

**PROPOSED**

State of California  
AIR RESOURCES BOARD

# **CALIFORNIA AIR TOXICS PROGRAM UPDATE**

**Resolution 20-25**

**September 24, 2020**

Agenda Item No.: 20-9-3

WHEREAS, California has a comprehensive Air Toxics Program designed to identify and control air toxics, inform the public of significant air toxics exposure from stationary sources and require facilities to reduce those risks, and address the health impacts of exposure to toxics in communities while protecting children and other sensitive receptors;

WHEREAS, section 39650 et seq. of the Health and Safety Code established the Toxic Air Contaminant Identification and Control Program which created the framework of the Air Toxics Program by establishing a two-phase process for identification and control of toxic air contaminants (TAC) by the California Air Resources Board;

WHEREAS, to date, CARB has identified over 200 TACs and adopted 26 mobile and stationary source airborne toxic control measures;

WHEREAS, sections 39666 and 39667 of the Health and Safety Code authorize the Board to regulate emissions of toxic air contaminants from non-vehicular and vehicular sources;

WHEREAS, sections 39666 and 39667 of the Health and Safety Code require an airborne toxic control measure for an existing source for which the Board has not specified a threshold exposure level, including a mobile source, be based on application or utilization of the best available control technologies or more effective control methods, unless the Board determined, based on an assessment of risk, that an alternative level of emission reduction is adequate or necessary to prevent an endangerment of public health;

WHEREAS, the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (the Act, AB 2588, Connelly, Stats. 1987, ch. 1252, Health and Safety Code Section 44300 et seq., including subsequent amendments) requires facilities to report the types and quantities of certain hazardous substances routinely released into the air, to assess the risk to public health from exposure to air toxics, provide notice to the public of significant risks, and in some cases require a plan to reduce those risks;

WHEREAS, section 44300 et seq. of the Health and Safety Code require local Air Pollution Control Districts and Air Quality Management Districts (Districts) to prioritize facilities for health risk assessments, and establish notification and risk reduction audit and plan levels;

WHEREAS, the Children's Environmental Health Protection Act of 1999 (Health and Safety Code section 39660(c)(1)) amended the toxic air contaminant statute to explicitly require consideration of exposures of infants and children to candidate toxic air contaminants, and any evidence on special susceptibilities of infants and children to the effects of candidate toxic air contaminants;

WHEREAS, section 44391.2 was added to the Health and Safety Code when Assembly Bill (AB) 617, (C. Garcia, Stats. 2017, ch. 136), was signed into law, which requires a new program to monitor and reduce air pollution at or near sensitive receptor locations pursuant to section 42705.5 (a) of the Health and Safety Code and disadvantaged communities pursuant to section 39711 of the Health and Safety Code;

WHEREAS, in response to AB 617, CARB established the Community Air Protection Program, which is focused on reducing exposure in communities most impacted by air pollution;

WHEREAS, AB 617 also directs CARB to work closely with local air districts to create a uniform statewide emissions data collection system for criteria pollutants and air toxics;

WHEREAS, AB 197 (E. Garcia, Stats. 2016, ch. 250) requires CARB to make available the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants for each facility that reports to CARB and to the air districts;

WHEREAS, the Board finds that:

1. The upcoming actions identified in the informational update advance the directives of the California Air Toxics Program authorities identified in this Resolution;
2. The informational update identifies the successes of the California Air Toxics Program while recognizing many communities are still exposed to significant localized health risks.
3. The informational update describes the California Air Toxics Program and outlines plans for 2020 and beyond to identify what is driving community exposures, improve tools to guide decision making, and reduce emissions from the sources of greatest concern; and
4. The informational update outlines near-term and future CARB actions that staff will develop for future Board consideration or potential Executive Officer implementation, as appropriate under State law, to reduce localized health impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board directs staff to:

1. Enhance CARB's focus to address air toxics within disadvantaged and AB 617 selected communities, and work with local communities, local air pollution control districts, and other stakeholders to address air toxics issues;
2. Build upon knowledge gained from AB 617 implementation, and continue to improve community engagement in an open public process to ensure full and meaningful public participation in the California Air Toxics Program and efforts in reducing adverse health impacts within communities;
3. Improve tools to guide decision making including expanding our health analyses, enhancing emissions inventory and reporting, evaluating the air toxics monitoring network, expanding meteorological data availability, and expanding source testing capabilities;
4. Utilize the latest Emissions Inventory and Criteria Guidelines Regulation and Criteria and Toxics Reporting Regulation to ensure we have the most up-to-date, transparent, and robust data to inform future priorities for emission reductions;
5. Explore options for reducing emissions from sources of greatest concern through airborne toxic control measures, guidance documents, incentives, enforcement, and other mechanisms, as appropriate;
6. Develop appropriate proposed steps to expeditiously transition from hexavalent chromium use in chrome plating and chromic acid anodizing operations to less toxic alternatives such as trivalent chromium;
7. Pursue additional potential reductions in formaldehyde through the addition of new product categories and other measures that may ultimately reduce the public's exposure to formaldehyde from composite wood products; and
8. Begin developing tools and methodologies to evaluate and mitigate cumulative impacts, and bring them to bear as quickly as possible to inform the development of regulations and other strategies to reduce toxic emissions and cumulative impacts.