

# **Regulation for Criteria Air Pollutant and Toxic Air Contaminant Emissions Reporting**

## **Proposed 15-Day Changes**

**Public Workshops  
March 5-14, 2019**



# Rulemaking for CARB

## Criteria & Toxics Emissions Reporting

- In December, the CARB Board approved for adoption the Criteria and Toxics Reporting Regulation
- The Board directed staff to complete a “15-day change process” to update the proposal as specified in the Board Resolution and Attachment
  - Modify applicability criteria to better satisfy public health and air-quality objectives for communities and statewide
  - Updates to definitions, reporting requirements, report contents, and others

# Emissions Data is a Foundation of CARB's Programs

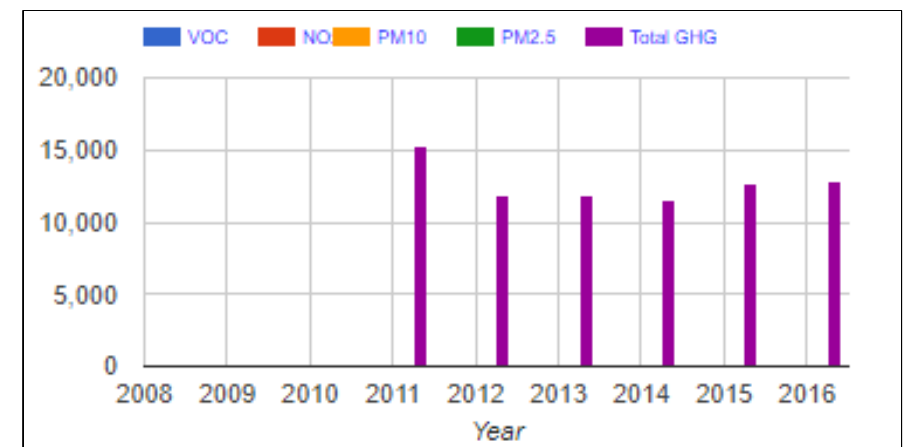
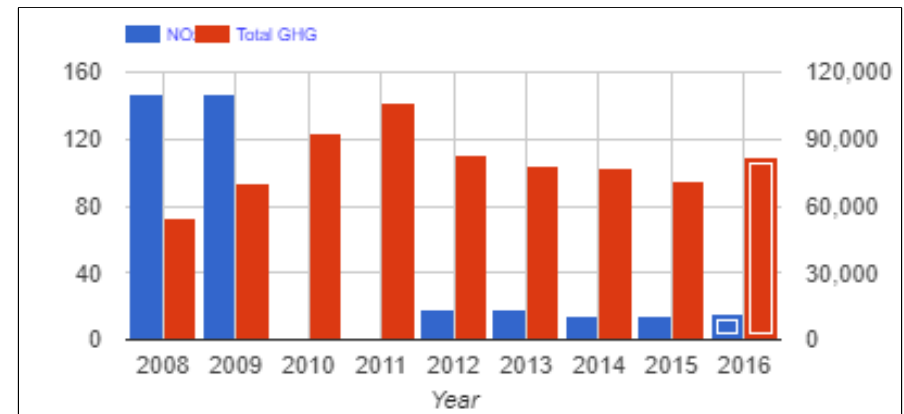
- Understand sources of different air pollutants
- Support and track progress of state and federal programs
- Harmonize statewide data submittal requirements, methods, deadlines, and frequency
- Provide enhanced transparency and public right-to-know under AB 197 and AB 617 requirements
  - Modernize and integrate data management processes
  - Dramatically improve access in user-friendly forms such as maps

## Current Inventories Are Inadequate For New Needs

- ❑ Criteria pollutant emissions data is collected inconsistently
- ❑ Toxics data are typically only collected by the districts every four years, for a small subset of facilities
- ❑ Existing emission inventory data is inadequate for meeting analysis and community protection needs
- ❑ A new paradigm is essential for progress

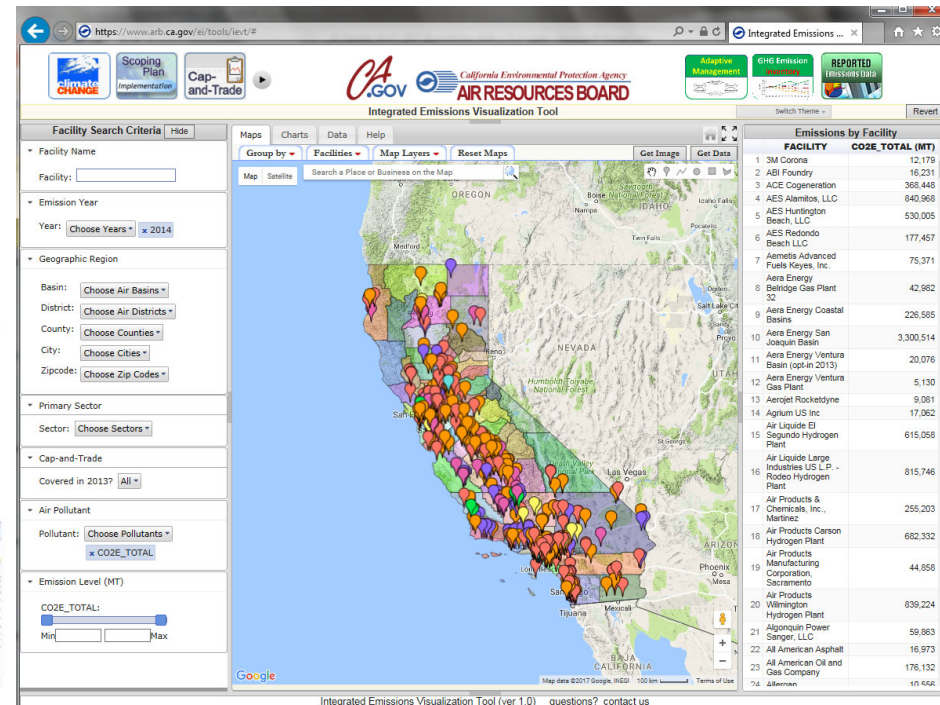
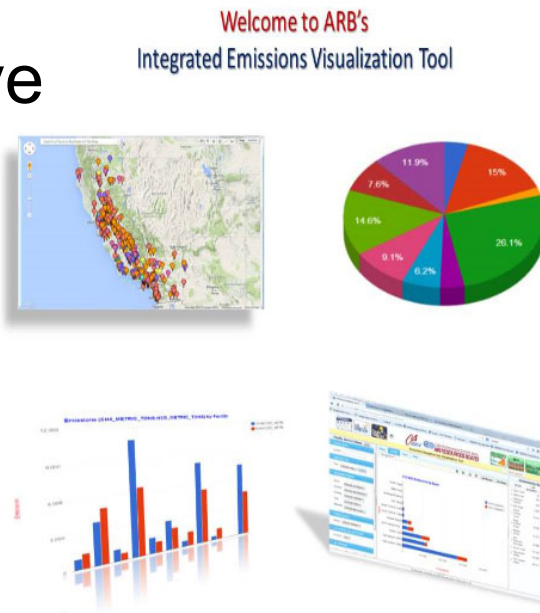
# Examples of Existing Inventory Shortcomings

- Facility with GHG emissions, but incomplete or inconsistent criteria pollutant emissions
- Facility with GHG emissions, but no criteria pollutant emissions
- Neither has any toxics data reported



# Inventory Improvements Are Essential

- Supports communities, air quality improvements, and new evaluation tools
- Must be statewide
- Comprehensive in scope



# Primary Regulation Elements

## Applicability

- Who is subject to reporting?

## Reporting Requirements

- Consistent reporting deadlines
- Uniform data report contents

## Implementation

- CARB and Air District collaboration

# Emissions Data Report Contents

## Annual Emissions

- Criteria pollutant and “Hot Spots” Toxics

## Detailed Sources

- Device and process level emissions

## Methods and Data

- Estimation methods and factors required

## Location Information

- For the facility & on-site emission sources



# Overview of the 15-Day Changes

- ▣ Applicability updates
- ▣ Updates to 2019 data reporting
- ▣ Definition updates
- ▣ Emissions data report clarifications
- ▣ Other updates based on comments



## Additional Applicability

GHG Emissions	• Subject to GHG reporting	Minimum AB 617 Requirements
Criteria Pollutants	• Emissions > 250 tons/year	
Toxic Air Contaminants	• Elevated prioritization score	
Additional Applicability	• Statewide facility criteria and toxics reporting thresholds	

## Additional Applicability – Guiding Principles

- ❑ Collect statewide information to support health-protective emission reduction measures
- ❑ Scientifically defensible approach based on previous work
- ❑ Include adjustments for new OEHHA risk guidelines and consideration of near-source and neighborhood-scale impacts
- ❑ Provide straightforward applicability thresholds that are easy to understand by industry and the public
- ❑ Phase-in reporting to minimize resource impacts

## Additional Applicability – Overview

- ❑ Proposed applicability based on statewide criteria pollutant emissions and sector-specific toxics requirements
  - Limited to permitted sources
- ❑ Criteria pollutant threshold
  - Must report annually if individual permitted criteria pollutants > 4 tons per year
- ❑ Toxic pollutant thresholds
  - Certain permitted industry sectors required to report *regardless of emissions*, such as metal plating and hazardous waste facilities
  - Other permitted sectors must report if a sector throughput or use threshold is exceeded, such as gallons of diesel fuel consumed

## Additional Applicability – Air Toxics

- Phased-in, sector-based toxics thresholds
  - Leveraged similar activity thresholds as from the AB-2588 Air Toxics “Hot Spots” program
  - Phasing based on greatest impacts to community health
  - Reporting simplifications for gasoline stations and facilities with diesel backup engines
- Reporting applicability thresholds reflect:
  - 2015 OEHHA risk guidelines and childhood risk science
  - Emerging chemicals and persistent or bioaccumulative chemicals
  - Combined impacts and facility “clustering” effects

# Additional Applicability – Potential Sectors List

\*Sector with no minimum threshold

## Possible Sectors for Inclusion, Based on Toxics Emissions (in no particular order)

- Metal plating, anodizing or grinding using cadmium or chromium\*
- Facilities with cooling towers using hexavalent chromium\*
- Facilities using incinerators that burn hazardous, municipal, or biomedical waste, or tires\*
- Crematoria
- Long term asbestos removal\*
- Hazardous waste treatment, storage, disposal and recycling facilities\*
- Retail sale of gasoline
- Construction sand and gravel mining, if asphalt products are also used or produced at the facility\*
- Fiberglass and various fiberglass materials and product manufacturing\*
- Oil and gas extraction or production\*
- Petroleum refining and related industries\*
- Petroleum refining and related industries\*
- Plating, polishing, coating, engraving, and allied services, including thermal spraying, using chromium, cadmium, or nickel\*
- Semiconductors and related devices manufacturing\*
- Petroleum bulk stations and terminals and related wholesalers\*
- Dry cleaners using perchloroethylene\*
- Dry cleaners using n-propylbromide\*
- Facilities emitting 1,4-Dioxane including but not limited to reverse osmosis equipment manufacturing, water treatment systems, and solvent use
- Combustion of crude, residual, distillate, or diesel oil
- Facilities that melt, smelt, recover, reclaim, or recycle lead-containing materials, including but not limited to lead batteries\*
- Refuse systems
- Auto body shops including new and used car dealers where surface coating occurs.
- Fumigation of crops for market using ethylene oxide, propylene oxide, methyl bromide, or sulfuryl fluoride\*
- Medical services, hospitals, and related facilities which use formaldehyde (or formalin), glutaraldehyde, or ethylene oxide
- Facilities that perform degreasing
- Printing and publishing including print shops and miscellaneous commercial printing
- Facilities using ethylene oxide for sterilization
- Facilities manufacturing or using polybrominated diphenyl compounds including brominated diphenyl ethers\*
- Wastewater treatment facilities including publicly owned treatment works (POTW)
- Boat and ship building and repair
- Facilities using isocyanate compounds
- Natural gas combustion in heaters, furnaces, internal combustion engines or turbines (subdivided by sectors)
- Facilities using tert-butyl acetate
- Pulp and paper mills\*
- Facilities emitting styrene
- Lead recycling or smelting\*
- Rubber and miscellaneous plastics products manufacturing if styrene, butadiene, phthalates, carcinogenic solvents, or isocyanates are used\*
- Commercial charbroiling and cooking
- Facilities using methylene chloride for print or coating removal, printing or print shop cleaning, or aircraft maintenance or repair

## Additional Applicability – Schedule

- Facilities would be subject to reporting on a phased-in schedule
  - Seeking input on concepts
- Proposed concept includes district phase-in:
  - Current proposal: Facilities in Large and Medium districts (Group A) would begin reporting with 202x data (where x is to be established)
  - Facilities in Rural and Mountain (Group B) districts would begin with 202x + 1 year data
  - Seeking input on groupings

## Additional Applicability – Schedule (cont.)

- Reporting for “toxics” industry sectors may be phased-in
  - Sectors added each year, to help balance workload
  - Phase-in of non-emissions data (e.g., release location)

Example: District Classifications, Sector Phase, and Initial Data Year\*

District Classification	Sector Phase 1	Sector Phase 2	Sector Phase 3
A			
B			

\* The initial data year is the first data year subject to reporting. For example, for District Classification A, Sector Phase 1, 202x data must be submitted during 202x + 1.



## Other Proposed 15-Day Updates (1)

- Remove 2018 data reporting requirements
- “Business as usual” reporting for 2019 data
  - Applies to first three applicability categories
  - No change to existing district data submissions, except annual reports must be provided for each applicable facility
- Beginning with 2020 data submitted in 2021, full data reporting requirements must be met
- Clarify applicability for natural gas distribution, particulate matter applicability and reporting, etc.

## Other Proposed 15-Day Updates (2)

- Include additional and modified definitions for clarity
- General cleanup and clarifications
- Provide mechanism for “abbreviated” reporting for backup generators and retail gasoline stations
  - Applies to sectors with straightforward emission estimates
  - Air district may estimate emissions for facilities

## Other Proposed 15-Day Updates (3)

- Emissions Report Contents – Section 93404
  - Reorganize “Stack” and “Fugitive” release location requirements
  - Add reporting of Standard Industrial Classification code
  - Clarifications that unpermitted facility sources are reportable, if they are currently inventoried by a district
  - Clarification that permitted portable equipment is reportable, regardless of equipment ownership
    - Require reporting of PERP equipment if equipment may pose a significant risk

# Seeking Input and Questions

- ▣ Applicability for statewide sources
  - Phase-in schedules for districts and industry sectors
  - Sectors included in proposal and reporting thresholds
- ▣ Definitions
- ▣ Reporting requirements and submission timing
- ▣ Data required to be submitted
- ▣ Others?

# Ongoing 15-Day Regulation Development

- ❑ Threshold, sector, and phase-in refinements for “additional applicability” updates
- ❑ Incorporate revisions based on comments received
  - Please submit comments by March 29 to:  
[ctr-report@arb.ca.gov](mailto:ctr-report@arb.ca.gov)
- ❑ Spring: Release 15-Day comment package (and 2<sup>nd</sup> 15-day, if necessary)
- ❑ Summer: Provide final documents to OAL for review and approval, for January 1, 2020 effective date

## Ongoing Program Activities – Uniform Methods

- Include uniform statewide methods for facility operators and districts
- Methods will be developed in coordination with air districts, CAPCOA, industry and health/community groups
- Utilize a sector-based approach for phasing in requirements
- Ongoing regulation updates for refinements



# Contact Us – Reporting Regulation

## Criteria Pollutant and Air Toxics Reporting



- Website:
  - <https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting>
- Email
  - [ctr-report@arb.ca.gov](mailto:ctr-report@arb.ca.gov)
- Click “[Subscribe](#)” for Criteria & Toxics Reporting Regulation listserve registration

# Contact Us – Reporting: Key Staff

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# End

