Air Resources Board

Terry Tamminen
Agency Secretary

Alan C. Lloyd, Ph.D.
Chairman
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Arnold Schwarzenegger
Governor

August 2, 2004

Dear Sir/Madam:

Senate Bill 700 (Florez, 2003) requires the California Air Resources Board (ARB or Board) to adopt a definition for a Large Confined Animal Facility (large CAF) by July 1, 2005. The staff of ARB invites your participation in a public workshop to solicit input for developing a large CAF definition. Working with stakeholders, ARB staff will review relevant scientific information, including emission factors for CAFs and how large CAFs may affect the attainment and maintenance of ambient air quality standards. A preliminary workshop agenda is attached as well as background information to provide some initial topics for discussion.

These workshops are the first in a series of stakeholder meetings. Our planned schedule for adopting the large CAF definition is as follows:

August 2004	Public workshops to solicit input on defining large CAF
January 2005	Public workshop to review livestock emissions research data
March 2005	Public workshops to discuss staff proposal to define large CAF
May 2005	Release staff report on proposed large CAF definition
June 2005	Public hearing on staff proposals to define large CAF

The first large CAF definition workshops will be held at the times and locations shown below:

Modesto	**Tulare**	**Chino**	**Sacramento**
August 24, 2004	August 25, 2004	August 26, 2004	September 2, 2004
10:00 – 12:30	10:00 –12:30	10:00 – 12:30	10:00 – 12:30
Stanislaus County Ag Commission 3800 Cornucopia Way Harvest Hall Modesto, CA	County Ag Commissioner's Building 4437 Laspina Street Tulare, CA	Inland Empire Utilities Agency Headquarters Board Room 6075 Kimball Avenue Bldg. A Chino, CA	Central Valley Auditorium Cal/EPA Building 1001 I Street Sacramento, CA (webcast available)

The workshops in Modesto, Tulare, and Chino will have a call-in number for those unable to participate in person. The toll free call-in number is (888) 220-3084, the pass code is 41322, and the leader name is Sue Wyman. The Sacramento workshop will be webcast via the internet. You may access the webcast at ARB's homepage at http://www.arb.ca.gov, and then select webcasts. Questions can be submitted to onair@arb.ca.gov the day of the event. In addition, the meeting places are accessible to persons with disabilities. If you have special accommodation or language needs, please contact the Sue Wyman at (916) 445-9477 or swyman@arb.ca.gov as soon as possible. TTY/TDD/Speech-to-Speech users may dial 7-1-1-for the California Relay Service.

If you have any questions about the workshop, please contact Michael FitzGibbon, of my staff, at (916) 445-6243 or mfitzgib@arb.ca.gov.

Sincerely,

/s/

Robert D. Fletcher, Chief
Planning and Technical Support Division

Attachment

cc: Mr. Mike FitzGibbon, Manager
Emission Inventory Analysis Section
Planning and Technical Support Division

Ms. Sue Wyman
Meeting Coordinator
Planning and Technical Support Division

Attachment 1

PRELIMINARY
AGENDA

Workshop to Discuss Defining Large Confined Animal Facilities (CAFs)
as Required by SB 700

I. Introductions

II. Summary of SB700 Requirements and Status of Research

III. Possible Concepts for Defining Large CAFs

IV. Stakeholder Comments and Discussion

V. Next Steps, Workshop & Meeting Schedules

VI. Adjourn

Note: A final agenda will be provided at the workshops.

Attachment 2

Background Information for Workshop to Discuss Defining Large Confined Animal Facilities as Required by SB 700

What are the California Air Resources Board's responsibilities under SB 700 related to large confined animal facilities?

The Air Resources Board (ARB/Board) is required to review scientific information, including emission factors, and develop and adopt a definition for "large confined animal facilities" by July 1, 2005. In developing the definition, the Board must consider emissions of air contaminants from these facilities as they may affect the attainment and maintenance of ambient air quality standards. (Health and Safety Code (H&SC) Section 40724.6(a))

Over the next few months, the ARB will host several stakeholder meetings regarding livestock emission factors and the definition of large CAFs. These meetings will provide an earlier opportunity for public comment on possible approaches before staff prepares a definition for consideration by the Board.

What is a confined animal facility?

In summary, a confined animal facility (CAF) is a facility in which domesticated animals are maintained in restricted areas for commercial agricultural purposes, and feeding is not by grazing. As specifically defined by Health and Safety Code (H&SC) section 39011.5(a)(1), a confined animal facility:

> "Is a confined animal facility, including, but not limited to, any structure, building, installation, barn, corral, coop, feed storage area, milking parlor, or system for the collection, storage, treatment, and distribution of liquid and solid manure, if domesticated animals, including, but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks are corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing."

What are the ramifications of being identified as a large CAF?

Large CAFs in regions designated as a federal ozone nonattainment area as of January 1, 2004 will be subject to an emissions mitigation plan requirement. There are some exemptions from the mitigation requirements for air districts that demonstrate that large CAFs in their region do not contribute to a violation of any State or federal ambient air quality standards.

What are the air districts responsibilities under SB 700 related to large confined animal facilities?

Air districts that are designated as federal ozone nonattainment areas as of January 1, 2004 must adopt, implement, and submit a rule for inclusion in the State Implementation Plan that addresses large CAFs as defined by ARB. The rule or regulation must require the facility to obtain a permit and to reduce to the extent feasible emissions of air contaminants. (H&SC Section 40724.6) SB 700 provides detailed district requirements for developing large CAF rules and criteria for removing facilities from the program. The full text of the bill is located here: http://www.leginfo.ca.gov/bilinfo.html. Once on the webpage, search for SB 700 (Florez).

What air pollutants will be considered in evaluating air quality impacts of CAFs?

The focus will be on emissions of pollutants that contribute to ozone and particulate matter pollution. This includes reactive organic gases, oxides of nitrogen, directly emitted particulate matter, and ammonia.

What opportunities will stakeholders and the public have to provide input?

The ARB staff will host regular stakeholder meetings to solicit input on the large CAF definition and to maintain an open exchange of the data, reasoning, and assumptions used in defining large CAFs. The first workshops are scheduled for August 2004. Additional workshops will be scheduled in January 2005 to discuss livestock emission research results, and March 2005 to discuss staff proposals for defining large CAFs. A draft staff report will be developed and released for comment.

In June 2005, the large CAF definition will then be presented to the Board for consideration, during which further comment may be provided to the Board. A summary of the schedule is shown below.

August 2004	Public workshops to solicit input on defining large CAF
January 2005	Public workshop to review livestock emissions research data
March 2005	Public workshops to discuss staff proposal to define large CAF
May 2005	Release staff report on proposed large CAF definition
May 2005	Stakeholder meetings to receive comments on staff report
June 2005	Public hearing on staff proposals to define large CAF

Who will be involved in developing the large CAF definition and identifying the most appropriate livestock emission factors?

ARB staff will coordinate a process that in includes all interested stakeholders. Stakeholders are expected to include local air districts, the California Air Pollution Control Officers Association, livestock industry groups, Farm Bureaus, UC Cooperative Extension staff, academic experts, U.S. EPA technical staff, environmental groups, and others.

What are some possible topics for identifying large confined animal facilities in California?

As a basis to start discussion, ARB staff has compiled topics to discuss for identifying large CAFs. During the workshop, we will seek input and feedback on these ideas, and any other options for identifying large CAFs.

A. Facility emissions

This approach might establish facility emissions thresholds that are consistent throughout the State. If a confined animal facility exceeds the thresholds, then it would be considered a large CAF. Discussion items:

- Would pollutants be treated individually, or collectively?
- Should different animal types have different emissions thresholds?
- Would livestock emissions thresholds be consistent with permitting thresholds for other industries producing similar pollutants?
- What emissions data and methods are needed to effectively quantify facility livestock emissions?
- Would consistent statewide thresholds be either too stringent, or too lenient for some regions?

B. Facility emissions considering attainment status

Similar to A, above, except this approach would vary the large CAF emissions thresholds by air district or basin, based upon the attainment status of the district. If a confined animal facility located in a region exceeds the local thresholds, then they would be considered a large CAF.

Discussion items:

- Similar to A, above, plus,
- If some regions have less stringent thresholds, could this encourage livestock facility migration?

C. Number of animals present at facilities

Several agencies now use the number of animals present at a facility (i.e., 1000 milking cows) to determine which facilities are regulated. This approach could be used to define large CAFs under SB 700. Discussion items:

- Would headcount thresholds be varied by region?
- If emission factors or methods changed, would headcount thresholds also need to be updated?
- If a facility has extensive emission controls, but exceeds the per-head threshold, would it still be defined as a large CAF?
- Are facility-specific head count data reasonably available?
- Using the per-head approach, how can we avoid inequities between livestock and other facilities regulated for their air emissions?

D. Economic or production information

This approach could be based on either the facility revenue, production, or some other value. The approach includes an underlying assumption that facilities with higher revenue or production: a) create more air pollution and, b) are more capable of absorbing the costs of regulation. Discussion items:

- Will it be feasible to collect facility and species specific economic and production information?
- What data are needed to show a link between air quality and economic or production information?
- Using this approach, how could we avoid inequities between livestock regulations and other regulated facility types?

E. Facility management practices

Some livestock management practices may be inherently more polluting and more amenable to emission reductions. This approach would use information about facility manure management practices and other factors to identify which facilities are considered large CAFs. Discussion items:

- If a large dairy and a small dairy used the same management practices, would they be treated the same?
- There are many management practice variations for each livestock category. Will it be possible to catalog the various practices and associate them with air quality impacts?
- Could existing facility operators avoid regulation by changing their management practices? What undesirable consequences could this produce?

What information will be evaluated to help define a large CAF?

This will be discussed with stakeholders during the workshop. Parameters used to define a large CAF may include, but are not limited to the following:

- Types and quantities of air pollutants from CAFs;
- Facility size and population data;
- Management practices of animal activities (e.g., waste handling, feed handling, housing) and non-animal activities (e.g., engines);
- Production information (head marketed, eggs produced, milk production);
- Economic information (gross & net receipts);
- Historical definitions of large CAFs or confined/concentrated animal feeding operations (CAFOs);
- Existing district or EPA permitting programs and applicability thresholds;
- Emission reduction potentials for livestock types or sources; and
- Air basin attainment status.