

South Coast Air Quality Management District
Notice of Public Consultation Meeting

Proposed Rule 317.1 – Clean Air Act Nonattainment Fees for the 8-Hour Ozone Standards

Public Consultation Meeting

April 3, 2024
9:00 a.m.

Join Zoom Webinar Meeting – from PC or Laptop
<https://scaqmd.zoom.us/j/97559313527>
Zoom Webinar ID: 975 5931 3527
Teleconference Dial In +1 669 900 6833

(Please note if the Zoom webinar link provided does not work, copy the link into web browser, or directly enter the webinar ID into the Zoom web or mobile application)

This Public Consultation will be conducted via video conferencing (Zoom) which can be accessed via your computer or smart phone. Alternatively, stakeholders can phone-in to participate. We understand that this is not the same as an in-person public meeting; however, staff will take the time to listen to comments from all stakeholders. You are invited to attend the meeting electronically through Zoom or the phone. Instructions on how to participate can be found at the top of this notice.

Purpose of Meetings

The South Coast Air Quality Management District (South Coast AQMD) has scheduled a Public Consultation Meeting. The primary purpose of the meeting is to present Proposed Rule 317.1 - Clean Air Act Nonattainment Fees for the 8-Hour Ozone Standards (PR 317.1). The Public Consultation Meeting will provide an opportunity for all stakeholders to discuss PR 317.1 which is currently scheduled for a Public Hearing before the South Coast AQMD Governing Board on June 7, 2024 (subject to change).

Background

Federal Clean Air Act (CAA) section 185 requires that each major stationary source of volatile organic compounds (VOCs) and/or nitrogen oxides (NOx) that is located in “severe” or “extreme” ozone nonattainment area where the area has failed to attain the federal ozone standards by the applicable attainment date, to either reduce their emissions by 20% from a baseline amount or pay a fee. For the 1997 revoked 8-hour ozone standard and the 2008 8-hour standard, the South Coast Air Basin and the Riverside County portion of the Salton Sea Air Basin (also referred to as Coachella Valley) are classified as “extreme” nonattainment with attainment deadlines of June 16, 2024 (1997 standard) and July 20, 2032 (2008 standard). As such, South Coast AQMD is required to promulgate a rule to fulfill the obligations of CAA section 185.

Proposed Rule and Objectives

PR 317.1 would establish the regulatory pathway necessary to comply with the requirements of the CAA section 185 for the 1997 and 2008 8-hour ozone standards. The provisions of PR 317.1 would address when and how the CAA nonattainment fees would be assessed and collected. The objective of this rule is to mitigate VOC and NOx emissions from major stationary sources until the United States Environmental Protection Agency declares that the nonattainment area is in attainment with the federal 8-hour standard for ozone. Both VOC and NOx are precursors of ozone. If a major stationary source does not reduce emissions below 20% from a baseline amount, a non-attainment fee will be assessed annually for each excess ton of VOC and for each excess ton of NOx emissions above the 80% thresholds.

California Environmental Quality Act (CEQA)

PR 317.1 has been developed as a government funding mechanism to satisfy federal requirements without involving a commitment to any specific project that could result in a potentially significant physical impact on the environment. Therefore, PR 317.1 is not considered a “project” within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4).

Available Supporting Documents

The following supporting documents are expected to be available on or before March 22, 2024:

- Preliminary Draft of PR 317.1
- Preliminary Draft Staff Report for PR 317.1

The following additional supporting document is expected to be available on or before May 7, 2024:

- Draft Socioeconomic Impact Assessment for PR 317.1

To Obtain Copies of the Above Documents

Copies of the above documents may also be reviewed in the South Coast AQMD Library or by contacting:

Derrick Alatorre/Public Advisor
South Coast AQMD
21865 Copley Drive, Diamond Bar, CA 91765
Phone: (909) 396-2432
Email: PublicAdvisor@aqmd.gov

The documents will also be available for download from the South Coast AQMD's Proposed Rules website at:

- <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-317-1>

Submission of Documents or Comments

Comments, documents, studies, reports, or other relevant information may be submitted to the following contacts:

PR 317.1:

Britney Gallivan
Planning, Rule Development, and Implementation
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CEQA:

Jivar Afshar
Planning, Rule Development, and Implementation/CEQA
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Socioeconomic:

Xian-Liang (Tony) Tian, Ph.D.
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Written comments relating to PR 317.1 will be considered and accepted until **Wednesday, April 17, 2024**.

The public hearing to consider adoption of PR 317.1 is scheduled for Friday, June 7, 2024, at 9:00 a.m. (subject to change) in the auditorium at the South Coast AQMD's Diamond Bar Headquarters and via a Zoom link that will be available in the June 7, 2024 Governing Board agenda, which will be released no later than 72 hours prior to the public hearing.

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the public consultation meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language related accommodation must be requested as soon as practicable. Requests will be accommodated, unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact Kalam Cheung at (909) 396-3281 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to kcheung@aqmd.gov.