



**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

July 17, 2015

California Air Resources Board
Via ARB Public Comments Submittal Webpage

Re: Public Comments on the Air Resources Board and California Air Pollution Control Officers' Association *Risk Management Guidance for Stationary Sources of Air Toxics* (Agenda Discussion Item #15-6-8)

Dear Air Resources Board Members:

The Santa Barbara County Air Pollution Control District wishes to compliment ARB and CAPCOA on their considerable efforts in preparing the proposed *Risk Management Guidance for Stationary Sources of Air Toxics* document before you today. Basically, we believe this Guidance document will be greatly beneficial toward the management of air toxics throughout the state. However, we are compelled to comment on one of the key objectives guiding its development, Key Objective 4 on page 10:

“Ensure that future program changes will not result in less health protective program requirements, relative to rules or programs in place prior to the 2015 OEHHA Manual.”
(emphasis added)

Our concern is that Key Objective 4 is vague, and could be interpreted in such a way as to undermine the goals of the Children's Environmental Health Protection Act (SB 25). SB 25 was passed to ensure infants and children are adequately protected from toxic air pollution. In response to this legislation, the Office of Environmental Health Hazard Assessment (OEHHA) spent many years evaluating these potential impacts and concluded that the existing methods for evaluating health risk grossly underestimated the health impacts to infants and children. In February 2015, after rigorous technical review and input from the public, OEHHA released a new Risk Assessment Manual. The Manual provides decision-makers with better tools to calculate the air toxics risks to which infants and children are actually exposed. Key Objective 4, as proposed, can be interpreted to mean it is acceptable for air toxics programs to be changed in a way that completely nullifies the health protectiveness of the new science incorporated into the OEHHA Manual. This interpretation exists because Key Objective 4 states that air toxics programs need only be as health protective as they were before the OEHHA Manual was published. In other words, it would be permissible to maintain an air toxics program “as is” without addressing the updated science as mandated under SB 25.

Key Objective 4, as written, neither ensures that the new science will be implemented nor does it ensure the health protection of our youngest, most susceptible population: children and infants. We believe that it is not the intent of the ARB or CAPCOA to include language in this Guidance document that is in direct conflict with the legislation and methodology that our agencies are mandated to implement. Therefore, we ask that Key Objective 4 be removed in its entirety or altered in the following manner:

“Ensure that the 2015 OEHHA Manual is implemented.”

We appreciate your consideration of this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Louis D. Van Mullem, Jr.", written in a cursive style.

Louis D. Van Mullem, Jr.
Air Pollution Control Officer