



Antelope Valley Air Quality Management District  
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November 9, 2020

Richard Corey, Executive Officer  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95814

**SUBJECT: Proposed CTR Regulation and EICG Rule**

Dear Mr. Corey:

The Antelope Valley Air Quality Management District (AVAQMD) appreciates the opportunity to submit our formal comments regarding the proposed changes to the CTR regulation and EICG rule that will be considered before the CARB Board at their November meeting. I appreciate CARB's efforts and willingness to include the Districts in this effort. AVAQMD supports strengthening and synchronizing the criteria and toxics inventory process. However, as a local air district facing the challenging implementation of the proposed changes, the AVAQMD requests that the issues raised below be addressed in both rulemakings prior to adoption:

Implementation Costs/Outreach

The CTR public notice estimates a ten-year cost to air districts of \$39 million to implement the CTR changes alone, and suggests that the air districts simply raise fees to cover this increased cost. Expanding the criteria and toxics emissions inventory process throughout the state to *anticipate future* AB 617 communities (and apparently an expected decline in mobile source emissions), and then asking air districts to figure out the means to pay for it, is nonsensical. AB 617 communities are required to create and implement expanded criteria and toxics inventory processes, and consequently have the statutory mandate to fund such expanded processes. The remainder of the state does not. Provide financial resources to meet this unfunded mandate, or do not require it.

The Districts have shared on many occasions the serious concerns of CARB revising or adopting regulations that have financial impacts not only on the Districts but on the sources themselves, many of them small sources that have limited finances and expertise to tackle the magnitude of what is being proposed in these revisions. Which brings me to the concern of Outreach to potentially impacted sources. There has been minimal, if any, attempts to reach out to the smaller source segment that will potentially be impacted by the proposed revisions. This means that the responsibility will also fall to the District's after the fact that revisions have been adopted. The appropriate way to engage in Outreach to potentially impacted sources is up front so that the process is transparent and the sources can have ample time to engage in the process to understand what the potential impacts will mean to them; this is exactly how the Districts are required to go about their regulatory revisions.

### Data Management

The proposed expansion of the criteria and toxics emission inventory process represents a massive expansion of the existing emissions inventory data stream, on a facility, device, process and pollutant basis. In effect, the proposed threshold levels will require the AVAQMD to collect emissions data from every facility (the alternative, evaluating facility applicability annually based on actual emissions, is too onerous). The promised data management tool to uniformly address CTR, CEI and AB2588 Hot Spots reporting has not been provided. Allegedly the proposed changes are intended to improve public access – it is not clear how. The proposed expansion does not solve existing problems, magnifies them, and has the potential to create new problems.

### New Reporting Thresholds

Outside of AB 617 communities (or existing toxic inventory processes), there is no justification for lowering reporting thresholds to four tons per year (or zero tons per year for that matter). If there is belief that certain industries merit increased recordkeeping and reporting, the AVAQMD recommends studying samples of those industries and facilities to establish *actual emissions* and *associated risks* before applying blanket requirements throughout the state in anticipation of *potential* emissions and *potential* risks.

### Excluding PERP Equipment (CARB run registration program)

It is curious that PERP equipment outside of major sources, already permitted and regulated by the state and the air districts, is excluded. Some PERP equipment has substantial use and therefore emissions. We would like to understand the justification for the exclusion of PERP equipment (other than PERP equipment at major sources which air districts are currently required to inventory).

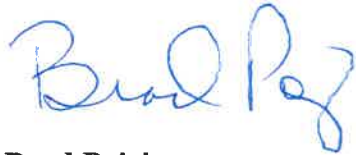
### New Pollutant Listings

The AVAQMD does not support mandatory reporting of pollutants for which there is no toxicity data, no CARB approved source test methodologies, and in most cases no emissions quantification possible.

I am concerned by the proposed actions – they will introduce regulatory confusion, they are proposed on a rushed timetable, there has been inadequate outreach, and implementation costs are not addressed. AVAQMD suggests first and foremost prolonging the hearing in order to have additional time to address the many outstanding issues we have brought to your attention above and also suggests that the proposed mandatory changes only be applicable within AB 617 communities, and retain current statute-required programs for the rest of the State of California.

AVAQMD stands ready to continue to work with CARB on these revision efforts but requests that this effort be postponed until there is further outreach and efforts to explain and support the proposed revisions. If you have any questions regarding this letter, please contact me at 760-245-1661 extension 5737 or Alan De Salvio of my staff at extension 6726.

Sincerely,



**Brad Poiriez**  
Executive Director

cc: Dave Edwards, CARB  
Gabe Ruiz, CARB

*CTR EICG comment letter AV*