

To: California Air Resources Board Members

From: Evergreen Action Interim Policy Director Rachel Patterson

Date: October 25, 2023

**Re:** Comments re Board Item 23-9-4 - Strengthening Stationary Source Oversight

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Evergreen Action is a national nonprofit focused on our national mobilization to address the climate crisis. We recognize that equitable, deep, decarbonization requires a deep focus on racist and classist permitting decisions that have overburdened Black and brown communities with air pollution. As national rules and funds roll out during Inflation Reduction Act (IRA) deployment, it is critical that leading states work not only to reverse that pattern but to deploy zero emission technology investments that support workers and build prosperity in these communities.

The Board’s Community Air Protection Program, and the Blueprint 2.0 implementing it and under discussion today, will help chart the country’s course on that effort. Because reductions in pollution from stationary and industrial sources are critical to meeting our goals, developing a new green industrial base, deploying Inflation Reduction Act (IRA) funds, and reversing toxic pollution legacies, **we urge you to strengthen the Board’s role in stationary source permitting and oversight to ensure that zero emissions and advanced technologies are deployed quickly, and legacy permits and rules revised to reduce community pollution burdens.**

As drafted, the Blueprint provides important recommendations on permitting transparency and pollution reporting. Those are important functions. But the truth is that many air district rules and permits date from decades ago. AB 617 required districts to update their rules for Best Available Retrofit Control Technology (BARCT) to address these issues, and provided CARB with a fundamental oversight role for the program as a whole – including stationary sources – to the degree these sources threaten community health, as they do. The current draft, however, does not fully undertake this oversight responsibility. In particular, it does not make clear that CARB can, and should, issue its expert views on BARCT (and BACT, LAER, and similar permitting standards) levels to guide district processes and to ensure community emission reduction programs are effective, including prioritizing zero emission technologies wherever possible, identifying sources and source types where permit and regulatory updates are warranted, and working with communities to deploy funds and oversight to address these sources.

Without this clarity, it will be more difficult to durably alter the sustained patterns of unacceptable racist and classist pollution exposure, AB 617 was designed to prevent. Indeed, other leading states, including New Jersey, have recently passed largescale overhauls of air permitting programs to address precisely these issues. Evergreen is working to highlight these models nationally, and continues to make recommendations on how to improve state and national air permitting to protect communities and promote zero emission technologies. **It is our hope that the Blueprint 2.0 can help promote that effort, if revised to provide additional clarity on the Board’s commitment to stationery source oversight, clean technology promotion via permitting, and cumulative exposure reduction.**

With appropriate revisions, CARB and districts will be better positioned to address these issues, secure IRA funds to clean up industrial sectors, and serve as a national model.