

## Air Quality | Bulletin

### **NEW AIR QUALITY MEASURES BEING CONSIDERED THAT COULD IMPACT DEVELOPERS**

by Alene Taber, Esq. & Darren Stroud, Esq.

The South Coast Air Quality Management District ("SCAQMD"), the government entity responsible for air quality in Southern California, has prepared a draft 2003 Air Quality Management Plan ("AQMP"). The AQMP contains a series of air quality control measures that the SCAQMD and California Air Resources Board ("ARB") will commit to implement so that Southern California attains the mandated federal and state air quality standards. Once the U.S. Environmental Protection Agency approves the AQMP, these agencies are obligated to adopt the control measures. The AQMP control measures and programs affect all developers and landowners in Southern California.

The SCAQMD and ARB proposed air quality control measures that could affect developers and landowners in Southern California include:

- Reformulation of architectural coatings used on the interior and exterior of homes to be near-zero or zero volatile organic compounds ("VOC");
- Additional controls on fugitive dust from construction/demolition sites such as soil stabilization requirements, construction project signage, and installation of track-out control devices at a construction site;
- Establishment of SCAQMD-recommended California Environmental Quality Act mitigation measures specifying the use of light colored roofing material and pavement, increased tree planting, and use of catalyst-surface coatings in residential air conditioning;
- Requirement for fireplaces to meet new U.S. EPA certification standards and a limitation on the number of fireplaces in new residential developments;
- Requirements for construction equipment including restrictions on idling, requirements to use emulsified and bio-diesel fuels, and installation of retrofits using add-on controls; and,
- Imposition of a registration and inspection program for heavy-duty equipment to detect excess emissions.

The SCAQMD Governing Board is to conduct a preliminary hearing on the AQMP this spring, with a public hearing scheduled in the summer to adopt the AQMP.

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