



EARTHJUSTICE



SIERRA CLUB

COALITION FOR CLEAN AIR



COMMUNITIES FOR A BETTER ENVIRONMENT
established 1978



STAND earth



SAN PEDRO & PENINSULA HOMEOWNERS COALITION



VIA: ELECTRONIC MAIL ONLY

April 3, 2024

Chair Vanessa Delgado & Members of the Board
Governing Board
South Coast Air Quality Management District (South Coast AQMD)
21865 Copley Drive
Diamond Bar, CA 91765
Email: cob@aqmd.gov

**RE: Agenda Item 2B: Set Hearing for Proposed Amended Rule 1146.2
(EMISSIONS OF OXIDES OF NITROGEN FROM LARGE WATER HEATERS AND SMALL BOILERS AND PROCESS HEATERS)**

Dear Chair Delgado and Members of the Board:

The undersigned organizations appreciate the opportunity to comment on Proposed Amended Rule (PAR) 1146.2. We strongly support PAR 1146.2 being set for hearing for the Governing Board's consideration and adoption at its May meeting. As such, we are disappointed with the additional delays in bringing this rule to the Board. June will have many rules on the agenda, and we fear this is a stratagem from entities – many of whom largely sat out of the working group process – to delay this regulation at the end of the process. Accordingly, we urge Chair Delgado and Members of the Board to swiftly adopt PAR 1146.2 without further delay.

I. The South Coast Basin Requires Accelerated Zero-Emission Standards for Stationary Sources.

The South Coast Basin continues to suffer amongst the worst air quality in the nation, with some of the highest levels of ozone in the country. Stationary sources are responsible for approximately 20% of the basin's Nitrogen Oxide (NOx) pollution but present several readily available opportunities for dramatic emissions reductions through zero-emissions technologies.¹ We recognize we need to tackle pollution from all sources, including mobile sources, but we must pursue zero-emissions in stationary sources everywhere feasible. In order to implement the 2022 Air Quality Management Plan (AQMP) and achieve significant health benefits for residents, the Air District must adopt rules like Proposed Amended Rule 1146.2 to get us to the zero-emission future we need to make it safe to breathe in the region.

We urge the Board to reject current efforts at delays, and we strongly support the May adoption date for PAR 1146.2 and urge the Air District to uphold the established timeline for passing this significant life-saving regulation. Multiple delays to this rule have postponed the consideration of this rule by seven months from the original September date. As the Air District is aware, any more delays will have real and serious consequences for public health. Now is the time to embrace the zero-emission standard for all equipment categories outlined in this rule.

II. Large Water Heaters, Small Water Boilers, and Process Heaters are a Prime Place for Electrification.

Large water heaters, small water boilers, and process heaters constitute an ideal category for advancing zero-emission equipment technologies within the stationary source sector. With 5.6 tons per day (tpd) of NOx reductions by 2033, this would be the largest pollution reducing rule since the Governing Board adopted Proposed Rule 1109.1 on refinery pollution. The 2022 AQMP estimates passenger cars will emit 7.96 tpd of NOx, so this rule would be equivalent to

¹South Coast Air Quality Management District (SCAQMD). (2022, December 2). 2022 Air Quality Management Plan, [Executive Summary](#).

eliminating 70% of all car emissions in 2033.^{2,3} South Coast AQMD must adopt this rule to deliver clean air to save lives and set the region on a better path to attainment.

We appreciate the thorough research to ensure the availability of zero-emission technologies across all equipment categories, and that zero-emission technologies are feasible and cost effective across equipment categories. Additionally, we appreciate staff's recognition that previous assumptions showing methane will be abundant and cheap over the next decade or more needed to be adjusted.

III. Further Attempts to Seek Delays of this Rule Amendment Should Be Ignored.

We are disappointed about the continued delays in this rule. Several entities waited until the end of the process to file comments and complaints. These are discussion points that could have been made over the more than year-long process of working group meetings. Moreover, we were all aware this rule amendment was happening based on the multi-year AQMP process. By conceding to these delay requests and providing consistent and persistent delays, it sends the wrong signal that entities can delay regulations by delaying input on proposed rules. This approach creates chaos and confusion. We ask that the Board make clear that further delays – especially for latecomers who chose not to participate in the process – are not warranted.

We look forward to our continued collaboration and implementing the AQMP through measures like PAR 1146.2, and we ask that the Board reject any further gamesmanship from entities that now seek to delay and derail this life-saving regulation.

Sincerely,

Adrian Martinez
Earthjustice

David Diaz, MPH
Active San Gabriel Valley

Jane Williams
California Communities Against Toxics

Robina Suwol
California Safe Schools

Ana Gonzalez

² South Coast Air Quality Management District (SCAQMD). (2024, February). Public Consultation on Proposed Amendments to Rule 1146, Rule 1146.1, and Rule 1146.2 [PDF]. Retrieved from <https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/rule-1146-1146.1-and-1146.2/par-1146-2-public-consultation-february-2024.pdf?sfvrsn=18>

³ South Coast Air Quality Management District (SCAQMD). (2022, December 2). 2022 Air Quality Management Plan, Appendix III.

Center for Community Action & Environmental Justice

Jesse Marquez

Coalition for a Safe Environment

Chris Chavez

Coalition for Clean Air

Julia May

Communities for a Better Environment

Christy Zamani

Day One

Jan Victor Andasan

East Yard Communities for Environmental Justice

Evan Gillespie

Industrious Labs

Andrea Vidaurre

People's Collective for Environmental Justice

Richard Parks

Redeemer Community Partnerships

Jed Holtzman

RMI

Anne Pernick

SAFE Cities at Stand.earth

Peter Warren

San Pedro & Peninsula Homeowners Association

Kim Orbe

Sierra Club

Stuart Wood PhD

Sustainable Claremont

Theral Golden

West Long Beach Association

CC: Wayne Nastri, Executive Officer (Email: wnastri@aqmd.gov) Michael Krause,
Assistant Deputy Executive Officer (Email: mkrause@aqmd.gov)