

Becky Romero

PUBLIC COMMENT #1
under ORAL COMMUNICATIONS

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CITY CLERK'S OFC

From: Brandee Keith <bkeith@aqmd.gov>
Sent: Friday, September 22, 2023 5:23 PM
To: Public Comment
Subject: Public comment for City Council Meeting on 9/28/23
Attachments: 09-20-2023 - South Coast AQMD launches enforcement initiative to address noncompliant warehouses.pdf; 09-20-2023 - South Coast AQMD lanza una iniciativa de cumplimiento para los almacenes no.pdf

Caution! This message was sent from outside your organization.

Good afternoon. I would like to submit the following updates from South Coast AQMD as written public comment for your City Council meeting to be held on 9/28/23:

1. Enforcement Initiative for Noncompliant Warehouses

In May 2021, the South Coast Air Quality Management District's (South Coast AQMD) Governing Board passed the Warehouse Indirect Source Rule, which requires warehouses greater than 100,000 square feet to take actions to reduce nitrogen oxide (NOx) and diesel particulate matter (PM) emissions or to otherwise limit exposures to air pollution in nearby communities. This week, the agency announced an enforcement initiative to bring warehouses into compliance with its Warehouse Indirect Source Rule (Rule 2305). About 55% of warehouses that are required to provide information reports on the actions they took in the first year have yet to do so. Overall, there are 2,000 warehouses currently subject to the rule, with 1,400 of those currently out of compliance. Violators of air quality rules can face civil penalties of up to \$11,710 per day of noncompliance based on a strict liability standard. Attached, please find the agency's press release, in English and Spanish, with more information.

2. Senator (RET) Vanessa Delgado and Governor Appointee Gideon Kracov Reappointed to South Coast AQMD Governing Board

Chair Vanessa Delgado has been reappointed to the South Coast Air Quality Management District (South Coast AQMD) Governing Board as the California Senate Rules Committee representative through January 15, 2028. Former state Senator Delgado was first appointed to South Coast AQMD's Governing Board in 2019 as the Senate Rules Committee's representative. In 2021, she was elected Vice Chair of the Governing Board. In January of this year, she became the first Latina Chair of the Governing Board.

In addition, Governor Gavin Newsom re-appointed environmental and real estate lawyer and moderator Gideon Kracov to the board to a term that expires January 15, 2027. Board Member Kracov joined the Board in 2020 when he was appointed by Governor Newsom. He serves on the agency's Administrative, Finance, Marine Port and Mobile Source committees and is South Coast AQMD's representative to the California Air Resources Board. He is the former chair of the State Bar of California Environmental Law Section Executive Committee and teaches land use laws at Loyola Law School. The state Senate voted unanimously this week to confirm his re-appointment.

And don't forget to join us in celebrating California Clean Air Day on October 4, 2023! For more information on how you can participate and great ways to help clear the air in Southern California, visit <https://www.cleanairstday.org/>.

Regards,

Brandee L. Keith

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PLEASE BE ADVISED SOUTH COAST AQMD IS CLOSED ON MONDAYS

To report an air quality issue, please call 1-800-CUT SMOG.

For asbestos-related inquiries, please call our asbestos hotline at 909-396-2336.



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT PRESS RELEASE

www.aqmd.gov

@SouthCoastAQMD



FOR IMMEDIATE RELEASE: September 20, 2023

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South Coast AQMD Launches Enforcement Initiative to Address Noncompliant Warehouses

First Phase Will Focus on Violators in Environmental Justice Communities

DIAMOND BAR—Today the South Coast Air Quality Management District (South Coast AQMD) announced an enforcement initiative to bring warehouses into compliance with its Warehouse Indirect Source Rule (Rule 2305). About 55% of warehouses that are required to provide information reports on the actions they took in the first year have yet to do so. Overall, there are 2,000 warehouses currently subject to the rule, with 1,400 of those currently out of compliance. Violators of air quality rules can face civil penalties of up to \$11,710 per day of noncompliance based on a strict liability standard.

In May 2021, the agency's Governing Board passed the Warehouse Indirect Source Rule, which requires warehouses greater than 100,000 square feet to take actions to reduce nitrogen oxide (NOx) and diesel particulate matter (PM) emissions or to otherwise limit exposures to air pollution in nearby communities.

"Time is up for those not complying with our rule," said Wayne Nastri, South Coast AQMD Executive Officer. "Owners and operators of warehouses have known about these deadlines for two years. Communities near these facilities deserve to breathe clean air and our enforcement teams will work quickly to ensure that the facilities come into compliance as quickly as possible."

Since 2021, South Coast AQMD has been identifying and reaching out to warehouses, providing them with information, training, and assistance to ensure compliance with the rule. This week, the agency issued a [compliance advisory](#) to warehouse owners and operators advising them of rule requirements and past deadlines. South Coast AQMD's enforcement team is preparing to issue notices of violation that can result in daily penalties and further legal action. The agency will first focus on warehouses located in Environmental Justice communities.

Warehouses are a key destination for heavy-duty trucks and have other sources of emissions like cargo handling equipment, all of which contribute to local pollution. Emissions from sources associated with warehouses account for almost as much NOx emissions as all of the refineries, power plants and other stationary sources in the South Coast Air Basin combined. Those living within a half mile of warehouses are more likely to have higher rates of asthma and heart attacks and must endure a greater environmental burden. The rule is expected to reduce smog-forming emissions by 10-15 percent from warehouse-related sources.

South Coast AQMD's Warehouse Rule requires warehouse operators to earn a specified number of points annually by completing actions including acquiring and using natural gas near-zero and/or zero-emission on-road trucks, zero-emission cargo handling equipment, solar panels, or zero-emission charging and fueling infrastructure. Warehouse operators or owners can alternatively prepare and implement a custom plan specific to their site or choose to pay a mitigation fee. Mitigation fees will be used to purchase cleaner trucks and charging/fueling infrastructure in communities near the warehouse that paid the fee.

More information can be found at: www.aqmd.gov/waire.

South Coast AQMD is the regulatory agency responsible for improving air quality for large areas of Los Angeles, Orange, Riverside and San Bernardino counties, including the Coachella Valley. For news, air quality alerts, event updates and more, please visit us at www.aqmd.gov, download our award-winning app, or follow us on [Facebook](#), [X](#) (formerly known as Twitter) and [Instagram](#).

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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT COMUNICADO DE PRENSA

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PARA PUBLICACIÓN INMEDIATA: 20 de septiembre del 2023

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South Coast AQMD lanza una iniciativa de cumplimiento para los almacenes no conformes con la regla de fuentes indirectas

La primera fase se concentrará en los infractores en comunidades de justicia ambiental

DIAMOND BAR— Hoy, South Coast Air Quality Management District (South Coast AQMD) ha anunciado una iniciativa para que los almacenes cumplan con la regla para fuentes indirectas (Regla 2305). Alrededor del 55% de los almacenes que deben presentar informes sobre las medidas que tomaron en el primer año aún no lo han hecho. En total, hay 2,000 almacenes sujetos a la regla, de los cuales 1,400 no la cumplen. Los infractores de las reglas de calidad del aire pueden enfrentarse a sanciones civiles de hasta \$11,710 por día de incumplimiento basadas en una norma de responsabilidad objetiva.

En mayo del 2021, el Directorio de South Coast AQMD aprobó la regla de fuentes indirectas para almacenes que requiere que los almacenes de más de 100,000 pies cuadrados tomen medidas para reducir las emisiones de óxido de nitrógeno (NOx) y de partículas de diésel (PM, por sus siglas en inglés) o para limitar la exposición a la contaminación atmosférica en las comunidades cercanas.

"Se ha acabado el tiempo para quienes no cumplan con nuestra regla", ha declarado Wayne Nastri, director ejecutivo de South Coast AQMD. "Los propietarios y operadores de almacenes conocen estos plazos desde hace dos años. Las comunidades cercanas a estas instalaciones merecen respirar aire limpio y nuestros equipos encargados de hacer cumplir la regla trabajarán rápidamente para garantizar que las instalaciones cumplan la regla lo antes posible."

Desde 2021, South Coast AQMD ha estado identificando y poniéndose en contacto con los almacenes, proporcionándoles información, formación y asistencia para garantizar el cumplimiento de la regla. Esta semana, la agencia emitió un aviso de cumplimiento a los propietarios y operadores de almacenes advirtiéndoles de los requisitos de la regla y los plazos pasados. El equipo de cumplimiento de South Coast AQMD se está preparando para emitir avisos de infracción que pueden dar lugar a sanciones diarias y acciones legales posteriores. La agencia se concentrará primero en los almacenes ubicados en comunidades de justicia ambiental.

Los almacenes son un destino clave para los camiones pesados y tienen otras fuentes de emisiones como los equipos de carga y descarga, que contribuyen a la contaminación local. Las emisiones de fuentes asociadas a los almacenes representan casi tantas emisiones de NOx como todas las refinerías, plantas eléctricas y otras fuentes estacionarias de la cuenca de aire de la costa sur juntas. Quienes viven a menos de 800 metros de los almacenes tienen más probabilidades de sufrir asma y ataques cardíacos y deben soportar una mayor carga ambiental. Se espera que la norma reduzca entre un 10% y un 15% las emisiones de smog procedentes de almacenes.

La Regla de almacenes de South Coast AQMD exige a los operadores de almacenes que obtengan un número determinado de puntos anualmente mediante la realización de acciones que incluyan la adquisición y el uso de camiones de gas natural de emisiones casi cero y/o cero emisiones en carretera, equipos de carga y descarga de emisiones cero, paneles solares o infraestructuras de carga y repostaje de emisiones cero. Los operadores o propietarios de almacenes pueden optar por preparar y aplicar un plan personalizado específico para sus instalaciones o pagar una tasa de mitigación. Las tasas de mitigación se utilizarán para adquirir camiones menos contaminantes e infraestructuras de carga y repostaje en las comunidades cercanas al almacén que haya pagado la tasa.

Para más información, visite: www.aqmd.gov/waire.

South Coast AQMD es la agencia reguladora responsable de mejorar la calidad del aire en gran parte de los condados de Los Angeles, Orange, Riverside y San Bernardino, incluyendo el valle de Coachella. Para obtener noticias, alertas sobre la calidad del aire, actualizaciones de eventos y más, visítenos en www.aqmd.gov, descargue nuestra galardonada aplicación o siganos en [Facebook](#), [X](#) (antes conocido como Twitter) e [Instagram](#).

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