (commencing with §63.1440).
- 40 CFR 63 Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (commencing with §63.1500).
- 40 CFR 63 Subpart SSS – Reserved.
- 40 CFR 63 Subpart TTT – National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting (commencing with §63.1541).
- 40 CFR 63 Subpart UUU – National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (commencing with §63.1560).

3. Please see also MDAQMD Rule 1161 - *Portland Cement Kilns*.

- 40 CFR 63 Subpart VVV – National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works (commencing with §63.1580).
- 40 CFR 63 Subpart WWW – Reserved.
- 40 CFR 63 Subpart XXX – National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese (commencing with §63.1620).
- 40 CFR 63, Subpart YYY – Reserved.
- 40 CFR 63, Subpart ZZZ – Reserved.
- 40 CFR 63, Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (commencing with §63.1930).
- 40 CFR 63, Subpart BBBB – Reserved.
- 40 CFR 63, Subpart CCCC – National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast (commencing with §63.2130).
- 40 CFR 63, Subpart DDDD – National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (commencing with §63.2230).
- 40 CFR 63, Subpart EEEE – National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) (commencing with §63.2330).
- 40 CFR 63, Subpart FFFF – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing (commencing with §63.2430).
- 40 CFR 63, Subpart GGGG – National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production (commencing with §63.2830).
- 40 CFR 63, Subpart HHHH – National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production (commencing with §63.2980).
- 40 CFR 63, Subpart IIII – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks (commencing with §63.3080).
- 40 CFR 63, Subpart JJJJ – National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating (commencing with §63.3280).
- 40 CFR 63, Subpart KKKK – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans (commencing with §63.3480).
- 40 CFR 63, Subpart LLLL – Reserved.

- 40 CFR 63, Subpart MMMM – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (commencing with §63.3880).
- 40 CFR 63, Subpart NNNN – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances (commencing with §63.4080).
- 40 CFR 63, Subpart OOOO – National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles (commencing with §63.4280).
- 40 CFR 63, Subpart PPPP – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (commencing with §63.4480).
- 40 CFR 63, Subpart QQQQ – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products (commencing with §63.4680).
- 40 CFR 63, Subpart RRRR – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture (commencing with §63.4880).
- 40 CFR 63, Subpart SSSS – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil (commencing with §63.5080).
- 40 CFR 63, Subpart TTTT – National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations (commencing with §63.5280).
- 40 CFR 63, Subpart UUUU – National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing (commencing with §63.5480).
- 40 CFR 63, Subpart VVVV – National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing (commencing with §63.5680).
- 40 CFR 63, Subpart WWWW – National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production (commencing with §63.5780).
- 40 CFR 63, Subpart XXXX – National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing (commencing with §63.5980).
- 40 CFR 63, Subpart YYYYY – National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines (commencing with §63.6080).
- 40 CFR 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (commencing with §63.6580).
- 40 CFR 63, Subpart AAAAA – National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants (commencing with §63.7080).
- 40 CFR 63, Subpart BBBB – National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing (commencing with §63.7180).

- 40 CFR 63, Subpart CCCCC – National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks (commencing with §63.7280).
- 40 CFR 63, Subpart DDDDD – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters (commencing with §63.7480).
- 40 CFR 63, Subpart EEEEE – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries (commencing with §63.7680).
- 40 CFR 63, Subpart FFFFF – National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities (commencing with §63.7780).
- 40 CFR 63, Subpart GGGGG – National Emission Standards for Hazardous Air Pollutants: Site Remediation (commencing with §63.7880).
- 40 CFR 63, Subpart HHHHH – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing (commencing with §63.7980).
- 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants (commencing with §63.8180).
- 40 CFR 63, Subpart JJJJJ – National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing (commencing with §63.8380).
- 40 CFR 63, Subpart KKKKK – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing (commencing with §63.8530).
- 40 CFR 63, Subpart LLLLL – National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing (commencing with §63.8680).
- 40 CFR 63, Subpart MMMMM – National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations (commencing with §63.8780).
- 40 CFR 63, Subpart NNNNN – National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production (commencing with §63.8980).
- 40 CFR 63, Subpart OOOOO – Reserved.
- 40 CFR 63, Subpart PTTTT – National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands (commencing with §63.9280).
- 40 CFR 63, Subpart QQQQQ – National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities (commencing with §63.9480).
- 40 CFR 63, Subpart RRRRR – National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing (commencing with §63.9580).

- 40 CFR 63, Subpart SSSSS – National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing (commencing with §63.9780).
- 40 CFR 63, Subpart TTTTT – National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining (commencing with §63.9880).
- 40 CFR 63, Subpart UUUUU – National Emission Standards for Hazardous Air Pollutants: Coal – and Oil – Fired Electric Utility Steam Generating Units (commencing with §63.9980).
- 40 CFR 63, Subpart VVVVV – Reserved.
- 40 CFR 63, Subpart WWWW – National Emission Standards for Hospital Ethylene Oxide Sterilizers (commencing with §63.10382).
- 40 CFR 63, Subpart XXXXX – Reserved.
- 40 CFR 63, Subpart YYYYY – National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities (commencing with §63.10680).
- 40 CFR 63, Subpart ZZZZZ – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources (commencing with §63.10880).
- 40 CFR 63, Subpart AAAAA – Reserved.
- 40 CFR 63, Subpart BBBB – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities (commencing with §63.11080).
- 40 CFR 63, Subpart CCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (commencing with §63.11110).
- 40 CFR 63, Subpart DDDDD – National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources (commencing with §63.11140).
- 40 CFR 63, Subpart EEEEE – National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources (commencing with §63.11146).
- 40 CFR 63, Subpart FFFFF – National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources (commencing with §63.11153).
- 40 CFR 63, Subpart GGGGG – National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium (commencing with §63.11160).
- 40 CFR 63, Subpart HHHHH – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (commencing with §63.11169).

40 CFR 63, Subpart IIIIII – Reserved.

40 CFR 63, Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (commencing with §63.11193).

40 CFR 63, Subpart KKKKKK – Reserved.

40 CFR 63, Subpart LLLLLL – National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources (commencing with §63.11393).

40 CFR 63, Subpart MMMMMM – National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources (commencing with §63.11400).

40 CFR 63, Subpart NNNNNN – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds (commencing with §63.11407).

40 CFR 63, Subpart OOOOOO – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources (commencing with §63.11414).

40 CFR 63, Subpart PPPPPP – National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources (commencing with §63.11421).

40 CFR 63, Subpart QQQQQQ – National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources (commencing with §63.11428).

40 CFR 63, Subpart RRRRRR – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources (commencing with §63.11435).

40 CFR 63, Subpart SSSSSS – National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources (commencing with §63.11448).

40 CFR 63, Subpart TTTTTT – National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources (commencing with §63.11462).

40 CFR 63, Subpart UUUUUU – Reserved.

40 CFR 63, Subpart VVVVVV – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (commencing with §63.11494).

40 CFR 63, Subpart WWWWWW – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (commencing with §63.11504).

40 CFR 63, Subpart XXXXXX – National Emission Standards for Hazardous Air Pollutants for Nine Metal Fabrication and Finishing Source Categories (commencing with §63.11514).

- 40 CFR 63, Subpart YYYYYY – National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities (commencing with §63.11524).
- 40 CFR 63, Subpart ZZZZZZ – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper and Other Nonferrous Foundries (commencing with §63.11544).
- 40 CFR 63, Subpart AAAAAAA – National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing (commencing with §63.11559).
- 40 CFR 63, Subpart BBBBBBBB – National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry (commencing with §63.11579).
- 40 CFR 63, Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing (commencing with §63.11599).
- 40 CFR 63, Subpart DDDDDDD – National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing (commencing with §63.11619).
- 40 CFR 63, Subpart EEEEEEE – National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and production Area Source Category (commencing with §63.11640).
- 40 CFR 63, Subpart FFFFFFFF – Reserved.
- 40 CFR 63, Subpart GGGGGGG – Reserved.
- 40 CFR 63, Subpart HHHHHHH – National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production (commencing with §63.11860).

NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*

<https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86cc673b7ad16&mc=true&page=browse>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

<https://www.fdlp.gov/>

Hard copies are available for purchase at:

<https://pueblo.gpo.gov/Publications/PuebloPubs.php> or

by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW, Washington, DC 20401-0001 (202) 512-1800



Draft

Staff Report

Amendments to
Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)*,
Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*
and Receive and File ATCM/MACT Notifications

proposed for amendment
January 24, 2022

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STAFF REPORT

Rule 900 – Standards of Performance for New Stationary Sources (NSPS), Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP) and Receive and File ATCM/MACT Notifications

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 of the Mojave Desert Air Quality Management District (MDAQMD). This allows the members of the Governing Board of the MDAQMD to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board of the MDAQMD 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

Local air districts may receive delegation of authority to implement and enforce Federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP) by submitting a petition to the United States Environmental Protection Agency (USEPA). The MDAQMD (or District) has in the past submitted such petitions and received delegation for certain of the NSPS and NESHAP standards.

Since the last District amendment on February 25, 2019, the USEPA has made amendments to various NSPS and NESHAP standards. The proposed amendments will update both Rule 900 – *Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emissions Standards for Hazardous Air Pollutants (NESHAP)* to include the amendments to the NSPS and NESHAP standards, respectively, which have occurred since the last submission.

In addition, the MDAQMD is authorized, pursuant to statute Health & Safety Code §39666 to enforce certain state adopted Airborne Toxic Control Measures (ATCMs) and a variety of Maximum Achievable Control Technology standards (MACT standards). As an informational measure the MDAQMD has included two Notifications in the district's rulebook which list the ATCMs and MACT standards enforceable within the district's jurisdiction. Once again since February 25, 2019 both CARB and USEPA have updated various ATCMs and MACT standards. This action will also receive and file *Notification: California Airborne Toxic Control Measures (ATCMs)* and *Notification: Maximum Available Control Technology (MACT)* and direct their inclusion into the MDAQMD rule book.

III. STAFF RECOMMENDATION

Staff and the Technical Advisory Committee recommend that the Governing Board of the Mojave Desert Air Quality Management District adopt the proposed amendments of Rule 900 –

Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP), and approve the appropriate California Environmental Quality Act (CEQA) documentation. The proposed amendments update citations and adopt by reference various new and amended Federal NSPS and NESHAP standards as set forth by 40 CFR 60 and 40 CFR 61, respectively. This will enable the District to obtain delegation of authority from USEPA for certain NSPS and NESHAP standards.

In addition, the District plans to receive and file updates to the State Air Toxics Control Measures (ATCM) and Federal Maximum Achievable Control Technology (MACT) standards via Notifications and include same in the MDAQMD Rule Book.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct amendment of Rule 900 and Rule 1000. 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
- Non-duplication
- 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:

- Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

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

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

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

OTHER:

- Written analysis of existing air pollution control requirements
- N/A Economic Analysis
- N/A 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 of Rule 900 and Rule 1000. 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 Governing Board of the MDAQMD 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 Governing Board of the MDAQMD in making these findings.

a. Necessity:

The proposed amendment of Rule 900 and Rule 1000 are necessary to update citations and adopt by reference various amendments to the Federal NSPS and NESHAP provisions, respectively. This action will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards.

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 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 900 and Rule 1000 are in harmony with, and not in conflict with or contradictory to, any state law or regulation, federal law or regulation, or court decisions because this rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 Code of Federal Regulations, Part 60 and Part 61 (40 CFR 60, 40 CFR 61). The proposed amendments will update Rule 900 and Rule 1000 to include amendments to the NSPS and NESHAP standards which have occurred since the last action on of these rules. This action will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards.

e. Non-duplication:

The proposed amendments to Rule 900 and Rule 1000 do not impose the same requirements as an existing state or federal law or regulation because this rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and 40 CFR 61. This action will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards.

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 900 and Rule 1000 will be published 12/20/2021. 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 amendments of Rule 900 and Rule 1000 and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The amendments to Rule 900 and Rule 1000 will not be a SIP submission. However, the request for delegation requires formal submission to USEPA and therefore the public notice requirements for a SIP submission will be followed.

b. Public Notice and Comment:

Notice for the public hearing for the proposed amendments to Rule 900 and Rule 1000 was published on or before 12/20/2021. See Appendix “B” for a copy of the public notices. See Appendix “C” for copies of comments, if any, and District responses.

c. Availability of Document:

Copies of proposed amended Rule 900 and Rule 1000, and the accompanying draft staff report, were made available to the public on 12/20/2021.

d. Notice to Specified Entities:

Copies of proposed amended Rule 900 and Rule 1000, and the accompanying draft staff report, were sent to all affected agencies. The proposed amendments were sent to the California Air Resources Board (CARB) and USEPA on 12/20/2021.

e. Public Hearing:

A public hearing to consider the proposed amendments to Rule 900 and Rule 1000 has been set for 1/24/2022.

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 California Environmental Quality Act (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. Proposed amended Rule 900 and Rule 1000 are enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and emissions standards for Hazardous Air Pollutants as set forth in 40 CFR 61. The proposed amendments will update Rule 900 and Rule 1000 to include the amendment to any NSPS and NESHAP standards which have occurred since the last amendment of this rule. This action will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards. Since this is an administrative rule, the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not required.

C. ECONOMIC ANALYSIS

1. General

The proposed amendments to Rule 900 and Rule 1000 are administrative in nature since they merely adopt by reference the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and 40 CFR 61. They will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards. NSPS and NESHAP are federal law and facilities subject to the provisions are subject to them regardless of the existence of Rule 900 and Rule 1000 provisions, respectively. Therefore, there is no additional economic burden to facilities subject to the rule.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur.

The proposed amendments to Rule 900 and Rule 1000 are not subject to incremental cost effectiveness calculations because this rule does not impose BARCT or “all feasible measures.”

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the proposed amendments of Rule 900 and Rule 1000 were determined.

1. The proposed amendments to Rule 900 and Rule 1000 meet the CEQA definition of “project.” They are not “ministerial” actions.

2. The proposed amendments to Rule 900 and Rule 1000 are exempt from CEQA review because the proposed amendments are administrative in nature since they merely adopt by reference the applicable provisions of existing federal standards of performance for new stationary sources as set forth in 40 CFR 60 and 40 CFR 61 and will enable the MDAQMD to retain delegation of authority from USEPA for certain standards. There is not potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts because the standards are already effective and applicable to the District and any affected facilities, therefore a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Copies of the r documents relating to CEQA can be found in Appendix “D”.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

The proposed amendments to Rule 900 and Rule 1000 are administrative in nature since it merely adopts by reference the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and 40 CFR 61 and enables the MDAQMD to obtain delegation of authority from USEPA for certain standards, and so will have no negative 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 900 and Rule 1000 are applicable to any new, modified or reconstructed sources of air pollution as specified in any subpart of 40 CFR 60 and 40 CFR 61 which are applicable to such source and is adopted by reference.

B. EMISSIONS

The proposed amendments to Rule 900 and Rule 1000 do not cause the release of additional air contaminants, or create any adverse environmental impacts because the rule is administrative in nature. Proposed amended Rule 900 and Rule 1000 merely adopt by reference the existing applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and emissions standards for Hazardous Air Pollutants as set forth in 40 CFR 61. It will also enable the MDAQMD to retain delegation of authority from USEPA for certain standards.

C. CONTROL REQUIREMENTS

The proposed amendments to Rule 900 and Rule 1000 do not cause the release of additional air contaminants, or create any adverse environmental impacts because the amended rule is administrative in nature. Proposed amended Rule 900 and Rule 1000 merely adopt by reference the existing applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and will enable the MDAQMD to obtain delegation of authority from USEPA for certain standards.

D. PROPOSED RULE SUMMARY

This section gives a brief overview of proposed amended Rule 900 and Rule 1000.

Section (C) of Rule 900 has been updated to reflect current NSPS subparts and titles and adds various placeholder subsections for ease of use.

The informational citations at the end of both Rule 900 and Rule 1000 have been updated to reflect the current location of information on the internet and hard copy. In addition, the amendment of both rules will adopt by reference the most recent versions of the 40 CFR 60 and 40 CFR 61 provisions by references.

Furthermore, MDAQMD ATCM and MACT notifications have also been updated to reflect the most current versions of 17 CCR and 40 CFR 63, respectively. Updated location information to obtain electronic and/or hard copies has also been provided.

E. SIP HISTORY

Rule 900 and Rule 1000 are not included in the SIP.

This action will request CARB make a formal submission to USEPA requesting delegation of authority on behalf of the MDAQMD for the implementation and enforcement of the NSPS and NESHAP subparts referenced in Rule 900 and Rule 1000, respectively. The request for delegation requires formal submission to USEPA and therefore the public notice requirements for a SIP submission was followed. See subsection (V)(A)(2) for how federal elements for submission were satisfied.

NSPS Delegation for the NSPS, NESHAP, ATCM, and MACT was approved in USEPA letter issued 8/25/82. Following the amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)* in 02/28/11, NSPS Delegation was again approved in a USEPA letter issued in 06/14/11.

The Governing Board of the Mojave Desert Air Quality Management District amended Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)* on February 25, 2019, with the addition of District Notifications for California Airborne Toxic Control Measures (ATCMs) and Maximum Available Control Technologies (MACTs).

Appendix “A”

Rule 900 - *Standards of Performance for New Stationary Sources (NSPS)* 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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RULE 900

Standards of Performance for New Stationary Sources (NSPS)

(A) General.

(1) Purpose.

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 Code of Federal Regulations, Part 60 (40 CFR 60).

(2) Applicability.

- (a) This rule shall be applicable to any new, modified or reconstructed sources of air pollution as specified in any subpart of 40 CFR 60 which is applicable to such source and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 60 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards, or alternate work practices.

(B) Definitions

- (1) For the purposes of this Rule the definitions contained in District Rule 102 – *Definitions of Terms* and any definition contained in subparts of 40 CFR 60 shall apply as applicable. In case of a conflict the definition(s) contained in particular subpart of 40 CFR 60 shall control followed by those definitions contained in 40 CFR 60 Subpart A followed by those contained in District Rule 102 unless such term is otherwise defined herein.

- (a) “Administrator” - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO may be considered a designee upon delegation or other action by USEPA except that the APCO is not empowered to approve alternative test methods or opacity limits.

(C) Standards of Performance for New Stationary Sources.

- (1) Any new, modified or reconstructed source of air pollution which is subject to any subpart of 40 CFR 60 as adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart(s) or in the applicable District Rules and Regulations.

- (2) With the exception of subsections (C)(2)(b), (c), (c_a), (c_b), (c_d), and (c_e) below which are included herein for informational purposes only, the following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein:
- (a) 40 CFR 60, Subpart A - General Provisions (Commencing with 40 CFR 60.1).
 - (b) 40 CFR 60, Subpart B - Adoption and Submittal of State Plans for Designated Facilities (Commencing with 40 CFR 60.20).
 - (b_a) 40 CFR 60, Subpart B_a – Adoption and Submittal of State Plans for Designated Facilities.
 - (c) 40 CFR 60, Subpart C - Emission Guidelines and Compliance Times (Commencing with 40 CFR 60.30).
 - (c_a) 40 CFR 60, Subpart C_a - ~~(Reserved)~~.
 - (c_b) 40 CFR 60, Subpart C_b - Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before September 20, 1994 (Commencing with 40 CFR 60.30b).
 - (c_c) 40 CFR 60, Subpart C_c - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.30c).
 - (c_d) 40 CFR 60, Subpart C_d - Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units (Commencing with 40 CFR 60.30d).
 - (c_e) 40 CFR 60, Subpart C_e - Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators (Commencing with 40 CFR 60.30e).
 - (c_f) 40 CFR 60, Subpart C_f - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Commencing with 40 60.30f).
 - (d) 40 CFR 60, Subpart D - Standards of Performance for Fossil-Fuel-Fired Steam Generators (Commencing with 40 CFR 60. 40).
 - (d_a) 40 CFR 60, Subpart D_a - Standards of Performance for Electric Utility Steam Generating Units (Commencing with 40 CFR 60.40D_a).
 - (d_b) 40 CFR 60, Subpart D_b - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40b).

- (d) 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40c).
- (e) 40 CFR 60, Subpart E - Standards of Performance for Incinerators (Commencing with 40 CFR 60.50).
- (e_a) 40 CFR 60, Subpart Ea - Standards of Performance for Municipal Waste Combustors for Which Construction Is Commenced After December 20, 1989 and on or Before September 20, 1994 (Commencing with 40 CFR 60.50a).
- (e_b) 40 CFR 60, Subpart Eb - Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996 (Commencing with 40 CFR 60.50b)
- (e_c) 40 CFR 60, Subpart Ec - Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators (Commencing with 40 CFR 60.50c)
- (f) 40 CFR 60, Subpart F - Standards of Performance for Portland Cement Plants (Commencing with 40 CFR 60.60).
- (g) 40 CFR 60, Subpart G - Standards of Performance for Nitric Acid Plants (Commencing with 40 CFR 60.70).
- (g_a) 40 CFR 60, Subpart Ga - Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011 (Commencing with 40 CFR 60.70a)
- (h) 40 CFR 60, Subpart H - Standards of Performance for Sulfuric Acid Plants (Commencing with 40 CFR 60.80).
- (i) 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities (Commencing with 40 CFR 60.90).
- (j) 40 CFR 60, Subpart J - Standards of Performance for Petroleum Refineries (Commencing with 40 CFR 60.100).
- (j_a) 40 CFR 60, Subpart Ja - Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 (Commencing with 40 CFR 60.100a).
- (k) 40 CFR 60, Subpart K - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973 and Prior to May 19, 1978 (Commencing with 40 CFR 60.110).

- (ka) 40 CFR 60, Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 and Prior to July 23, 1984 (Commencing with 40 CFR 60.110a).
- (kb) 40 CFR 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 (Commencing with 40 CFR 60.110b).
- (l) 40 CFR 60, Subpart L - Standards of Performance for Secondary Lead Smelters (Commencing with 40 CFR 60.120).
- (m) 40 CFR 60, Subpart M - Standards of Performance for Secondary Brass and Bronze Production Plants (Commencing with 40 CFR 60.130).
- (n) 40 CFR 60, Subpart N - Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973 (Commencing with 40 CFR 60.140).
- (na) 40 CFR 60, Subpart Na - Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983 (Commencing with 40 CFR 60.140a).
- (o) 40 CFR 60, Subpart O - Standards of Performance for Sewage Treatment Plants (Commencing with 40 CFR 60.150).
- (p) 40 CFR 60, Subpart P - Standards of Performance for Primary Copper Smelters (Commencing with 40 CFR 60.160).
- (q) 40 CFR 60, Subpart Q - Standards of Performance for Primary Zinc Smelters (Commencing with 40 CFR 60.170).
- (r) 40 CFR 60, Subpart R - Standards of Performance for Primary Lead Smelters (Commencing with 40 CFR 60.180).

- (s) 40 CFR 60, Subpart S - Standards of Performance for Primary Aluminum Reduction Plants (Commencing with 40 CFR 60.190).
- (t) 40 CFR 60, Subpart T - Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants (Commencing with 40 CFR 60.200).
- (u) 40 CFR 60, Subpart U - Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants (Commencing with 40 CFR 60.210).
- (v) 40 CFR 60, Subpart V - Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants (Commencing with 40 CFR 60.220).
- (w) 40 CFR 60, Subpart W - Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants (Commencing with 40 CFR 60.230).
- (x) 40 CFR 60, Subpart X - Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities (Commencing with 40 CFR 60.240).
- (y) 40 CFR 60, Subpart Y - Standards of Performance for Coal Preparation and Processing Plants (Commencing with 40 CFR 60.250).
- (z) 40 CFR 60, Subpart Z - Standards of Performance for Ferroalloy Production Facilities (Commencing with 40 CFR 60.260).
- (aa) 40 CFR 60, Subpart AA - Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983 (Commencing with 40 CFR 60.270).
- (aa_a) 40 CFR 60, Subpart AA_a - Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 (Commencing with 40 CFR 60.270a).
- (bb) 40 CFR 60, Subpart BB - Standards of Performance for Kraft Pulp Mills (Commencing with 40 CFR 60.280).
- (bb_a) 40 CFR 60, Subpart BB_a - Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (Commencing with 40 CFR 60.280a)
- (cc) 40 CFR 60, Subpart CC - Standards of Performance for Glass Manufacturing Plants (Commencing with 40 CFR 60.290).

- (dd) 40 CFR 60, Subpart DD - Standards of Performance for Grain Elevators (Commencing with 40 CFR 60.300).
- (ee) 40 CFR 60, Subpart EE - Standards of Performance for Surface Coating of Metal Furniture (Commencing with 40 CFR 60.310).
- (ff) 40 CFR 60, Subpart FF - Reserved.
- (gg) 40 CFR 60, Subpart GG - Standards of Performance for Stationary Gas Turbines (Commencing with 40 CFR 60.330).
- (hh) 40 CFR 60, Subpart HH - Standards of Performance for Lime Manufacturing Plants (Commencing with 40 CFR 60.340).
- (ii) *Reserved. [Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (kk) 40 CFR 60, Subpart KK - Standards of Performance for Lead-Acid Battery Manufacturing Plants (Commencing with 40 CFR 60.370).
- (ll) 40 CFR 60, Subpart LL - Standards of Performance for Metallic Mineral Processing Plants (Commencing with 40 CFR 60.380).
- (mm) 40 CFR 60, Subpart MM - Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations (Commencing with 40 CFR 60.390).
- (nn) 40 CFR 60, Subpart NN - Standards of Performance for Phosphate Rock Plants (Commencing with 40 CFR 60.400).
- (oo) *Reserved. [Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]*
- (pp) 40 CFR 60, Subpart PP - Standards of Performance for Ammonium Sulfate Manufacture (Commencing with 40 CFR 60.420).
- (qq) 40 CFR 60, Subpart QQ - Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing (Commencing with 40 CFR 60.430).
- (rr) 40 CFR 60, Subpart RR - Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations (Commencing with 40 CFR 60.440).
- (ss) 40 CFR 60, Subpart SS - Standards of Performance for Industrial Surface Coating: Large Appliances (Commencing with 40 CFR 60.450).

- (tt) 40 CFR 60, Subpart TT - Standards of Performance for Metal Coil Surface Coating (Commencing with 40 CFR 60.460).
- (uu) 40 CFR 60, Subpart UU - Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture (Commencing with 40 CFR 60.470).
- (vv) 40 CFR 60, Subpart VV - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 (Commencing with 40 CFR 60.480).
- (vva) 40 CFR 60, Subpart VVa - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Commencing with 40 CFR 60.480a)
- (ww) 40 CFR 60, Subpart WW - Standards of Performance for the Beverage Can Surface Coating Industry (Commencing with 40 CFR 60.490).
- (xx) 40 CFR 60, Subpart XX - Standards of Performance for Bulk Gasoline Terminals (Commencing with 40 CFR 60.500).
- (aaa) 40 CFR 60, Subpart AAA - Standards of Performance for New Residential Wood Heaters (Commencing with 40 CFR 60.530).
- (bbb) 40 CFR 60, Subpart BBB - Standards of Performance for the Rubber Tire Manufacturing Industry (Commencing with 40 CFR 60.540).
- (ccc) 40 CFR 60, Subpart CCC - Reserved.
- (ddd) 40 CFR 60, Subpart DDD - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry (Commencing with 40 CFR 60.560).
- (eee) 40 CFR 60, Subpart EEE - Reserved.
- (fff) 40 CFR 60, Subpart FFF - Standards of Performance for Flexible Vinyl and Urethane Coating and Printing (Commencing with 40 CFR 60.580).
- (ggg) 40 CFR 60, Subpart GGG - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006 (Commencing with 40 CFR 60.590).

- (ggga) 40 CFR 60, Subpart GGGa - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Commencing with 40 CFR 60.590a).
- (hhh) 40 CFR 60, Subpart HHH - Standards of Performance for Synthetic Fiber Production Facilities (Commencing with 40 CFR 60.600).
- (iii) 40 CFR 60, Subpart III - Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes (Commencing with 40 CFR 60.610).
- (jjj) 40 CFR 60, Subpart JJJ - Standards of Performance for Petroleum Dry Cleaners (Commencing with 40 CFR 60.620).
- (kkk) 40 CFR 60, Subpart KKK - Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 (Commencing with 40 CFR 60.630).
- (lll) 40 CFR 60, Subpart LLL - Standards of Performance for SO₂ Emissions from Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 (Commencing with 40 CFR 60.640).
- (mmm) 40 CFR 60, Subpart MMM - Reserved.
- (nnn) 40 CFR 60, Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (Commencing with 40 CFR 60.660).
- (ooo) 40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants (Commencing with 40 CFR 60.670).
- (ppp) 40 CFR 60, Subpart PPP - Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants (Commencing with 40 CFR 60.680).
- (qqq) 40 CFR 60, Subpart QQQ - Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems (Commencing with 40 CFR 60.690).
- (rrr) 40 CFR 60, Subpart RRR - Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (Commencing with 40 CFR 60.700).

- (sss) 40 CFR 60, Subpart SSS - Standards of Performance for Magnetic Tape Coating Facilities (Commencing with 40 CFR 60.710).
- (ttt) 40 CFR 60, Subpart TTT - Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines (Commencing with 40 CFR 60.720).
- (uuu) 40 CFR 60, Subpart UUU - Standards of Performance for Calciners and Dryers in Mineral Industries (Commencing with 40 CFR 60.730).
- (vvv) 40 CFR 60, Subpart VVV - Standards of Performance for Polymeric Coating of Supporting Substrates Facilities (Commencing with 40 CFR 60.740).
- (www) 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.750).
- (xxx) 40 CFR 60, Subpart XXX - Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014 (Commencing with 40 CFR 60.760)
- (yyy) 40 CFR 60, Subpart YYY - Reserved.
- (zzz) 40 CFR 60, Subpart ZZZ - Reserved.
- (aaaa) 40 CFR 60, Subpart AAAA - Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001 (Commencing with 40 CFR 60.1000).
- (bbbb) 40 CFR 60, Subpart BBBB - Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (Commencing with 40 CFR 60.1500).
- (cccc) 40 CFR 60, Subpart CCCC - Standards of Performance for Commercial and Industrial Solid Waste Incineration (Commencing with 40 CFR 60.2000).
- (dddd) 40 CFR 60, Subpart DDDD - Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units (Commencing with 40 CFR 60.2500).
- (eeee) 40 CFR 60, Subpart EEEE - Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006 (Commencing with 40 CFR 60.2880).

(ffff) 40 CFR 60, Subpart FFFF - Emission Guidelines and Compliance Times of Other Solid Waste Incineration Units that Commenced Construction on or Before December 9, 2004 (Commencing with 40 CFR 60.2980).

(gggg) 40 CFR 60, Subpart GGGG - Reserved.

(hhhh) 40 CFR 60, Subpart HHHH - Reserved.

(iiii) 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4200).

(jjjj) 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4230).

(kkkk) 40 CFR 60, Subpart KKKK - Standards of Performance for Stationary Combustion Turbines (Commencing with 40 CFR 60.4300).

(llll) 40 CFR 60, Subpart LLLL - Standards of Performance for New Sewage Sludge Incineration Units (Commencing with 40 CFR 60.4760).

(mmmm) 40 CFR 60, Subpart MMMM - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Commencing with 40 CFR 60.5000).

(nnn) 40 CFR 60, Subpart NNNN – Reserved.

(oooo) 40 CFR 60, Subpart OOOO - Standards of Performance for Crude Oil and Natural Gas production, Transmission, and Distribution for which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015 (Commencing with 40 CFR 60.5360).

(oooo_a) 40 CFR 60, Subpart OOOO_a - Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced After September 18, 2015 (Commencing with 40 CFR 60.5360_a).

(pppp) 40 CFR 60, Subpart PPPP - Reserved.

(qqqq) 40 CFR 60, Subpart QQQQ - Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (Commencing with 40 CFR 60.5472).

(rrrr) Reserved. [Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]

(ssss) Reserved. [Not listed in 40 CFR 60 Contents as reserved. Included here as placeholder]

(tttt) 40 CFR 60, Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Commencing with 40 CFR 60.5508).

(uuuu) 40 CFR 60, Subpart UUUU - Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units (Commencing 40 CFR 60.5700).

[SIP: Not SIP]

NOTE: Copies of the CFR referenced in this Rule may be obtained on-line at:

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Washington, DC 20401-0001 (202) 512-1800

RULE 1000

National Emission Standards for Hazardous Air Pollutants (NESHAP)

(A) General

(1) Purpose.

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding National Emissions Standards for Hazardous Air Pollutants as set forth in 40 Code of Federal Regulations, Part 61 (40 CFR 61).

(2) Applicability.

- (a) This rule shall be applicable to the owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 61 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards, or alternate work practices.

(B) Definitions

- (1) For the purposes of this Rule the definitions contained in District Rule 102 – *Definitions of Terms* and any definition contained in subparts of 40 CFR 61 shall apply as applicable. In case of a conflict the definition(s) contained in particular subpart of 40 CFR 60 shall control followed by those definitions contained in 40 CFR 61 Subpart A followed by those contained in District Rule 102 unless such term is otherwise defined herein.

- (a) “Administrator” - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO may be considered a designee upon delegation or other action by USEPA except that the APCO is not empowered to approve alternative test methods or opacity limits.

(C) National Emission Standards for Hazardous Air Pollutants

- (1) Any owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart, the applicable law of the State of California, or the applicable District Rules and Regulations.
- (2) The following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein:
 - (a) 40 CFR 61, Subpart A - General Provisions (Commencing with 40 CFR 61.01).
 - (b) 40 CFR 61, Subpart B - National Emission Standards for Radon Emissions from Underground Uranium Mines (Commencing with 40 CFR 61.20).
 - (c) 40 CFR 61, Subpart C - National Emission Standard for Beryllium (Commencing with 40 CFR 61.30).
 - (d) 40 CFR 61, Subpart D - National Emission Standard for Beryllium Rocket Motor Firing (Commencing with 40 CFR 61.40).
 - (e) 40 CFR 61, Subpart E - National Emission Standard for Mercury (Commencing with 40 CFR 61.50).
 - (f) 40 CFR 61, Subpart F - National Emission Standard for Vinyl Chloride (Commencing with 40 CFR 61.60).
 - (g) 40 CFR 61, Subpart G - Reserved.
 - (h) 40 CFR 61, Subpart H - National Emission Standards for Emissions of Radionuclides Other than Radon from Department of Energy Facilities (Commencing with 40 CFR 61.90).
 - (i) 40 CFR 61, Subpart I - National Emission Standards for Radionuclide Emissions From Federal Facilities Other than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H (Commencing with 40 CFR 61.100).
 - (j) 40 CFR 61, Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene (Commencing with 40 CFR 61.110).
 - (k) 40 CFR 61, Subpart K - National Emission Standards for Radionuclide Emissions from Elemental Phosphorus Plants (Commencing with 40 CFR 61.120).

- (l) 40 CFR 61, Subpart L - National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants (Commencing with 40 CFR 61.130).
- (m) 40 CFR 61, Subpart M - National Emission Standard for Asbestos (Commencing with 40 CFR 61.140).
- (n) 40 CFR 61, Subpart N - National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants (Commencing with 40 CFR 61.160).
- (o) 40 CFR 61, Subpart O - National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters (Commencing with 40 CFR 61.170).
- (p) 40 CFR 61, Subpart P - National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities (Commencing with 40 CFR 61.180).
- (q) 40 CFR 61, Subpart Q - National Emission Standards for Radon Emissions from Department of Energy Facilities (Commencing with 40 CFR 61.190).
- (r) 40 CFR 61, Subpart R - National Emission Standards for Radon Emissions from Phosphogypsum Stacks (Commencing with 40 CFR 61.200).
- (s) 40 CFR 61, Subpart S - Reserved.
- (t) 40 CFR 61, Subpart T - National Emission Standards for Radon Emissions from the Disposal of Uranium Mill Tailings (Commencing with 40 CFR 61.220).
- (u) 40 CFR 61, Subpart U - Reserved.
- (v) 40 CFR 61, Subpart V - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) (Commencing with 40 CFR 61.240).
- (w) 40 CFR 61, Subpart W - National Emission Standards for Radon Emissions from Operating Mill Tailings (Commencing with 40 CFR 61.250).
- (x) 40 CFR 61, Subpart X - Reserved.
- (y) 40 CFR 61, Subpart Y - National Emission Standard for Benzene Emissions from Benzene Storage Vessels (Commencing with 40 CFR 61.270).
- (z) 40 CFR 61, Subpart Z - Reserved.

- (aa) 40 CFR 61, Subpart AA - Reserved.
- (bb) 40 CFR 61, Subpart BB - National Emission Standard for Benzene Emissions from Benzene Transfer Operations (Commencing with 40 CFR 61.300).
- (cc) 40 CFR 61, Subpart CC - Reserved.
- (dd) 40 CFR 61, Subpart DD - Reserved.
- (ee) 40 CFR 61, Subpart EE - Reserved.
- (ff) 40 CFR 61, Subpart FF - National Emission Standard for Benzene Waste Operations (Commencing with 40 CFR 61.340).

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~~NOTE: Copies of the CFR referenced in this Rule may be obtained on-line at:~~

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Notification

Maximum Available Control Technology (MACTs)

PLEASE TAKE NOTICE that the requirements of the following National Emissions Standards for Hazardous Air Pollutants (NESHAPs) are enforceable within the MDAQMD pursuant to the provisions of California Health and Safety Code §39658(b)(1) and §39666(d). These NESHAPs prescribe standards and practices which are considered Maximum Available Control Technology (MACT) for the control of emissions of hazardous air pollutants.

40 CFR 63 Subpart A – General Provisions (commencing with §63.1).

40 CFR 63 Subpart B – Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections 112(g) and 112(j) (commencing with §63.40).

40 CFR 63 Subpart C – List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List (commencing with §63.60).

40 CFR 63 Subpart D – Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants (commencing with §63.70).

40 CFR 63 Subpart E – Approval of State Programs and Delegation of Federal Authorities (commencing with §63.90).

40 CFR 63 Subpart F – National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (commencing with §63.100).

40 CFR 63 Subpart G – National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (commencing with §63.110).

40 CFR 63 Subpart H – National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (commencing with §63.160).

40 CFR 63 Subpart I – National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (commencing with §63.190).

40 CFR 63 Subpart J – National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production (commencing with §63.210).

40 CFR 63 Subpart K – Reserved.

40 CFR 63 Subpart L – National Emission Standards for Coke Oven Batteries (commencing with §63.300).

- 40 CFR 63 Subpart M – National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (commencing with §63.320).
- 40 CFR 63 Subpart N – National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (commencing with §63.340).
- 40 CFR 63 Subpart O – Ethylene Oxide Emissions Standards for Sterilization Facilities (commencing with §63.360).
- 40 CFR 63 Subpart P – Reserved.
- 40 CFR 63 Subpart Q – National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (commencing with §63.400).
- 40 CFR 63 Subpart R – National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (commencing with §63.420).¹
- 40 CFR 63 Subpart S – National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry (commencing with §63.440).
- 40 CFR 63 Subpart T – National Emission Standards for Halogenated Solvent Cleaning (commencing with §63.460).
- 40 CFR 63 Subpart U – National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (commencing with §63.480).
- 40 CFR 63 Subpart V – Reserved.
- 40 CFR 63 Subpart W – National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production (commencing with §63.520).
- 40 CFR 63 Subpart X – National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting (commencing with §63.541).
- 40 CFR 63 Subpart Y – National Emission Standards for Marine Tank Vessel Loading Operations (commencing with §63.560).
- 40 CFR 63 Subpart Z – Reserved.
- 40 CFR 63 Subpart AA – National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants (commencing with §63.600).

1. Please see also MDAQMD Rules 462 - *Organic Liquid Loading* and 463 - *Storage of Organic Liquids*.

- 40 CFR 63 Subpart BB – National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants (commencing with §63.620).
- 40 CFR 63 Subpart CC – National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (commencing with §63.640).
- 40 CFR 63 Subpart DD – National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (commencing with §63.680).
- 40 CFR 63 Subpart EE – National Emission Standards for Magnetic Tape Manufacturing Operations (commencing with §63.701).
- 40 CFR 63 Subpart FF – Reserved.
- 40 CFR 63 Subpart GG – National Emission Standards for Aerospace Manufacturing and Rework Facilities (commencing with §63.741).
- 40 CFR 63 Subpart HH – National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities (commencing with §63.760).
- 40 CFR 63 Subpart II – National Emission Standards for Shipbuilding and Ship Repair (Surface Coating) (commencing with §63.780).
- 40 CFR 63 Subpart JJ – National Emission Standards for Wood Furniture Manufacturing Operations (commencing with §63.800).
- 40 CFR 63 Subpart KK – National Emission Standards for the Printing and Publishing Industry (commencing with §63.820).
- 40 CFR 63 Subpart LL – National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants (commencing with §63.840).
- 40 CFR 63 Subpart MM – National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills (commencing with §63.860).
- 40 CFR 63 Subpart NN – National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources (Commencing with §63.880).
- 40 CFR 63 Subpart OO – National Emissions Standards for Tanks - Level 1 (commencing with §63.900).²
- 40 CFR 63 Subpart PP – National Emissions Standards for Containers (commencing with §63.920).²

2. These MACT standards are only applicable if they are referenced in another regulation under 40 CFR 60 (NSPS), 40 CFR 61 (NESHAP), or 40 CFR 63 (MACT/NESHAP).

- 40 CFR 63 Subpart QQ – National Emission Standards for Surface Impoundments (commencing with §63.940).²
- 40 CFR 63 Subpart RR – National Emission Standards for Individual Drain Systems (commencing with §63.960).²
- 40 CFR 63 Subpart SS – National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process (commencing with §63.980).
- 40 CFR 63 Subpart TT – National Emission Standards for Equipment Leaks - Control Level I (commencing with §63.1000).
- 40 CFR 63 Subpart UU – National Emissions Standards for Equipment Leaks - Control Level II (commencing with §63.1019).
- 40 CFR 63 Subpart VV – National Emission Standards for Oil-Water Separators and Organic-Water Separators (commencing with §63.1040).²
- 40 CFR 63 Subpart WW – National Emission Standards for Storage Vessels (Tanks) – Control Level 2 (commencing with §63.1060).
- 40 CFR 63 Subpart XX – National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations (commencing with §63.1080).
- 40 CFR 63 Subpart YY – National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards (commencing with §63.1100).
- 40 CFR 63 Subpart ZZ – Reserved.
- 40 CFR 63 Subpart AAA – Reserved.
- 40 CFR 63 Subpart BBB – Reserved.
- 40 CFR 63 Subpart CCC – National Emission Standards for Hazardous Air Pollutants for Steel Pickling – HCL Process Facilities and Hydrochloric Acid Regeneration Plants (commencing with §63.1155).
- 40 CFR 63 Subpart DDD – National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production (commencing with §63.1175).
- 40 CFR 63 Subpart EEE – National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (commencing with §63.1200).
- 40 CFR 63 Subpart FFF – Reserved.
- 40 CFR 63 Subpart GGG – National Emission Standards for Pharmaceuticals Production (commencing with §63.1250).

- 40 CFR 63 Subpart HHH – National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities (commencing with §63.1270).
- 40 CFR 63 Subpart III – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production (commencing with §63.1290).
- 40 CFR 63 Subpart JJJ – National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins (commencing with §63.1310).
- 40 CFR 63 Subpart KKK – Reserved.
- 40 CFR 63 Subpart LLL – National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (commencing with §63.1340).³
- 40 CFR 63 Subpart MMM – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production (commencing with §63.1360).
- 40 CFR 63 Subpart NNN – National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing (commencing with §63.1380).
- 40 CFR 63 Subpart OOO – National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins (commencing with §63.1400).
- 40 CFR 63 Subpart PPP – National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production (commencing with §63.1420).
- 40 CFR 63 Subpart QQQ – National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting (commencing with §63.1440).
- 40 CFR 63 Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (commencing with §63.1500).
- 40 CFR 63 Subpart SSS – Reserved.
- 40 CFR 63 Subpart TTT – National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting (commencing with §63.1541).
- 40 CFR 63 Subpart UUU – National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (commencing with §63.1560).
- 40 CFR 63 Subpart VVV – National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works (commencing with §63.1580).

3. Please see also MDAQMD Rule 1161 - *Portland Cement Kilns*.

- 40 CFR 63 Subpart WWW – Reserved.
- 40 CFR 63 Subpart XXX – National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese (commencing with §63.1620).
- 40 CFR 63, Subpart YYY – Reserved.
- 40 CFR 63, Subpart ZZZ – Reserved.
- 40 CFR 63, Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (commencing with §63.1930).
- 40 CFR 63, Subpart BBBB – Reserved.
- 40 CFR 63, Subpart CCCC – National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast (commencing with §63.2130).
- 40 CFR 63, Subpart DDDD – National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (commencing with §63.2230).
- 40 CFR 63, Subpart EEEE – National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) (commencing with §63.2330).
- 40 CFR 63, Subpart FFFF – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing (commencing with §63.2430).
- 40 CFR 63, Subpart GGGG – National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production (commencing with §63.2830).
- 40 CFR 63, Subpart HHHH – National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production (commencing with §63.2980).
- 40 CFR 63, Subpart IIII – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks (commencing with §63.3080).
- 40 CFR 63, Subpart JJJJ – National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating (commencing with §63.3280).
- 40 CFR 63, Subpart KKKK – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans (commencing with §63.3480).
- 40 CFR 63, Subpart LLLL – Reserved.
- 40 CFR 63, Subpart MMMM – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (commencing with §63.3880).

- 40 CFR 63, Subpart NNNN – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances (commencing with §63.4080).
- 40 CFR 63, Subpart OOOO – National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles (commencing with §63.4280).
- 40 CFR 63, Subpart PPPP – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (commencing with §63.4480).
- 40 CFR 63, Subpart QQQQ – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products (commencing with §63.4680).
- 40 CFR 63, Subpart RRRR – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture (commencing with §63.4880).
- 40 CFR 63, Subpart SSSS – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil (commencing with §63.5080).
- 40 CFR 63, Subpart TTTT – National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations (commencing with §63.5280).
- 40 CFR 63, Subpart UUUU – National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing (commencing with §63.5480).
- 40 CFR 63, Subpart VVVV – National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing (commencing with §63.5680).
- 40 CFR 63, Subpart WWWW – National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production (commencing with §63.5780).
- 40 CFR 63, Subpart XXXX – National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing (commencing with §63.5980).
- 40 CFR 63, Subpart YYYYY – National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines (commencing with §63.6080).
- 40 CFR 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (commencing with §63.6580).
- 40 CFR 63, Subpart AAAAA – National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants (commencing with §63.7080).
- 40 CFR 63, Subpart BBBB – National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing (commencing with §63.7180).
- 40 CFR 63, Subpart CCCCC – National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks (commencing with §63.7280).

- 40 CFR 63, Subpart DDDDD – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters (commencing with §63.7480).
- 40 CFR 63, Subpart EEEEE – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries (commencing with §63.7680).
- 40 CFR 63, Subpart FFFFF – National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities (commencing with §63.7780).
- 40 CFR 63, Subpart GGGGG – National Emission Standards for Hazardous Air Pollutants: Site Remediation (commencing with §63.7880).
- 40 CFR 63, Subpart HHHHH – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing (commencing with §63.7980).
- 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants (commencing with §63.8180).
- 40 CFR 63, Subpart JJJJJ – National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing (commencing with §63.8380).
- 40 CFR 63, Subpart KKKKK – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing (commencing with §63.8530).
- 40 CFR 63, Subpart LLLLL – National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing (commencing with §63.8680).
- 40 CFR 63, Subpart MMMMM – National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations (commencing with §63.8780).
- 40 CFR 63, Subpart NNNNN – National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production (commencing with §63.8980).
- 40 CFR 63, Subpart OOOOO – Reserved.
- 40 CFR 63, Subpart PTTTT – National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands (commencing with §63.9280).
- 40 CFR 63, Subpart QQQQQ – National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities (commencing with §63.9480).
- 40 CFR 63, Subpart RRRRR – National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing (commencing with §63.9580).
- 40 CFR 63, Subpart SSSSS – National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing (commencing with §63.9780).

- 40 CFR 63, Subpart TTTTTT – National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining (commencing with §63.9880).
- 40 CFR 63, Subpart UUUUUU – National Emission Standards for Hazardous Air Pollutants: Coal – and Oil – Fired Electric Utility Steam Generating Units (commencing with §63.9980).
- 40 CFR 63, Subpart VVVVVV – Reserved.
- 40 CFR 63, Subpart WWWWWW – National Emission Standards for Hospital Ethylene Oxide Sterilizers (commencing with §63.10382).
- 40 CFR 63, Subpart XXXXXX – Reserved.
- 40 CFR 63, Subpart YYYYYY – National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities (commencing with §63.10680).
- 40 CFR 63, Subpart ZZZZZZ – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources (commencing with §63.10880).
- 40 CFR 63, Subpart AAAAAA – Reserved.
- 40 CFR 63, Subpart BBBBBB – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities (commencing with §63.11080).
- 40 CFR 63, Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (commencing with §63.11110).
- 40 CFR 63, Subpart DDDDDD – National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources (commencing with §63.11140).
- 40 CFR 63, Subpart EEEEEEE – National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources (commencing with §63.11146).
- 40 CFR 63, Subpart FFFFFFFF – National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources (commencing with §63.11153).
- 40 CFR 63, Subpart GGGGGG – National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium (commencing with §63.11160).
- 40 CFR 63, Subpart HHHHHH – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (commencing with §63.11169).
- 40 CFR 63, Subpart IIIIII – Reserved.

- 40 CFR 63, Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (commencing with §63.11193).
- 40 CFR 63, Subpart KKKKKK – Reserved.
- 40 CFR 63, Subpart LLLLLL – National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources (commencing with §63.11393).
- 40 CFR 63, Subpart MMMMMM – National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources (commencing with §63.11400).
- 40 CFR 63, Subpart NNNNNN – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds (commencing with §63.11407).
- 40 CFR 63, Subpart OOOOOO – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources (commencing with §63.11414).
- 40 CFR 63, Subpart PPPPPP – National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources (commencing with §63.11421).
- 40 CFR 63, Subpart QQQQQQ – National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources (commencing with §63.11428).
- 40 CFR 63, Subpart RRRRRR – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources (commencing with §63.11435).
- 40 CFR 63, Subpart SSSSSS – National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources (commencing with §63.11448).
- 40 CFR 63, Subpart TTTTTT – National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources (commencing with §63.11462).
- 40 CFR 63, Subpart UUUUUU – Reserved.
- 40 CFR 63, Subpart VVVVVV – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (commencing with §63.11494).
- 40 CFR 63, Subpart WWWWWW – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (commencing with §63.11504).
- 40 CFR 63, Subpart XXXXXX – National Emission Standards for Hazardous Air Pollutants for Nine Metal Fabrication and Finishing Source Categories (commencing with §63.11514).

- 40 CFR 63, Subpart YYYYYYY – National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities (commencing with §63.11524).
- 40 CFR 63, Subpart ZZZZZZ – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper and Other Nonferrous Foundries (commencing with §63.11544).
- 40 CFR 63, Subpart AAAAAAA – National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing (commencing with §63.11559).
- 40 CFR 63, Subpart BBBBBBB – National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry (commencing with §63.11579).
- 40 CFR 63, Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing (commencing with §63.11599).
- 40 CFR 63, Subpart DDDDDDD – National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing (commencing with §63.11619).
- 40 CFR 63, Subpart EEEEEEE – National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and production Area Source Category (commencing with §63.11640).
- 40 CFR 63, Subpart FFFFFFF – Reserved.
- 40 CFR 63, Subpart GGGGGGG – Reserved.
- 40 CFR 63, Subpart HHHHHHH – National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production (commencing with §63.11860).

NOTE: Copies of the CFR referenced in this Rule may be obtained on line at:

[https://www.ecfr.gov/cgi-](https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86ce673b7ad16&mc=true&page=browse)

[bin/ECFR?SID=085f4b27accdd8d586e86ce673b7ad16&mc=true&page=browse](https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86ce673b7ad16&mc=true&page=browse)

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

<https://catalog.gpo.gov/fdlpdir/FDLPdir.jsp>

Hard copies are available for purchase at:

http://bookstore.gpo.gov/baskets/cfr_listing.jsp or

by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW, Washington, DC 20401-0001 (202) 512-1800

NOTE: Copies of the CFR referenced in this Rule may be obtained on-line at:

<https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86cc673b7ad16&mc=true&page=browse>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

<https://www.fdlp.gov/>

Hard copies are available for purchase at:

<https://pueblo.gpo.gov/Publications/PuebloPubs.php> or

by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW, Washington, DC 20401-0001 (202) 512-1800

Notification

California Airborne Toxic Control Measures (ATCMs)

PLEASE TAKE NOTICE that the requirements of the following Airborne Toxic Control Measures (ATCMs) as found in the California Code of Regulations (CCR) are enforceable by the MDAQMD as local district rules pursuant to the provisions of California Health & Safety Code §39666.

17 CCR §93101.5 - ATCM to Reduce Emissions of Hexavalent Chromium and Nickel from Thermal Spraying.

17 CCR §§93102 et seq. - ATCM for Chromium Plating and Chromic Acid Anodizing Facilities.

17 CCR §93103 – Regulation for Chromate Treated Cooling Towers.

17 CCR §93104 - Dioxins ATCM - Medical Waste Incinerators.

17 CCR §93105 – Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.

17 CCR §93106 - Asbestos ATCM for Surfacing Applications.

17 CCR §93107 - ATCM for Emissions of Toxic Metals from Non-Ferrous Metal Melting.

17 CCR §93108 - Ethylene Oxide ATCM - Part 1 - Non-Commercial Sterilizers and Aerators and Commercial Sterilizers and Aerators Using Less Than 2,000 Pounds of Ethylene Oxide per 12 Consecutive Months.

17 CCR §93108.5 - Ethylene Oxide ATCM - Part 2 - Commercial Sterilizers and Aerators Using 2,000 Pounds or More of Ethylene Oxide per 12 Consecutive Months.

17 CCR §§93109 et seq. - ATCM for Emissions of Perchloroethylene from Dry Cleaning and Water-Repelling Operations.

17 CCR §93111 – Chlorinated Toxic Air Contaminants ATCM - Automotive Maintenance and Repair Activities.

17 CCR §93112 - Hexavalent Chromium and Cadmium ATCM - Motor Vehicle and Mobile Equipment Coatings.

17 CCR §93113 – ATCM to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning.

17 CCR 93114 – ATCM to Reduce Particulate Emissions from Diesel-Fueled Engines – Standards for Nonvehicular Diesel Fuel.

Notification (ATCMs) D1

17 CCR §§93115 et seq. – ATCM for Stationary Compression Ignition (CI) Engines.

17 CCR §§93116 et seq. - ATCM for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater.

17 CCR §93117 - ATCM to Reduce Particulate Emissions from Diesel-Fueled Engines - Standards for Nonvehicular Diesel Fuel Used in Intrastate Diesel-Electric Locomotives and Harborcraft.

17 CCR §93118 - ATCM for Auxiliary Diesel Engines and Diesel-Electric Engines Operated on Ocean-Going Vessels Within California Waters and 24 Nautical Miles of the California Baseline.

17 CCR §93119 - ATCM Limiting Onboard Incineration on Cruise Ships and Oceangoing Ships.

17 CCR §§93120 et seq. - ATCM to Reduce Formaldehyde Emissions from Composite Wood Products.

PLEASE ALSO TAKE NOTICE that pursuant to the provisions of California Health & Safety Code §39666(d) the MDAQMD has adopted equally effective or more stringent control measures for the following ATCMs as contained in the rules listed below:

- (a) MDAQMD Rules 461 - *Gasoline Transfer and Dispensing*, 462 - *Organic Liquid Loading* and 463 - *Storage of Organic Liquids* contain equally effective or more stringent control measures as those found in 17 CCR §93101 - Benzene ATCM - Retail Service Stations.”

Copies of the California Code of Regulations referenced herein may be obtained on-line at <http://www.arb.ca.gov/toxics/atcm.htm>,

https://govt.westlaw.com/calregs/index?_lrTS=20211007211053535&transitionType=Default&contextData=%28sc.Default%29 or by contacting the MDAQMD.

Appendix “B”
Public Notice Documents

1. Proof of Publication – Daily Press, 12/20/2021
2. Proof of Publication – Riverside Press Enterprise, 12/20/2021

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Insert Daily Press POP here

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/20/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 20, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

MOJAVE DESERT AQMD
14306 PARK AVE
ATTN: D. HERNANDEZ
VICTORVILLE, CA 92392

Ad Number: 0011507424-01

P.O. Number:

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on January 24, 2022 at 10:00 A.M. to consider the proposed amendment of Rule 900 - Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 - National Emission Standards for Hazardous Air Pollutants (NESHAPS), as well as updates made to the Airborne Toxic Control Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of proposed amended Rule 900 - Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 - National Emission Standards for Hazardous Air Pollutants (NESHAPS), as well as the updated ATCMs and MACT standards Notifications, and the Staff Report are on file and may be obtained from the Executive Office Manager at the MDAQMD Offices. Written comments may be submitted to Brad Pairiez, APCO at the above office address. Written comments should be received no later than January 21, 2022 to be considered. If you have any questions you may contact Bertrand Gaschet at (760) 245-1661 x4020 for further information. Traducción esta disponible por solicitud.

The proposed amendments to Rule 900 - Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 - National Emission Standards for Hazardous Air Pollutants (NESHAPS) adopt by reference amended NSPS and NESHAPS as set forth in 40 Code of Federal Regulations, Part 60 and 40 Code of Federal Regulations, Part 61, respectively. Moreover, the District will be updating the ATCMs and MACT Notifications to reflect updates made to the 17 CCR and 40 CFR 63, respectively. This will enable the MDAQMD to retain delegation of authority from USEPA for certain NSPS, NESHAP, ATCMs, and MACT standards.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg 515308) applies and has prepared a Notice of Exemption for this action.

Press-Enterprise; 12/20

RECEIVED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

DEC 20 2021

BY 

Appendix “C”
Public Comments and Responses

No comments received at this time.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Notice of Exemption – San Bernardino County
2. Notice of Exemption – Riverside County

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NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: Amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The proposed amendments to Rule 900 and Rule 1000 update citations and adopt by reference various new and amended Federal New Source Performance Standards and the National Emission Standards for Hazardous Air Pollutants, respectively. The District will also update the ATCM and MACT Notifications by reference of the most current versions as well This will enable the District to obtain delegation of authority from USEPA for certain standards.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert 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 900 and Rule 1000, as well as the updates made to the ATCM and MACT Notifications, are exempt from CEQA review because the proposed amendments are administrative in nature since they merely adopt by reference the applicable provisions of existing federal standards of performance for new stationary sources as set forth in 40 CFR 60 and existing emissions standards for Hazardous Air Pollutants 40 CFR 61, and will enable the MDAQMD to retain delegation of authority from USEPA for certain standards. There is not potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts because the standards are already effective and applicable to the District and any affected facilities, therefore a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: _____ **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: Amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The proposed amendments to Rule 900 and Rule 1000 update citations and adopt by reference various new and amended Federal New Source Performance Standards and the National Emission Standards for Hazardous Air Pollutants, respectively. The District will also update the ATCM and MACT Notifications by reference of the most current versions as well This will enable the District to obtain delegation of authority from USEPA for certain standards.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert 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 900 and Rule 1000, as well as the updates made to the ATCM and MACT Notifications, are exempt from CEQA review because the proposed amendments are administrative in nature since they merely adopt by reference the applicable provisions of existing federal standards of performance for new stationary sources as set forth in 40 CFR 60 and existing emissions standards for Hazardous Air Pollutants 40 CFR 61, and will enable the MDAQMD to retain delegation of authority from USEPA for certain standards. There is not potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts because the standards are already effective and applicable to the District and any affected facilities, therefore a Class 8 categorical exemption (14 Cal. Code Reg. §15308)

LEAD AGENCY CONTACT PERSON: _____ **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

Appendix “E” Bibliography

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

1. 40 Code of Federal Regulations, Part 60 (40 CFR 60)
2. 40 Code of Federal Regulations, Part 61 (40 CFR 61)
3. 40 Code of Federal Regulations, Part 63 (40 CFR 63)
4. 17 California Code of Regulations, Chapter 1, Subchapter 7.5 (commencing with §93100)

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NOTICE OF EXEMPTION



TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

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LEAD AGENCY CONTACT PERSON: _____ **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

BRAD POIRIEZ, EXECUTIVE DIRECTOR

14306 Park Avenue, Victorville, CA 92392-2310 • 760.245.1661 • Fax 760.245.2022 • www.MDAQMD.ca.gov • @MDAQMD

NOTICE OF EXEMPTION



TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Clerk of the Governing Board

PROJECT TITLE: Amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*.

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LEAD AGENCY CONTACT PERSON: _____ **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

BRAD POIRIEZ, EXECUTIVE DIRECTOR

14306 Park Avenue, Victorville, CA 92392-2310 • 760.245.1661 • Fax 760.245.2022 • www.MDAQMD.ca.gov • @MDAQMD

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/20/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 20, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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14306 PARK AVE
ATTN: D. HERNANDEZ
VICTORVILLE, CA 92392

Ad Number: 0011507424-01

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Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on January 24, 2022 at 10:00 A.M. to consider the proposed amendment of Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAPS), as well as updates made to the Airborne Toxic Control Measures (ATCMs) and Maximum Achievable Control Technology (MACT) standards Notifications.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of proposed amended Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAPS), as well as the updated ATCMs and MACT standards Notifications, and the Staff Report are on file and may be obtained from the Executive Office Manager at the MDAQMD Offices. Written comments may be submitted to Brad Poiriez, APCO at the above office address. Written comments should be received no later than January 21, 2022 to be considered. If you have any questions you may contact Bertrand Gascho at (760) 245-1661 x4020 for further information. Traducción esta disponible por solicitud.

The proposed amendments to Rule 900 – Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAPS) adopt by reference amended NSPS and NESHAPS as set forth in 40 Code of Federal Regulations, Part 60 and 40 Code of Federal Regulations, Part 61, respectively. Moreover, the District will be updating the ATCMs and MACT Notifications to reflect updates made to the 17 CCR and 40 CFR 63, respectively. This will enable the MDAQMD to retain delegation of authority from USEPA for certain NSPS, NESHAP, ATCMs, and MACT standards.

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

Press-Enterprise; 12/20

**RECEIVED
MOJAVE DESERT AQMD
CLERK OF THE BOARD**

DEC 20 2021

BY 

The following page(s) contain the backup material for Agenda Item: [Conduct a public hearing to consider the Amendment of Rule 1126 – Municipal Solid Waste Landfills: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act \(CEQA\) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions. Presenter: Alan De Salvio, Deputy APCO.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #12

DATE: January 24, 2022

RECOMMENDATION: Conduct a public hearing to consider the Amendment of Rule 1126 – *Municipal Solid Waste Landfills*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions.

SUMMARY: Rule 1126 is proposed for amendment in order to update the rule into agreement with changes to the Standards of Performance for Municipal Solid Waste (MSW) Landfills (landfills new source performance standards or landfills NSPS) resulting from the EPA’s review of the landfills NSPS under Clean Air Act (CAA) section 111 in 2016.

CONFLICT OF INTEREST: None

BACKGROUND: MDAQMD Rule 1126 – *Municipal Solid Waste Landfills*, limits non-methane organic compound (MNOC) emissions of from municipal solid waste (MSW) landfills by implementing the provisions of 40 CFR Part 60, Subpart Cc – Emission Guidelines and Compliance Times for Landfills. In August of 2016, the EPA made changes to the Standards of Performance for Municipal Solid Waste (MSW) Landfills (81 FR 59331) in response to a standards of performance review required by the CAA section 111. In order to avoid possible confusion regarding which MSW landfills would actually be subject to these requirements, the EPA has established a new subpart Cf (40 CFR part 60, subpart Cf) rather than updating the existing subpart Cc (40 CFR part 60, subpart Cc). MDAQMD’s Rule 1126 - Municipal Solid Waste Landfills will be updated to reference and implement the new CFR subparts.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM #12

PAGE 2

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the adoption of Rule 1126 pursuant to the requirements of CEQA.

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

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy APCO on or about 1/03/2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy APCO.

RESOLUTION NO. 01- _____

1 **A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT**
2 **AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING**
3 **THE NOTICE OF EXEMPTION, AMENDING RULE 1126 – *MUNICIPAL SOLID***
4 ***WASTE LANDFILLS AND DIRECTING STAFF ACTIONS.***

5 On January 24, 2022, on motion by Member _____, seconded by
6 Member _____, and carried, the following resolution is adopted:

7 **WHEREAS**, the Mojave Desert Air Quality Management District (MDAQMD) has
8 authority pursuant to California Health and Safety Code (H & S Code) §§40702, 40725-40728
9 to adopt, amend or repeal rules and regulations; and

10 **WHEREAS**, the MDAQMD originally adopted Rule 1126 – *Municipal Solid Waste*
11 *Landfills* on August 28, 2000; and

12 **WHEREAS**, the MDAQMD is now proposing to amend Rule 1126; and

13 **WHEREAS**, Rule 1126 limits non-methane organic compound (NMOC) emissions of
14 from municipal solid waste (MSW) landfills by implementing the provisions of 40 CFR Part
15 60, Subpart Cc – Emission Guidelines and Compliance times for Landfills; and

16 **WHEREAS**, in 2016 the EPA revised the federal standards of performance for new
17 and existing Municipal Solid Waste Landfills in the Code of Federal Regulations (CFR); and

18 **WHEREAS**, 40 CFR Part 60, Subpart Cc which sets the standards of performance for
19 existing landfills, was replaced by 40 CFR Part 60 Subpart Cf; and

20 **WHEREAS**, Rule 1126 will be updated to reference the new CFR subparts; and

21 **WHEREAS**, Rule 1126 will not be submitted to the SIP at this time, however all SIP
22 submission requirements were followed throughout the adoption process so that it may be
23 added to the SIP at a later date if necessary; and

24 **WHEREAS**, this proposed rule was reviewed by the Technical Advisory Committee
25 (TAC), a committee consisting of a variety of regulated industry and local governmental
26 entities; and

27 **WHEREAS**, this action is necessary amend Rule 1126 as the current CFR references
28 have been superseded; and

WHEREAS, the proposed amendment of Rule 1126 is clear in that the meaning can be

RESOLUTION NO. 01-_____

1 easily understood by the persons impacted by the Rule; and

2 **WHEREAS**, the amendment of Rule 1126 is in harmony with, and not in conflict with,
3 or contradictory to existing statutes, court decisions, or state or federal regulations; and

4 **WHEREAS**, the proposed amendment of Rule 1126 does not impose the same
5 requirements as any existing state or federal regulation because the applicable CFR subparts
6 require state and/or local regulations for implementation; and

7 **WHEREAS**, a public hearing has been properly noticed and conducted, pursuant to H
8 & S Code §40725, concerning the amendment of Rule 1126; and

9 **WHEREAS**, a Notice of Exemption, a Categorical Exemption (Class 8, 14 CCR
10 §15308) for the proposed amendment of Rule 1126, completed in compliance with the
11 California Environmental Quality Act (CEQA), has been presented to the MDAQMD Board;
12 each member having reviewed, considered and approved the information contained therein
13 prior to acting on the proposed amendment of Rule 1126, and the MDAQMD Board having
14 determined that the proposed amendment will not have any potential for resulting in any
15 adverse impact upon the environment; and

16 **WHEREAS**, staff recommends that the Governing Board of the Mojave Desert Air
17 Quality Management District amend proposed Rule 1126 – *Municipal Solid Waste Landfills*
18 and approve the appropriate California Environmental Quality Act (CEQA) documentation;
19 and

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

22 **NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the
23 MDAQMD finds that the amendment of Rule 1126 – *Municipal Solid Waste Landfills* is
24 necessary, authorized, clear, consistent, non-duplicative and properly referenced; and

25 **BE IT FURTHER RESOLVED**, that the Governing Board of the MDAQMD hereby
26 makes a finding that the Class 8 Categorical Exemption (14 CCR §15308) applies and certifies
27 the Notice of Exemption for the proposed amendment of Rule 1126; and

28 **BE IT FURTHER RESOLVED**, that the Board of the MDAQMD does hereby adopt,

RESOLUTION NO. 01-_____

1 pursuant to the authority granted by law, the proposed amendment of Rule 1126 as set forth in
2 the attachments to this resolution and incorporated herein by this reference; and

3 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately
4 upon adoption, and that the Senior Executive Analyst – Confidential is directed to file the
5 Notice of Exemption in compliance with the provisions of CEQA.

6 //

7 //

8 //

9 //

10 //

11 //

12 //

13 **PASSED, APPROVED and ADOPTED** by the Governing Board of the Mojave Desert Air
14 Quality Management District by the following vote:

15 **AYES:** **MEMBER:**

16 **NOES:** **MEMBER:**

17 **ABSENT:** **MEMBER:**

18 **ABSTAIN:** **MEMBER:**

19)

20 STATE OF CALIFORNIA)

21) SS:

22 COUNTY OF SAN BERNARDINO)

23)

24 I, Deanna Hernandez, Senior Executive Analyst – Confidential of the Mojave Desert
25 Air Quality Management District, hereby certify the foregoing to be a full, true and correct
26 copy of the record of the action as the same appears in the Official Minutes of said Governing
Board at its meeting of January 24, 2022.

27 _____, Senior Executive Analyst – Confidential
28 Mojave Desert Air Quality Management District

Rule 1126

Municipal Solid Waste Landfills

(A) General

(1) Purpose

- (a) The purpose of this Rule is to limit non-methane organic compound (NMOC) emissions from municipal solid waste (MSW) landfills by implementing the provisions of 40 Code of Federal Regulations (CFR) Part 60, Subpart Cf - Emission Guidelines and Compliance Times for MSW Landfills.

(2) Applicability

- (a) This rule applies to all MSW landfills meeting the following conditions:
 - (i) Construction, reconstruction, or modification:
 - a. Was commenced before May 30, 1999 and has not been modified since, or
 - b. Was commenced before July 18, 2014, but on or after May 30, 1991, and
 - (ii) the MSW landfill has accepted waste at any time since November 8, 1987 or has additional design capacity available for future waste deposition.
- (b) The provisions of this rule do not exempt any MSW landfill from any other existing state or federal requirement.

(B) Definitions

Terms used but not defined in this rule have the meaning given them in 40 CFR 60.41f (Definitions). The following definitions either supersede or supplement those in 40 CFR 60.41f for the purposes of this rule:

- (1) "Administrator" - The Air Pollution Control Officer (APCO) of the Mojave Desert Air Quality Management District, except that the APCO shall not be empowered to approve:
 - (a) alternative or equivalent test methods, alternative standards; or
 - (b) alternative work practices unless included in the site-specific design plan as provided in 40 CFR 60.33f.

- (2) "Annual" or "Annually" - on a calendar year basis (January 1 through December 31) when used in reference to reporting requirements.
- (3) "Design Plan" (Plan) - the site-specific Design Plan for the gas collection and control system pursuant to subsection (C)(2)(a) of this rule.

(C) Requirements

- (1) The owner or operator of each MSW landfill shall submit an initial design capacity report (and amended design capacity report, if applicable) as specified in 40 CFR 60.38f. Any density conversions shall be documented and submitted with the report.
- (2) The owner or operator of each MSW landfill that has a design capacity equal to or greater than 2.5 million megagrams or 2.5 million cubic meters, and an NMOC emission rate of 34 megagrams per year or more, as calculated pursuant to 40 CFR 60.35f (Test Methods and Procedures) shall install a collection and control system meeting the conditions provided in 40 CFR 60.33f(b). Installation shall occur under the following conditions:
 - (a) The owner or operator shall submit a site-specific collection and control system design plan to the APCO as provided under 40 CFR 60.33f.
 - (b) The design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, record keeping or reporting provisions of 40 CFR 60.34f through 60.39f.
 - (c) The APCO shall review and either approve or disapprove the plan, or request that additional information be submitted. The design plan shall either conform with specifications for active collection systems in 40 CFR 60.40f or include a demonstration to the APCO's satisfaction of the sufficiency of the alternative provisions to 40 CFR 60.40f. The design plan may include alternatives as specified in 40 CFR 60.33f.
 - (d) Each MSW landfill required to install a gas collection and control system under this section shall meet the operational standards in 40 CFR 60.34f.

(D) Reporting Requirements

- (1) The owner or operator of each MSW landfill shall meet the record keeping and reporting requirements of 40 CFR 60.38f and 40 CFR 60.39f, as applicable, except that the APCO may approve alternate record keeping and reporting provisions as provided in subsection (C)(2)(c) of this rule. Any required records or reports shall be submitted to the APCO.

(E) Monitoring and Test Methods

- (1) Each MSW landfill required to install a gas collection and control system shall use the test methods and procedures in 40 CFR 60.35f, the compliance provisions in 40 CFR 60.36f, and the monitoring provisions in 40 CFR 60.37f, except that the APCO may approve alternatives in the design plan as provided in subsection (C)(2)(c) of this rule.

(F) Compliance Schedule

- (1) This rule shall become effective on the date of adoption.
- (2) The initial design capacity and NMOC emissions reports required pursuant to 40 CFR 60.33f(d) and 40 CFR 60.33f(e) shall be submitted no later than ninety (90) days from the effective date of this rule.
- (3) The site-specific collection and control system design plan required under subsection (C)(2)(a) of this rule shall be submitted no later than one year after determining that the MSW landfill has an NMOC emission rate equal to or greater than thirty-four (34) megagrams per year.
- (4) The planning, awarding of contracts, and installation of the collection and control equipment required pursuant to subsection (C)(2) of this rule shall be accomplished no later than:
 - (a) Thirty (30) months after the effective date of this rule for MSW landfills which meet the condition in subsection (C)(2) upon the rule effective date; or
 - (b) for existing MSW landfills whose NMOC emission rate is less than 34 megagrams per year upon the rule effective date, thirty (30) months after the date that the condition in subsection (C)(2) is met.
- (5) The initial performance test of the collection and control system equipment shall be accomplished within six (6) months of control system start-up.
- (6) Annual NMOC emission rate reports prepared pursuant to 40 CFR 60.33f(e) shall be submitted by March 1 of the year following the reporting period. If applicable, 5-year estimates of the NMOC emission rate shall be submitted by March 1 of the first year of the 5-year estimation period.

[SIP: Not in SIP]

See SIP Table at <https://www.mdaqmd.ca.gov/rules/overview>



Draft

Staff Report

Proposed Amendment of
Rule 1126 — *Municipal Solid Waste Landfills*

For amendment on January 24th, 2022

**Mojave Desert
Air Quality
Management
District**

14306 Park Avenue
Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2022

www.MDAQMD.ca.gov • @MDAQMD

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STAFF REPORT
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List of Acronyms

APCO	Air Pollution Control Officer
BACT	Best Available Control Technology
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
FCAA	Federal Clean Air Act
H&S Code	California Health & Safety Code
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
NO _x	Oxides of Nitrogen
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
SO _x	Oxides of Sulfur
USEPA	U.S. Environmental Protection Agency
VOC	Volatile Organic Compounds

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STAFF REPORT

Rule 1126 - *Municipal Solid Waste Landfills*

I. PURPOSE OF STAFF REPORT

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

II. EXECUTIVE SUMMARY

The Mojave Desert Air Quality Management Board (MDAQMD or District) has the authority pursuant to California Health & Safety (H&S) Code §40702 to adopt, amend or repeal rules and regulations. Mojave Desert Air Quality Management District (MDAQMD or District) is proposing to amend Rule 1126 – *Municipal Solid Waste Landfills* in order to update the rule into agreement with changes to the Standards of Performance for Municipal Solid Waste (MSW) Landfills (landfills new source performance standards or landfills NSPS) resulting from the EPA’s review of the landfill NSPS under Clean Air Act (CAA) section 111 in 2016.

MDAQMD Rule 1126 – *Municipal Solid Waste Landfills*, limits non-methane organic compound (MNOC) emissions of from municipal solid waste (MSW) landfills by implementing the provisions of 40 CFR Part 60, Subpart Cc – Emission Guidelines and Compliance Times for Landfills. In August of 2016, the EPA made changes to the Standards of Performance for Municipal Solid Waste (MSW) Landfills (81 FR 59331) in response to a standards of performance review required by the CAA section 111. In order to avoid possible confusion regarding which MSW landfills would actually be subject to these requirements, the EPA has established a new subpart Cf (40 CFR part 60, subpart Cf) rather than updating the existing subpart Cc (40 CFR part 60, subpart Cc). MDAQMD’s Rule 1126 - *Municipal Solid Waste Landfills* will be updated to reference and implement the new CFR subparts.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD or District) amend proposed Rule 1126 – *Municipal Solid Waste Landfills* and approve the appropriate California Environmental Quality Act (CEQA) documentation.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of, Rule 1126 - *Municipal Solid Waste Landfills*. 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 adoption of MD Rule 1126 – *Municipal Solid Waste Landfills*. 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:

Rule 1126 was originally adopted in order to satisfy the provisions of H & S Code §40918(a)(2), which requires the application of RACT for all existing stationary sources. Rule 1126 serves as the District's RACT rule for the Municipal Solid Waste Landfills category. The proposed amendment of Rule 1126 is necessary in order to codify the new federal regulations for solid waste landfills.

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 1126 are clear in that they are written so that the persons subject to the Rule can easily understand the meaning.

d. Consistency:

The proposed amendment of Rule 1126 is in harmony with, and not in conflict with or contradictory to any State law or regulation, Federal law or regulation, or court decisions.

e. Nonduplication:

The proposed adoption of Rule 1126 does not impose the same requirements as any existing State or Federal law.

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 amendment of Rule 1126 was published December 20th, 2021. 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 of Rule 1126 – *Municipal Solid Waste Landfills* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

This rule complies with all federal Municipal Solid Waste Landfills requirements.

b. Public Notice and Comment:

Notice for the public hearing for the proposed amendment of Rule 1126 was published December 20th, 2021. 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 amendment of Rule 1126 and the accompanying draft staff report were made available to the public on December 17th, 2021.

d. Notice to Specified Entities:

Copies of the proposed amendment of Rule 1126 and the accompanying draft staff report were sent to all affected agencies.

e. Public Hearing:

A public hearing to consider the proposed amendment of Rule 1126 has been set for January 24th, 2022.

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

Division 26, Part 3, Chapter 6.5, §40727.2 of the H&S Code requires that the MDAQMD (District) shall prepare a written analysis of other existing requirements applicable to the same source or equipment. In the analysis, the district shall identify all existing federal air pollution control requirements, including, but not limited to, emission control standards constituting best available control technology for new or modified equipment, that apply to the same equipment or source type as the rule or regulation proposed for adoption or modification by the district. The analysis shall also identify any of that district's existing or proposed rules and regulations that apply to the same equipment or source type, and all air pollution control requirements and guidelines that apply to the same equipment or source type and of which the district has been informed pursuant to subdivision (b). The analysis shall be in a format that minimizes paperwork and, at the option of the district, may be in matrix form.

Proposed amended Rule 1126 was enacted to adopt all the applicable provisions regarding the federal standards of performance for existing Municipal Solid Waste Landfills. The proposed amendments will update Rule 1126 to include amendments made to the emission guidelines and compliance times for Municipal Solid Waste Landfills which have occurred since the adoption of this rule in 2000. This action will enable the MDAQMD to directly implement and enforce the provisions of the CFR regarding the standards of performance for existing landfills. Lastly, California Landfills are also subject to the California LMR since it became effective June 17, 2010. The MDAQMD signed an MOU agreeing to enforce the provisions of the LMR in 2012. For a complete analysis of the provisions of the LMR versus the EPA standards, please visit: https://ww2.arb.ca.gov/sites/default/files/2020-08/CaStatePlan_Appendix-E.pdf.

C. ECONOMIC ANALYSIS

1. General

The proposed amendment of Rule 1126 will update the district rules based on current federal regulations. No increase in cost is anticipated.

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). This requirement does not apply to proposed Rule 1126 since it does not require BARCT or “all feasible measures.” However, proposed Rule 1126 is equivalent to rules that were determined by USEPA to fulfill RACT. This determination by USEPA means that the provisions of Rule 1126 are, by definition, cost effective.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the proposed amendment of Rule 1126 was determined.

1. The proposed amendments of Rule 1126 meet the CEQA definition of “project”. They are not “ministerial” actions.
2. The proposed amendment of Rule 1126 is exempt from CEQA Review because the amendment will not create any adverse impacts on the environment. 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 amendment of Rule 1126.

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

There are currently 2 active landfills (Barstow and Victorville Sanitary Landfills) within District boundaries that are subject to this rule. These existing MSW landfills should already be complying with the provisions of the updated federal regulations as they have been in place since 2016. Additionally, California landfills have also been subject to the provisions of the California Landfill Methane Rule (LMR) before the CFR revisions were made. The MDAQMD signed an MOU in 2012 agreeing to implement and enforce the provisions of the LMR, in addition to the existing District Landfill rule implementing 40 CFR Subpart Cc. The LMR already implements many requirements that are included in, or more stringent than subpart Cf. A complete list of Municipal Solid Waste Landfills affected by the emission guideline changes can be found at: https://ww2.arb.ca.gov/sites/default/files/2020-08/Ca_StatePlan_Appendix-C.pdf.

B. EMISSIONS

The new requirements for MSW landfills will help reduce emissions by updating the control requirements for landfills with a current design capacity of 2.5 million megagrams. While the threshold of 2.5 million megagrams is the same as the previous threshold, the NMOC (non-methane organic compounds) emission threshold for the installation of a gas collection and control system (GCCS) has been reduced from 50 megagrams per year to 34 megagrams per year.

According to EPA, installation of a GCCS to comply with the 34 Mg/yr NMOC emissions threshold at new or modified landfills would achieve reductions of 281 Mg/yr NMOC and 44,300 Mg/yr methane (about 1.1 million metric tons of carbon dioxide equivalent per year (mtCO₂e/yr)) beyond the baseline in year 2025. In addition, the revisions are expected to result in the net reduction of 26,000 Mg-CO₂, due to reduced demand by landfills for electricity from the grid as landfills generate electricity from LFG (Landfill Gas). The NMOC portion of LFG can contain a variety of air pollutants, including VOC and various organic HAP. VOC emissions are precursors to both fine particulate matter (PM_{2.5}) and ozone formation. These pollutants, along with methane, are associated with substantial health effects, welfare effects, and climate effects. The EPA expects that the reduced emissions will result in improvements in air quality and lessen the potential for health effects associated with exposure to air pollution related emissions, and result in climate benefits due to reductions of the methane component of LFG.

The EPA also finalized a requirement that standards of performance in the NSPS apply at all times, including periods of startup, shutdown, and malfunction (SSM). The EPA is also finalizing an alternative standard during SSM events: In the event the collection or control system is not operating, the gas mover system must be shut down and all valves in the collection and control system that could contribute to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating.

The two landfills large enough to be subject to this rule are already in compliance with the new federal regulations as they have been in effect since 2016.

C. CONTROL REQUIREMENTS

Proposed amendments to Rule 1126 include mitigation measures consistent with state and federal requirements determined to fulfill RACT.

1. NMOC Emission Threshold

The major revision is the lowering of the NMOC (non-methane organic compounds) emission threshold for the installation of a gas collection and control system (GCCS), from 50 megagrams per year to 34 megagrams per year. The existing landfills meeting the NMOC threshold should already be implementing a GCCS as these provisions have been effective since 2016.

2. Wellhead Operational Standards

EPA finalized changes to certain operational standards for the nitrogen/oxygen level at wellheads. Landfill owners or operators are not required to take corrective action based on exceedances of specified operational standards for nitrogen/oxygen levels at wellheads, but they must continue to monitor and maintain records of nitrogen/oxygen levels on a monthly basis in order to inform any necessary adjustments to the GCCS and must maintain records of monthly readings. The operational standard, corrective action, and corresponding record keeping and reporting remain for temperature and maintaining negative pressure at the wellhead. Existing landfills within the district should already be following this provision since it has been in effect since 2016.

D. PROPOSED RULE SUMMARY

The proposed amendments to Rule 1126 – *Municipal Solid Waste Landfills* will bring the rule up to date with the current federal regulations. 40 CFR Subpart Cc, which sets the emission guidelines and compliance times for active MSW landfills, was superseded by 40 CFR Subpart Cf in August of 2016. These amendments will update the current CFR references made in Rule 1126 to reference the new federal regulations for existing MSW landfills. Subpart Cf has also already been adopted by reference in MDAQMD Rule 900 - *Standards of Performance for New Stationary Sources (NSPS)*.

40 CFR Subpart Cf also required the states to submit a plan indicating how the new landfill regulations would be implemented. In 2017, CARB submitted the Landfill Methane Rule (LMR) as the state plan for California. California's statewide LMR is procedurally equal to and substantively more stringent than the federal Guidelines, not only achieving, but exceeding the reductions specified in the Guidelines. MDAQMD along with many other districts signed an MOU in 2012 agreeing to implement and enforce the provisions of the LMR.

Despite the higher stringency of the LMR, USEPA gave the plan a limited approval limited disapproval, claiming that the LMR was missing components such well head temperature monitoring and various record keeping requirements. CARB has since set a response to EPA regarding the limited disapproval, indicating how the missing aspects of the plan are actually covered by the LMR or other existing state requirements. Many of these state requirements are more stringent than the new federal guidelines. The MDAQMD has not seen a USEPA official response to this letter. As a result, the approved state plan for California is the combination of the LMR plus the following operational, monitoring, recordkeeping, and corrective action requirements related to either temperature and/or nitrogen: 40 CFR 60.34f(c), 60.36f(a)(5), 60.37f(a)(2) and (3), 60.38f(k), and 60.39f(e)(2) and (5). More information regarding compliance with the California State Plan for Landfills can be found at: <https://ww2.arb.ca.gov/resources/documents/ca-state-plan-landfills>.

E. FCAA 110(l) (42 U.S.C. §7410(l)) ANALYSIS

This rule is proposed for amendment in order to codify existing state and federal requirements, and therefore is not a relaxation or elimination of any existing regulation.

F. SIP HISTORY

1. SIP History.

a. SIP in the San Bernardino County Portion of MDAQMD

There is no equivalent document to Rule 1126 – *Municipal Solid Waste Landfills* currently in the MDAQMD SIP.

b. SIP in the Riverside County (Blythe/Palo Verde Valley) Portion of the MDAQMD

One of the provisions of the legislations which created the MDAQMD allowed areas contiguous to the MDAQMD boundaries and within the same air basin to leave their current air district and become a part of the MDAQMD. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left the South Coast Air Quality Management District (SCAQMD) and joined the MDAQMD.

Since USEPA adopts SIP revisions in California as effective within the jurisdictional boundaries of local air districts, when the local 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. Upon annexation of the Blythe/Palo Verde Valley the MDAQMD acquired the SIP prior to July 1, 1994 that was effective in the Blythe/Palo Verde Valley. Therefore, the SIP history for the Blythe/Palo Verde Valley Portion of the MDAQMD

is based upon the rules adopted and approved for that portion of Riverside County by SCAQMD.

South Coast AQMD Rule 1150.1 – *Control of gaseous emissions from Municipal Solid Waste Landfills*, is currently in the Riverside County portion of the California SIP. MDAQMD will request removal of SC 1150.1 from the Riverside portion of the California SIP.

2. SIP Analysis.

Proposed Rule 1126 is not less stringent than the currently existing SIP rules.

South Coast AQMD Rule 1150.1 will be removed from the Riverside County portion of the California SIP.

Appendix “A”
Rule 1126 – *Municipal Solid Waste Landfills* 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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Rule 1126

Municipal Solid Waste Landfills

(A) General

(1) Purpose

- (a) The purpose of this Rule is to limit non-methane organic compound (NMOC) emissions from municipal solid waste (MSW) landfills by implementing the provisions of 40 Code of Federal Regulations (CFR) Part 60, Subpart ~~Ce-Cf~~ - Emission Guidelines and Compliance Times for MSW Landfills.

(2) Applicability

- (a) This rule applies to all MSW landfills meeting the following conditions:

- (i) Construction, reconstruction, or modification:

- a. Was commenced before May 30, 1999 and has not been modified since, or

- b. Was commenced before July 18, 2014, but on or after May 30, 1991, and

[Derived from 40 CFR 60.31f(a) and 40 CFR 60.32c(a)]

- (ii) the MSW landfill has accepted waste at any time since November 8, 1987 or has additional design capacity available for future waste deposition.

- (b) The provisions of this rule do not exempt any MSW landfill from any other existing state or federal requirement.

(B) Definitions

Terms used but not defined in this rule have the meaning given them in 40 CFR ~~60.751~~ 60.41f (Definitions). The following definitions either ~~supereede~~ supersede or supplement those in 40 CFR ~~60.751~~ 60.41f for the purposes of this rule:

- (1) "Administrator" - The Air Pollution Control Officer (APCO) of the Mojave Desert Air Quality Management District, except that the APCO shall not be empowered to approve:

- (a) alternative or equivalent test methods, alternative standards; or

- (b) alternative work practices unless included in the site-specific design plan as provided in ~~40 CFR 60.33f~~~~40 CFR 60.752 (b)(2)(i)~~.
- (2) "Annual" or "Annually" - on a calendar year basis (January 1 through December 31) when used in reference to reporting requirements.
- (3) "Design Plan" (Plan) - the site-specific Design Plan for the gas collection and control system pursuant to subsection (C)(2)(a) of this rule.

(C) Requirements

- (1) The owner or operator of each MSW landfill shall submit an initial design capacity report (and amended design capacity report, if applicable) as specified in 40 CFR ~~60.752~~60.38f. Any density conversions shall be documented and submitted with the report.
- (2) The owner or operator of each MSW landfill that has a design capacity equal to or greater than 2.5 million megagrams or 2.5 million cubic meters, and an NMOC emission rate of ~~3450~~ megagrams per year or more, as calculated pursuant to 40 CFR ~~60.754~~60.35f (Test Methods and Procedures) shall install a collection and control system meeting the conditions provided in 40 CFR ~~60.33f(b)~~~~60.752(b)(2)(ii) and (iii)~~. Installation shall occur under the following conditions:
 - (a) The owner or operator shall submit a site-specific collection and control system design plan to the APCO as provided under ~~40 CFR 60.752(b)(2)(i)~~40 CFR 60.33f.
 - (b) The design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, record keeping or reporting provisions of 40 CFR 60.34f ~~60.753~~ through 60.39f ~~60.758~~.
 - (c) The APCO shall review and either approve or disapprove the plan, or request that additional information be submitted. The design plan shall either conform with specifications for active collection systems in 40 CFR 60.40f ~~60.759~~ or include a demonstration to the APCO's satisfaction of the sufficiency of the alternative provisions to 40 CFR 60.40f ~~60.759~~. The design plan may include alternatives as specified in 40 CFR 60.33f ~~60.752(b)(2)(i)(B)~~.
 - (d) Each MSW landfill required to install a gas collection and control system under this section shall meet the operational standards in 40 CFR ~~60.753~~60.34f.

(D) Reporting Requirements

- (1) The owner or operator of each MSW landfill shall meet the record keeping and reporting requirements of 40 CFR ~~60.757~~60.38f and 40 CFR ~~60.758~~60.39f, as applicable, except that the APCO may approve alternate record keeping and reporting provisions as provided in subsection (C)(2)(c) of this rule. Any required records or reports shall be submitted to the APCO.

(E) Monitoring and Test Methods

- (1) Each MSW landfill required to install a gas collection and control system shall use the test methods and procedures in 40 CFR 60.35f ~~60.754~~, the compliance provisions in 40 CFR 60.36f ~~60.755~~, and the monitoring provisions in 40 CFR 60.37f ~~60.756~~, except that the APCO may approve alternatives in the design plan as provided in subsection (C)(2)(c) of this rule.

(F) Compliance Schedule

- (1) This rule shall become effective on the date of adoption.
- (2) The initial design capacity and NMOC emissions reports required pursuant to 40 CFR 60.33f(d) ~~60.752~~ and 40 CFR 60.33f(e) ~~60.754~~ shall be submitted no later than ninety (90) days from the effective date of this rule.
- (3) The site-specific collection and control system design plan required under subsection (C)(2)(a) of this rule shall be submitted no later than one year after determining that the MSW landfill has an NMOC emission rate equal to or greater than ~~thirty-four (34)~~ fifty (50) megagrams per year.
- (4) The planning, awarding of contracts, and installation of the collection and control equipment required pursuant to subsection (C)(2) of this rule shall be accomplished no later than:
 - (a) Thirty (30) months after the effective date of this rule for MSW landfills which meet the condition in subsection (C)(2) upon the rule effective date; or
 - (b) for existing MSW landfills whose NMOC emission rate is less than ~~3450~~ megagrams per year upon the rule effective date, thirty (30) months after the date that the condition in subsection (C)(2) is met.
- (5) The initial performance test of the collection and control system equipment shall be accomplished within six (6) months of control system start-up.
- (6) Annual NMOC emission rate reports prepared pursuant to 40 CFR 60.33f(e) ~~60.757(b)(1)~~ shall be submitted by March 1 of the year following the reporting period. If applicable, 5-year estimates of the NMOC emission rate shall be submitted by March 1 of the first year of the 5-year estimation period.

[SIP: Not in SIP]

See SIP Table at <https://www.mdaqmd.ca.gov/rules/overview>

Appendix “B”
Public Notice Documents

1. Draft Proof of Publication – Daily Press
2. Draft Proof of Publication – Riverside Press Enterprise

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THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/20/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 20, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

MOJAVE DESERT AQMD
14306 PARK AVE
ATTN: D. HERNANDEZ
VICTORVILLE, CA 92392

Ad Number: 0011507474-01

P.O. Number:

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on January 24, 2022, at 10:00 A.M. to consider the proposed amendment of Rule 1126 – Municipal Solid Waste Landfills.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of proposed amended Rule 1126 – Municipal Solid Waste Landfills and the Staff Report are on file and may be obtained from the Senior Executive Analyst at the MDAQMD Offices. Written comments may be submitted to Brad Pairiez, APCO at the above office address. Written comments should be received no later than January 21, 2022 to be considered. If you have any questions you may contact Bertrand Gascho at (760) 245-1661 x4020 for further information. Traducción esta disponible por solicitud.

The proposed amendments of Rule 1126 – Municipal Solid Waste Landfills will bring the District's rule into agreement with revisions made to the Code of Federal Regulations regarding the Standards of Performance for Municipal Solid Waste (MSW) Landfills. The rule will be updated to reference the new CFR subparts.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 – 14 Cal. Code Reg 915308) applies and has prepared a Notice of Exemption for this action.

Press-Enterprise: 12/20

RECEIVED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

DEC 20 2021

BY 

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on January 25, 2022 at 10:00 A.M. to consider the proposed amendment of Rule 1126 – *Municipal Solid Waste Landfills*.

SAID HEARING may be conducted, in the interests of public health and safety and in accordance with the guidelines set forth in the Governor's Order N-08-21 of June 11, 2021, via alternative means. Please see the applicable Governing Board Meeting Agenda at <https://www.mdaqmd.ca.gov/meetings/meeting-schedule>, or call the Senior Executive Analyst at (760) 245-1661 x6244 for participation information.

The proposed amendment of Rule 1126 – *Municipal Solid Waste Landfills* is proposed for amendment in order to bring the District's rule into agreement with revisions made to the Code of Federal Regulations regarding the Standards of Performance for Municipal Solid Waste (MSW) Landfills. The rule will be updated to reference the new CFR subparts.

Copies of proposed Rule 1126 and the associated staff reports are available for download from the MDAQMD Website: <https://www.mdaqmd.ca.gov/rules/rule-plan-development>. Copies of the proposed rules can also be obtained in person at the MDAQMD offices or by contacting the Senior Executive Analyst at (760) 245-1661 x6244.

Written comments may be submitted to Brad Poiriez, APCO at: 14306 Park Avenue, Victorville, CA 92392. Written comments must be received no later than August 19, 2021 to be considered. If you have any questions about Rule 1126, you may contact Bertrand Gaschot at (760) 245-1661 x4020 for further information. Traducción esta disponible por solicitud.

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

Appendix “C”
Public Comments and Responses

No comments received at this time.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Draft NOE San Bernardino County
2. Draft NOE Riverside County

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NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415
FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310



X MDAQMD Senior Executive Analyst

PROJECT TITLE: Amendment of Rule 1126 - *Municipal Solid Waste Landfills*.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The proposed amendment of Rule 1126 – *Municipal Solid Waste Landfills* is proposed for amendment in order to bring the District’s rule into agreement with EPA revisions made to the Code of Federal Regulations regarding the Standards of Performance for Municipal Solid Waste (MSW) Landfills.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert 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 of Rule 1126 are exempt from CEQA review because the amendments will not create any new emissions or adverse impacts on the environment. The proposed rule amendments are more stringent than the previous rule version. 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.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** February 22, 2021

DATE RECEIVED FOR FILING:

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501
FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310



X MDAQMD Senior Executive Analyst

PROJECT TITLE: Amendment of Rule 1126 – *Municipal Solid Waste Landfills*

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

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LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** _____

DATE RECEIVED FOR FILING:

Appendix “E” Bibliography

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

1. 81 Federal Register 59332 (August 29, 2016)
2. 81 Federal Register 59313 (August 29, 2016)
3. 81 Federal Register 59368 (August 29, 2016)
4. 40 Code of Federal Regulations. Part 60 Subpart Cf
5. 40 Code of Federal Regulations. Part 60 Subpart Cc
6. *Comparison of the Major Provisions of the Emission Guidelines and California’s Landfill Methane Regulation.* (2017). ARB.ca.Gov. https://ww2.arb.ca.gov/sites/default/files/2020-08/CaStatePlan_Appendix-E.pdf
7. *California State Plan for Compliance with U.S. EPA’s Landfill Emission Guidelines.* (2017). ARB.ca.Gov. <https://ww2.arb.ca.gov/resources/documents/ca-state-plan-landfills>
8. 85 Federal Register 1121

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NOTICE OF EXEMPTION



TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501
FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Senior Executive Analyst

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LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

BRAD POIRIEZ, EXECUTIVE DIRECTOR

14306 Park Avenue, Victorville, CA 92392-2310 • 760.245.1661 • Fax 760.245.2022 • www.MDAQMD.ca.gov • @MDAQMD

NOTICE OF EXEMPTION



TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415
FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Senior Executive Analyst

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LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** 01/24/2022

DATE RECEIVED FOR FILING:

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

BRAD POIRIEZ, EXECUTIVE DIRECTOR

14306 Park Avenue, Victorville, CA 92392-2310 • 760.245.1661 • Fax 760.245.2022 • www.MDAQMD.ca.gov • @MDAQMD

THE PRESS-ENTERPRISE

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951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

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12/20/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 20, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on January 24, 2022 at 10:00 A.M. to consider the proposed amendment of Rule 1126 – Municipal Solid Waste Landfills.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of proposed amended Rule 1126 – Municipal Solid Waste Landfills and the Staff Report are on file and may be obtained from the Senior Executive Analyst at the MDAQMD Offices. Written comments may be submitted to Brad Poiriez, APCO at the above office address. Written comments should be received no later than January 21, 2022 to be considered. If you have any questions you may contact Bertrand Gascho at (760) 245-1661 x4020 for further information. Traducción esta disponible por solicitud.

The proposed amendments of Rule 1126 – Municipal Solid Waste Landfills will bring the District's rule into agreement with revisions made to the Code of Federal Regulations regarding the Standards of Performance for Municipal Solid Waste (MSW) Landfills. The rule will be updated to reference the new CFR subparts.

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

Press-Enterprise: 12/20

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CLERK OF THE BOARD

DEC 20 2021

BY 