



June 17, 2021

Via Electronic Mail

Chair Benoit and Members of the Committee
Stationary Source Committee
South Coast Air Quality Management District (AQMD)
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Re: Agenda Item No. 1 – Fourth Update on the Development of Proposed Rule 1109.1

Dear Chair Benoit and Members of the Committee:

On behalf of the undersigned organizations, we submit comments on the South Coast AQMD staff's update on Proposed Rule 1109.1, a critical component of the South Coast AQMD's transition from the Regional Clean Air Incentives Market (RECLAIM) to a command and control system. As implementation of the 2016 Air Quality Management Plan (AQMP) continues, we really appreciate the Governing Board's wise decision to shift the Nitrogen Oxide (NOx) and Sulfur Oxide (SOx) RECLAIM program to a command-and-control system. Ensuring the largest stationary sources in the South Coast Air Basin actually install readily available and life-saving pollution controls is critical to providing cleaner air to millions of breathers in the region, particularly those living near the fenceline of petroleum refineries. When adopted, Proposed Rule 1109.1 will achieve more emissions reductions than any other stationary source rule considered by the South Coast AQMD in the last decade. However, we continue to be disappointed over the continuous delays over Proposed Rule 1109.1 due to industry delay tactics.

While significant progress has been made to-date in dismantling the flawed RECLAIM program, including passing several life-saving command-and-control regulations, Proposed Rule 1109.1 delays are no longer warranted. In fact, these delays mean industry has space to re-

propose concepts that have been deemed detrimental to public health many times over. For example, after years of discussions and over 30 meetings with refineries or their lobbyists just this year, the Western States Petroleum Association (WSPA) is now proposing a continuation of a trading program while we wait for what could be a decade or more for installation of pollution controls. This is an outrageous proposal that should swiftly be squashed. These are the same companies that have benefited from the RECLAIM system in delaying installing life-saving pollution controls for decades. All meanwhile, children and adults have gotten sick and died from their excess pollution.

As we are poised to face another record-shattering smog season this summer, we need this Board to say enough is enough. We respectfully request that you direct staff to finalize this rule and bring it to the Board as soon as possible but no later than September. These issues have been debated over and over, and at some point, the Board has to call the question of whether it is willing to fulfill its promises to residents in the South Coast Air Basin and demand these oil refineries finally clean up pollution with technologies that have been available for decades.

Thank you for your consideration of these comments. We look forward to further discussions.

Sincerely,

Adrian Martinez
Oscar Espino Padron
Byron Chan
Earthjustice

Maya Golden Krasner
Center for Biological Diversity

Chris Chavez
Coalition for Clean Air

Julia May
Alison Hahm
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David Petit
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Monica Embry
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