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RE: Support for Proposed Amended Rules 1111 and 1121

Dear Mr. Krause and Ms. Farr:

On behalf of Earthjustice, we write to support the South Coast AQMD’s efforts to clean up appliance pollution through amending Rules 1111 and 1121. This proposed regulatory package will achieve more emissions reductions than any other effort passed in over three decades. By your own estimates, 10 tons of NOx per day could be avoided once the rules are implemented. The effort is also consistent with the 2022 Air Quality Management Plan (AQMP), which determined that “[t]he only way to achieve the required NOx reductions is through extensive use of zero-emission technologies across all stationary and mobile sources.”¹

We cannot overstate the public health benefits of eliminating these dangerous NOx emissions from buildings. NOx emissions are the precursor to ozone pollution and “secondary” PM_{2.5} pollution—harmful pollutants known to trigger respiratory illness and cardiovascular disease, cognitive impairment, and premature death.² Eliminating the pollution from these appliances could help avoid the nearly 76,000 asthma attacks, 30,000 lost school days, 130 premature deaths annually estimated to result from methane gas-burning equipment currently prevalent in our buildings.³ Given the serious pollution in this region, these health gains from advancing zero-emissions are desperately needed for millions of people.

It is important to understand that these rules are not new; they are the result of years of work. The Air District included this control measure in its 2022 AQMP. The development of that plan involved a public process that lasted over three years and included various outreach activities, such as specialized working groups, regional workshops, public hearings, and the convening of an Advisory Council. Additionally, policy briefs were released on key topics, including one focused on emissions from building appliances.

¹ South Coast AQMD, 2022 AQMP, at Executive Summary.

² Coalition for Clean Air and RMI, *Southern California’s Hidden Air Pollution Problem: Gas Furnaces & Water Heaters* (December 2024); <https://www.ccair.org/wp-content/uploads/2024/12/South-Coast-Brief.pdf>

³ Id

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To further address appliance issues, a specific subgroup on this topic was created during the development of the 2022 AQMP. The rulemaking process for Proposed Amended Rules 1111 and 1121 has been occurring over 14 months and counting. This process included seven working group meetings, a public workshop, and numerous meetings with stakeholders, such as building owners, manufacturers, environmental groups, and energy providers.

Despite this extensive rulemaking process, some stakeholders critical of the regulation have only raised their concerns with the South Coast AQMD in recent months. These late comments have led staff to conduct additional analyses, provide further responses, and, in some cases, suggest modifications to these important rule amendments. As a result, staff have proposed solutions that we may not fully agree with, but we acknowledge that they arise from genuine efforts by staff to address the criticisms regarding the zero-NOx standards.

While we are deeply concerned that the proposal is being weakened by delaying compliance deadlines and offering unnecessary loopholes, rule passage is of paramount importance. It is vital these rules go to the Governing Board in February of 2025 for final adoption. The built-in technology review offers a clear inflection point to strengthen the rules with an implementation track record to inform improvements.

To help with implementation of the rule, we remain pleased to see the South Coast AQMD's Go Zero program take form. These incentives will help hasten the transition away from combustion in our buildings. It is our understanding that the South Coast AQMD's Executive Officer has committed to a 5-fold increase in the \$21 million allocated to this program. It is vital the Board endorse this commitment via resolution to ensure \$100 million goes towards these incentives. We also encourage the South Coast AQMD Board to convene stakeholders to work together to bring more resources to the South Coast Air Basin. Earthjustice wants to work with the Governing Board and your staff to alleviate obstacles to removing combustion of fossil fuels from our homes.

We appreciate AQMD staff's significant work on these proposed amendments to Rules 1111 and 1121. Wrapping up this rulemaking process as soon as possible is vital, so we can work on the important aspects of actually transitioning away from combustion in our homes.

Sincerely,



Fernando Gaytan
Earthjustice