



June 27, 2018

Mr. Dave Edwards, Branch Chief
CARB
PO Box 2815
Sacramento, CA 95812

SENT VIA EMAIL

RE: Comments regarding Proposed Regulation for Criteria Pollutant and Toxic Air Contaminant Emissions Reporting

Dear Mr. Edwards,

On behalf of the members of the Industrial Environmental Association, I would like to thank you for scheduling the workshop in San Diego on June 18, and also for this opportunity to submit comments regarding the above referenced regulation.

We recognize that the proposed regulation is still in its formative stage, so our comments will be brief and focused primarily on process. Following are our suggestions that we believe would help avoid some pitfalls at the outset and streamline the implementation of this new regulation.

1. We recommend that facilities should be notified in writing by ARB or the appropriate Air District that emission inventories will be required, and that this notification must occur 90 days prior to the first day of the calendar year for which the emission data must be collected and recorded. Given that the current intent of ARB is to identify new communities over time, there needs to be a process for ensuring that facilities in newly designated communities are made aware of the new requirements and given sufficient time to obtain funding to develop record keeping systems and methods to comply.
2. Along these same lines, given that the first group of "communities" will not be identified until late September 2018, we believe that the first year for data collection should be 2019. This would apply to facilities newly required to report because they happen to operate in a designated "community."
3. There needs to be a more specific definition for "elevated" prioritization score when identifying criteria for determining sources subject to regulation. We suggest that this should be limited to those companies required to perform public notification as a result of a health risk assessment under AB 2588.
4. With regard to the reporting schedule, in light of the abundance of reporting requirements that fall upon facilities in the first two quarters of the year, we would like to see the report due dates in the third quarter of the calendar year. In

addition, we would like to see local Air Districts empowered to grant extensions where circumstance warrant such action and where good faith efforts have been demonstrated by the facility in question.

5. IEA agrees with ARB staff's position that local Air Districts are best suited to provide a verification role, in lieu of a third-party consultant. In most cases, local Air Districts have the unique expertise and the best knowledge of their communities to assess and implement the most cost-efficient verification role.
6. With regard to electronic reporting systems, it has been our experience with similar efforts that new system rollouts almost always go through unforeseen challenges and delays. Often these delays are the result of inadequate testing of the system with external users and real data or unforeseen technology issues. Considering that experience and in order to allow time for accurate and complete reporting, we would advise that any compliance dates established for using electronic reporting systems allow for flexibility in the event that the system is experiencing unanticipated technical difficulties.
7. With regard to data security, IEA is requesting ARB staff consider and develop procedures and safeguards to ensure that equipment information such as location, stack configuration and other sensitive data are available publicly, only as needed, possibly after certain online verification steps are completed.
8. In Phase 2 of the program, where facilities may be pulled in based on their potential to emit, (as required by the legislation), we request that ARB consider providing an "off-ramp" for facilities with high PTE and low actual emissions.
9. Finally, IEA supports a strong emphasis on scientific process and data reliability when it comes to establishing a link between emissions and specific health risks. AB 617 provides an opportunity for the public to gain an accurate picture of what type of emissions are affecting their community, the source of the emissions, the link between emissions and any health risks, and what solutions are available to reduce or eliminate those emissions.

Thank you for your consideration.

Best regards,



Jack Monger
CEO