

PROPOSED RULE 4010 EMISSIONS INVENTORY AND HEALTH RISK ASSESSMENT SUBMITTAL REQUIREMENTS FOR THE PORT OF LOS ANGELES AND PORT OF LONG BEACH

(a) Purpose

This rule specifies requirements for the Ports of Los Angeles and Long Beach to submit emissions forecasts, emissions inventories, and a health risk assessment from port-related sources operating at, and traveling to and from, the ports.

(b) Applicability

This rule applies to the Port of Los Angeles and the Port of Long Beach, acting through their respective Boards of Harbor Commissioners. The ports may elect to comply separately or jointly with provisions of this rule regarding emission targets and emission forecasts. The ports shall comply jointly with the health risk assessment provisions.

(c) Definitions

- (1) **BASELINE HEALTH RISK** means the cancer risk to communities surrounding the ports due to exposure to emissions of diesel particulate matter (DPM) caused by port-related sources in 2005 within each 2 kilometer by 2 kilometer receptor grid cell adjacent to port owned properties established for the San Pedro Bay port-wide health risk assessment (Port HRA).
- (2) **BASELINE EMISSIONS** of NO_x, SO_x, PM_{2.5}, or DPM means port-wide emissions of NO_x, SO_x, PM_{2.5} or DPM, as applicable, from all port-related sources, as calculated in the 2005 annual emissions inventory developed by the Port of Los Angeles and the Port of Long Beach. For the purpose of this rule, the 2005 annual emissions inventory of port-related sources shall mean as approved by the Executive Officer.
- (3) **DIESEL PARTICULATE MATTER (DPM)** means the particles found in the exhaust of diesel-fueled port-related sources.
- (4) **EMISSIONS FORECAST** means a forecast of future-year emissions of NO_x, SO_x, PM_{2.5} or DPM from all port-related sources, submitted pursuant to subdivision (e).
- (5) **EXECUTIVE OFFICER** means the Executive Officer of the South Coast Air Quality Management District, as defined in Rule 102.

- (6) PORT-RELATED SOURCE means on- and off-road mobile sources operating at, and to and from, the ports of Los Angeles and Long Beach, including as, but not limited to, ocean going vessels, locomotives, heavy-duty trucks, harbor craft, and cargo handling equipment that emit NO_x, SO_x, PM_{2.5}, and/or diesel particulate matter (DPM). This definition is intended to be consistent with the Ports' annual emissions inventory methodology.
 - (7) SAN PEDRO BAY PORTS CLEAN AIR ACTION PLAN (CAAP) means the plan developed by the Ports of Los Angeles and Long Beach that targets reductions in DPM, NO_x, SO_x and PM_{2.5} from port-related sources
- (d) Baseline Emissions and Baseline Health Risk Reporting
- (1) Not less than *(120 days after Rule adoption)* the Port(s) shall submit an inventory of baseline emissions, as defined in subdivision (c), for NO_x, SO_x, and PM_{2.5}.
 - (2) Not less than *(120 days after Rule adoption)* the responsible port officials shall jointly submit an assessment of the baseline health risk, as defined in subdivision (c), for exposure to emissions of DPM.
- (e) Emissions Forecasts and Forecasted Health Risk Assessment
- (1) On or before January 1, 2012, the Port(s) shall submit to the Executive Officer an emissions forecast for year 2014 that includes emissions from all port-related sources of NO_x, SO_x, PM_{2.5} and DPM.
 - (2) On or before January 1, 2017, the Port's shall jointly submit to the Executive Officer a health risk assessment (HRA) that is based on an emissions forecast of DPM emissions from all port-related sources for year 2020, and shall:
 - (A) be conducted for emissions from both ports jointly;
 - (B) use an emissions inventory approved by the Executive Officer; and
 - (C) be conducted in accordance with modeling and risk assessment methodologies established for the San Pedro Bay port-wide health risk assessment (Port HRA), as approved by the Executive Officer.
 - (3) On or before January 1, 2020, the Port(s) shall submit to the Executive Officer an emissions forecast for year 2023 that includes emissions from all port-related sources of NO_x.

- (4) The Port(s) may voluntarily submit an updated emissions forecast and health risk assessment, as applicable, from all port-related sources to the Executive Officer at any time following the initial submittal dates specified in paragraphs (e)(1), (e)(2) and (e)(3).
 - (5) The Executive Officer will approve an emissions forecast submitted under this subdivision, provided the emissions forecast is developed pursuant to the methodology for emissions forecasts required under subdivision (g).
- (f) Emissions Reporting
- (1) On or before July 1, 2015, the Port(s) shall submit to the Executive Officer an emissions inventory for actual emissions of NO_x, SO_x, PM_{2.5} and DPM from all port-related sources for calendar year 2014.
 - (2) On or before July 1, 2021, the Port(s) shall submit to the Executive Officer an emissions inventory for actual emissions of DPM from all port-related sources for calendar year 2020.
 - (3) On or before July 1, 2024, the Port(s) shall submit to the Executive Officer an emissions inventory for actual emissions of NO_x from all port-related sources for calendar year 2023.
- (g) Methodology for Emissions Forecasts
- (1) Emissions forecasts shall be calculated using a cargo growth forecast that is utilized by the ports for planning and project approval purposes, or may, or may at the ports' discretion, use an alternate growth forecast if the ports demonstrate to the EO that such alternate forecast is likely to be more accurate. Any such growth forecast shall be presented to Ports' Harbor Commissions at a regularly scheduled public meeting and submitted to the Executive Officer at least 30 days prior to this meeting.
 - (2) Emissions forecasts shall be calculated by using the inventory of actual emissions from the most recent complete calendar year preceding the forecast submittal year.
 - (3) Emission forecasts shall be adjusted for each category of port-related sources, in order to account for:
 - (A) adopted international, federal, state and/or local rules and regulations;

- (B) programs implemented through the CAAP that are not required as part of rules and regulations described in subparagraph (g)(3)(A);
and
- (C) mitigation measures implemented for projects requiring a CEQA document.