

To: ARB Criteria & Toxics Regulation Reporting <ctr-report@arb.ca.gov>

Subject: Public Workshop for the Proposed Regulation for Criteria Pollutant and Toxic Air Contaminant Emissions Reporting

I would like to submit comments on behalf of the Feather River Air Quality Management District (FRAQMD) on the Proposed Regulation for Criteria Pollutant and Toxic Air Contaminant Emissions Reporting.

Comments on Reporting Schedule

The process of collecting throughput data is well established in the air districts and the Emissions Reporting Regulation should build upon those successful programs wherever possible. The Reporting Regulation should provide some flexibility to accommodate existing air district throughput reporting deadlines where possible.

Background on District Throughput Process: The Health and Safety Code (HSC) section 42303 grants the authority to the Air Pollution Control Officer to obtain information from permit holders on the nature, extent, quantity and degree of air contaminants which are discharged by the source. The FRAQMD exercises this authority by means of an annual throughput mailed to permit holders in December. The throughputs are due by the last day in February of the each year. Throughput reports are reviewed by FRAQMD staff to ensure the source is complying with permit conditions. Throughput reports are verified by FRAQMD staff on annual announced and unannounced inspections. The collection of this data is vital to ensuring the FRAQMD permits are enforced, that air quality rules and regulations are complied with, and ambient air quality standards are attained and maintained. Because of the importance of this data, the FRAQMD staff spend several months reviewing the data provided by the permit holders, tracking down late forms, or following up on incomplete or incorrect forms. The throughput form review process takes until approximately May 1st to complete. After the data has been used to ensure permit compliance, it is used to generate the emissions inventory. If the throughput forms are submitted later than the end of March, the FRAQMD staff will not have enough time to complete the emissions inventory submittal to CARB by August 1st. If the throughput forms were submitted any time before the end of February, some permit holders may have issues compiling and submitting the data on time.

The above schedule works well for FRAQMD, but might not work for other air districts. That's why flexibility would be important since air districts have existing reporting schedules.

Threshold for "Elevated" Prioritization Score

The AB 617 added HSC § 39607.1 which directs CARB to establish a uniform statewide system of annual emissions reporting for criteria pollutants and toxic air contaminants for specific types of stationary sources. Under section 39607.1(a)(2)(C) a stationary source applicable to the requirements of the section is defined as "A facility that receives an elevated prioritization score based on cancer or noncancer health impacts pursuant to Section 44360." Section 44360 is part of the AB 2588 Air Toxics "Hot Spots" Program. Under Section 44360 the air districts must prioritize and categorize facilities as high, intermediate, and low priority. Since Section 44360 does not define "elevated" nor does Section 39607.1, CARB is requesting comments on how to define "elevated" and thus which stationary sources that emit toxic air contaminants should report annually. The elevated prioritization score facilities would be in addition to those already

subject to 39607.1 under the other two definitions (a facility subject to HSC § 38530 Mandatory Greenhouse Gas Emissions Reporting or permitted to emit 250 or more tons per year of any nonattainment pollutant or its precursors).

The FRAQMD recommends setting the level of the “elevated” prioritization score to equal the same as a “high” prioritization score under the AB 2588 Air Toxics “Hot Spots” Program to maintain consistency with existing programs.

Scope of Toxic Air Contaminants

Again the FRAQMD would recommend that CARB build upon established programs and use the same list of toxic air contaminants that are use under the Air Toxics “Hot Spots” Program and that are used for permitting purposes.

Thank you for the opportunity to provide feedback on the proposed Regulation.

Regards,

Sondra Spaethe
Air Quality Planner
Feather River Air Quality Management District